

FILED

APR 08 2020

IN THE DISTRICT COURT
FOR THE COUNTY OF BENTON



BENTON COUNTY
DISTRICT COURT

| | | |
|------------------------------|---|----------------------|
| IN THE MATTER OF EMERGENCY |) | AMENDED |
| |) | ADMINISTRATIVE ORDER |
| RESPONSE TO COMMUNITY HEALTH |) | NO.20-001 |
| |) | |

WHEREAS, the governor of the State of Washington has declared a state of emergency in all counties due to the public health emergency caused by COVID 19 and

WHEREAS, the Washington State Supreme Court has adopted Order No.25700-B-602, granting emergency authority to Benton County District Court to adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current state of emergency;

NOW, THEREFORE, IT IS HEREBY ORDERED, until further notice and effective Thursday, April 9, 2020:

1. Civil cases, including Small Claims and Name Change hearings, will be continued. They will be reset with notice to court dates after May 4, 2020.
2. Currently set contested infraction hearings will be reset. Contested infraction hearings will be set with court dates beginning in June 2020, or a later date if the stay-at-home order of Governor Inslee is extended. Notices for contested hearings will include the form to contest by mail or email. Mitigated infraction hearings will be held by mail or email. Notices for mitigation hearings will include the form to mitigate by mail or email. To effectuate all mitigation hearings being held by mail or email, IRLJ 2.6 (b) is suspended.
3. The front counter will be closed. Payments may be made by mail, by phone, on-line or dropped off in the drop box located outside the courthouse. Civil filings may be e-filed or mailed to the court.
4. Criminal and civil jury trials will not be held until after May 4, 2020.
5. All criminal pretrial hearings will be continued and set out with hearings after May 4, 2020. Currently set pretrial hearings, motions, trial readiness hearings, and trials, will be reset by agreement of the parties or with notice from the Court.
6. All DUI/Physical Control and Domestic Violence arraignments will continue as scheduled. All other arraignments and currently set arraignments will be reset to dates after May 4, 2020, with notice.
7. All initial appearances for DUI/Physical Control and Domestic Violence cases will continue as scheduled.

8. In-custody hearings for defendants who are held in jail will continue as scheduled and will be held by video and/or audio appearance.
9. With regard to all criminal matters, the time period of the continuances and resets implemented by this Administrative Order will be excluded under CrRLJ 3.3 Time for Trial Rule.
10. Therapeutic court cases will be reset after May 4, 2020. If needed, and as determined by the therapeutic court teams, some hearings may be set prior to the above dates.
11. Petitions for Protection Order hearings will proceed as currently scheduled—including without limitation, domestic violence, anti-harassment, sexual assault, stalking or any other type of order. New petitions for such orders will also be scheduled per the usual rules and Practice of the Court.
12. Matters relating to the impound of motor vehicle(s) or animals may be scheduled if a written request to the judge is presented explaining the emergent need for a hearing. Upon a judicial determination of an emergent need, the court clerk will set a hearing which may be accomplished via a telephonic or video hearing.
13. The Tuesday morning fine hearings will be held ex parte in chambers.
14. Pending criminal and civil cases, upon motion/agreement of the parties, may be set and handled either in court or by video/audio appearance while the stay-at-home order is still in effect.
15. For all hearings currently pending and for hearings on new cases filed during the pendency of this order that are delayed by effect of this order, the delay/continuance shall constitute an excluded period for purposes of Speedy Trial, CrRLJ 3.3, CrRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6, and any other applicable court rule.
16. If the stay-at-home order of Governor Inslee is extended beyond May 4, 2020, all criminal and civil cases set after May 4, 2020, but within the period of the stay-at-home extension, will be reset.

Benton County District Court remains open. Litigants and attorneys who feel sick should not enter the Benton County courthouse. Anyone deemed by the Court or staff to exhibit illness symptoms may be ordered to leave the building.

DATED this 9th day of April, 2020.



 Presiding Judge Terry Tanner