

IN THE DISTRICT COURT FOR SKAGIT COUNTY and in the MUNICIPAL COURTS
OF ANACORTES, BURLINGTON, and MOUNT VERNON, WASHINGTON

IN THE MATTER OF

ADMINISTRATIVE ORDER

EMERGENCY RESPONSE TO
COVID-19 OUTBREAK

NO. 21-4

WHEREAS, the Governor of the State of Washington has previously declared a state of emergency in all counties of Washington due to the public health emergency caused by the Coronavirus Disease (COVID-19); and

WHEREAS, the Commissioners of Skagit County have declared a state of emergency in Skagit County due to the same public health concerns; and

WHEREAS, the Washington State Supreme Court has adopted various administrative orders authorizing certain specific emergency measures to address the safety of litigants, the public and of court employees; and

WHEREAS, the COVID-19 disease cases have increased in Skagit County in recent weeks, even as vaccine availability increases; and

WHEREAS Increasing COVID 19 infection and hospitalization rates have increased to a level where a return to Phase 2 of the Governor's State Reopening Guidelines is likely; and

WHEREAS continued adherence to public health guidelines to further slow the spread of COVID 19 is warranted, and;

WHEREAS previously ordered limited in-person court appearances can continue with appropriate COVID safety practices in place; and

WHEREAS, the Presiding Judge has determined that all reasonably necessary steps to protect the health and welfare of court participants and the public must be maintained; and

WHEREAS, given the increasing infection and hospitalization rates of COVID 19 cases in Skagit County, jury trials cannot be safely resumed at present;

NOW THEREFORE, Consistent with orders to all courts from the Washington State Supreme Court and in keeping with the applicable directions from the Governor combined with a statewide plan for gradual reopening of government and business facilities, and, so long as the following orders remain consistent with Washington State Supreme Court Administrative Orders, the following schedule will be observed by Skagit County District Court:

1. **CRIMINAL JURY TRIALS:** Criminal jury trials shall not resume prior to June 1, 2021 at the earliest.
2. **TIME FOR TRIAL:** COVID-19 disease continues to present a serious danger in congregate settings, and the current public health emergency is an unavoidable circumstance under CrRLJ 3.3(e)(8) constituting good cause to continue all jury trials in the administration of justice. The time period from April 30, 2021 to close of business May 31, 2021 shall be excluded for purposes of calculating time for trial under CrRLJ 3.3.
3. **GUILTY PLEAS:** Guilty pleas shall continue to be in person hearings unless a judicial officer grants prior written approval for a plea via virtual platform. Pleas will continue to be special set at 15 to 30 minute intervals at readiness and trial confirmation calendars.
4. **DUI AND DV ASSAULT ARRAIGNMENTS:** Beginning May 3, 2021, arraignments for Driving Under the Influence, Physical Control of a Motor Vehicle while Under the Influence, and Assault 4th Degree - domestic violence charges will be in person appearances and will not be available via Zoom or other virtual platform absent prior permission of a judicial officer for good cause.
5. **AGREED TRIAL CONTINUANCES:** Agreed Continuances of readiness, motion hearings, and trial dates **shall** continue to be completed ex parte and submitted in advance, and defendants are not required to appear either in person or by virtual platform at readiness hearings unless specifically ordered by the court for good cause.
6. **CIVIL JURY TRIALS:** In order to address the backlog of criminal jury trials which occurred during the COVID emergency, civil jury trials will not resume prior to October 1, 2021.
7. **REOPENING OF COURT CLERKS' OFFICES:** The Skagit County District Court Clerk's office and Municipal Court Clerk's Offices, with the

exception of Burlington Municipal Court, have opened for in-person assistance; however, whenever possible individuals should access court clerk services by phone, email, fax, drop box, or regular mail. Check the appropriate court website for updates on individual clerks' office schedules. Anyone coming in person to the clerk's counter for assistance must follow all public health guidelines and may be removed from the courthouse for failure to follow such guidelines.

8. **CRIMINAL PRETRIAL MOTIONS:** Beginning May 3, 2021, pretrial criminal motions shall be held as in person hearings. Motion hearings shall be conducted one at a time, with only the participants and witnesses necessary for an individual hearing present in the courtroom during the hearing. Participants in a subsequent hearing shall not enter the courtroom until the participants of a prior hearing have left the courtroom.
9. **HEALTH SCREENINGS:** All parties appearing for in person hearings shall continue to submit to health screenings, if requested, prior to being admitted to the courtroom. Anyone exhibiting symptoms of illness (fever, cough, body or muscle aches, recent loss of taste or smell, runny nose, sneezing, fatigue not associated with other known conditions, headache, or sore throat) shall not be permitted in the courtroom and shall be required to leave the courtroom if such symptoms are observed.
10. **APPROVED FACIAL COVERINGS:** Surgical masks (available from the court clerk) shall be worn by all participants at all times when in the courtroom if directed by the Judicial Officer. Certain face coverings, such as single ply face masks, masks with vents, bandanas, and neck gaiters are ineffective, do not satisfy the face covering requirement, and are not allowed unless worn over a surgical mask. All parties shall observe social distancing requirements. Any person not complying with these requirements shall be subject to removal from the courtroom.

A complete schedule of calendars and information on accessing courts via Zoom is available on the District Court and Municipal Court websites. Any provisions of Administrative Order 21-3 which are not inconsistent with this order shall remain in full force and effect.

DATED THIS 28th day of April, 2021.


Dianne Edmonds Goddard, District
Court Judge, Presiding