

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. 21-3

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 the public and of court employees; and

WHEREAS, the COVID-19 disease cases are leveling as vaccine availability increases, and

WHEREAS Governor Inslee has announced a move to Phase 3 of the reopening guidelines, and

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

WHEREAS, some individuals are not able to access hearings via virtual platforms, and;

WHEREAS, assuming the continuing decline in COVID 19 cases and deaths in Skagit County, jury trials can resume with adequate public health safety measures in place, and;

WHEREAS, the safe reopening the courts, including resumption of jury trials by May 1, 2021, is possible with the continued progress in vaccinating the public and continued reduction in new COVID 19 cases and deaths;

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 resume, first in Mount Vernon Municipal Court as of May 1, 2021, and thereafter in the Burlington, Anacortes, and District Courts not later than June 1, 2021. Beginning not later than April 5, 2021 criminal jury trial dates and trial confirmation dates will be set at arraignment, consistent with RCrRLJ 3.3.
2. **TIME FOR TRIAL:** The court further finds that COVID-19 continues to present a serious danger in congregate settings and that 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 2, 2021 to close of business April 30, 2021 shall be excluded for purposes of calculating time for trial. CrRLJ 3.3.
3. **GUILTY PLEAS:** Beginning April 15, 2021, guilty pleas shall 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. **AGREED TRIAL CONTINUANCES:** Agreed Continuances of readiness, motion hearings, and trial dates **shall** be completed ex parte and submitted, 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.
5. **LOCATION OF CRIMINAL JURY TRIALS:** Until further order of the court, and in order to provide sufficient space for social distancing,

criminal jury trials for District Court cases shall be heard in one of the municipal courtrooms or other alternate location.

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 September 1, 2021.
7. **REOPENING OF COURT CLERKS' OFFICES:** The Skagit County District Court Clerk's office and Municipal Court Clerk's Offices will open for in-person assistance not later than May 1, 2021. Check the appropriate court website for updates on individual clerks' office reopenings. Anyone coming to the clerk's counter for assistance must follow all public health guidelines. The decision to delay this reopening from April 1 to April 15 reflects the time frame for full vaccination of clerk personnel by the April 15 date.
8. **CRIMINAL PRETRIAL MOTIONS:** Beginning not later than May 1, 2021, pretrial criminal motions shall be held as in person hearings. Check the District Court website for information on the resumption of in person criminal motions.
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. Certain face coverings, such as single ply face masks, masks with vents, bandanas, and neck gaiters are ineffective to protect against infection, 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.
11. **EXCUSED JURORS:** Any prospective jurors who are susceptible to severe COVID disease, who reside with individuals vulnerable to severe COVID disease, or who have been unable to receive a COVID vaccine may request to be excused from jury service, and such requests will be honored.

A complete schedule of calendars is available on the District Court website. Information on how to access Zoom or other virtual hearings is available on the District Court website.

Any provisions of Administrative Order 21-2 which are not inconsistent with this order shall remain in full force and effect.

DATED THIS 1st day of April, 2021.



Dianne Edmonds Goddard, District
Court Judge, Presiding