

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF KING

**In Re: Virtual Proceedings in
Courtroom 3A of Maleng
Regional Justice Center**

NOTICE AND ORDER
Secure Closed Circuit
Zoom Observation Room
MRJC Courtroom 3A

Due to courtroom space restrictions, proceedings in Courtroom 3A may be observed via closed circuit Zoom Observation Room at the link below subject to the following limitations:

- 1) The Zoom Observation Room will not be opened for all proceedings.
- 2) Observers will not be admitted into the Zoom Observation Room until they have identified themselves to the judge.
- 3) By entering the Zoom Observation Room participants acknowledge that they are **prohibited from recording proceedings by any means** without prior authorization from the Court. See GR 16.
- 4) When joining, observers are required to remain on mute with video off unless otherwise directed by the Court.
- 5) Observers may not use any chat or screen share capabilities.
- 6) Violation of this order may result in civil and/or criminal penalties.

<https://kingcounty.zoom.us/j/4030190763>

Audio ONLY – (253)215-8782 - Meeting ID: 403 019 0763

The Court makes the following findings per

***State v. Bone-Club*, 128 Wash.2d 254, 906 P.2d 325 (1995) and GR16.**

1. The Supreme Court and Executive Branches have previously declared state-wide emergencies due to the COVID-19 pandemic. The State of Washington established state wide protocols for the implementation of social distancing protocols.
2. With respect to Court operations, the Supreme Court General Orders filed under No. 25700-B-607-646 required that “[w]here court matters must be heard in person, social distancing and other public health measures must be strictly observed.” That Order further recognized that “[n]othing in this order limits the authority of courts to adopt measures to protect health and safety that are more restrictive than this order, as circumstances warrant.”. King County Superior Court has entered emergency orders *In the matter of the response by King County Superior Court to the Public Health Emergency in Washington State*, No. 20-0-12050-5 (2020) and No 21-0-12050-3 (2021), which mandate appropriate social distancing for all in person proceedings within the King County Superior Court.
3. The Court finds that court operations may require that there are persons (jurors, witnesses, and others) who may be compelled to be present in the Courtroom regardless of vaccination status.
4. For purposes of the matters which are scheduled before this Court, the Court Finds as follows:
 - a. A compelling interest has been demonstrated that requires that the Court take such measures as to conduct the hearings and trial scheduled in this Court with appropriate social distancing in the courtroom. The Court has weighed the importance of open proceedings against the present health risks, and has determined risk of further spread of COVID-19 outweigh the interests of the public to have more spectators in the courtroom. Additionally, the Court has established a closed circuit, secure Zoom Observation Room where spectators may observe the proceedings during this trial.
 - b. Per *State v. Njonge*, 181 Wn.2d 546, 334 P.3d 1068 (Div. III, 2014), the Court finds that this space limitation is not a court closure.
 - c. Additionally, the Court finds that the means provided for the public to observe and listen to court proceedings is the least restrictive means available for protecting the public, the parties, the witnesses, and court staff.
 - d. Before opening the Zoom Observation Room, allowing in observers, and in determining appropriate camera placement/visual fields the Court considers the privacy and safety interests of the parties, witnesses, and jurors as well as the public interest in access to court proceedings. The Court has determined that the use of the closed circuit and secure observation room is appropriate and consistent with the public policy behind open courts. Further the Court reserves the right to broadcast or to live-stream Court proceedings within Courtroom 3A upon notice to the parties. When available, such live streaming may be found at: https://www.youtube.com/channel/UCQHIIJMUKfWS6WV_bOYyLxA
 - e. This order is as narrowly tailored as possible to address the present health risks. No less restrictive alternative is available that will sufficiently protect the health of all present.

Dated: November 15, 2021



JUDGE MATTHEW WILLIAMS