

IN THE KING COUNTY DISTRICT COURT
FOR THE STATE OF WASHINGTON AND THE CITIES OF AUBURN, BEAUX ARTS,
BELLEVUE, BURIEN, CARNATION, COVINGTON, DUVALL, KENMORE, REDMOND,
SAMMAMISH, SHORELINE, SKYKOMISH AND VASHON ISLAND

IN THE MATTER OF THE EMERGENCY)
RESPONSE TO THE THREAT TO PUBLIC)
HEALTH.)
)
)

EMERGENCY
ADMINISTRATIVE ORDER
NO. 12-2021

This matter comes before the Court on the public health emergency in King County:

WHEREAS, on February 29, 2020, Washington State Governor Jay Inslee and the Washington State Supreme Court declared a State of Emergency due to the public health emergency posed by the spread of the novel coronavirus (COVID – 19);

WHEREAS, the Washington Supreme Court State of Emergency for courts in the State of Washington is ongoing despite the availability of treatments and a vaccine to help prevent or mitigate the effects of the novel coronavirus if contracted;

WHEREAS, the novel coronavirus and its identified variants, remain a highly transmissible airborne disease posing serious health risks to certain vulnerable populations and to those who remain unvaccinated;

WHEREAS, the Washington State Supreme Court has deferred the authority to set safety guidelines and protocols to individual courts and encouraged the setting of safety protocols consistent with State and other available local public health guidance;

WHEREAS, the King County District Court is a high volume court with multiple locations throughout the County and is not requiring persons to be vaccinated to enter courthouse or courtroom locations or to access essential court services; therefore, District Court must continue to take precautions to keep all employees, jurors, court users, and all members of the general public who enter its locations safe;

WHEREAS, the State Department of Health (DOH) continues to provide guidance that the use of masks and social distancing remain the most effective means to protect unvaccinated individuals against the novel coronavirus, and DOH and L&I continue to require unvaccinated persons to wear masks in public spaces;

WHEREAS, King County District Court is an independent and essential branch of government integral to a functioning democracy and provides for the orderly and lawful resolution of disputes, and plays an essential role in maintaining public safety and in ensuring the equal and unbiased application of the law and adherence to the State and Federal Constitutions; and,

WHEREAS, King County District Court is committed to the fair and equal treatment of all persons and to following principles of equity and social justice to ensure due process and equal access, free of economic, social, or procedural barriers, for all persons, regardless of their circumstances;

NOW, THEREFORE, it is hereby Ordered:

1. King County District Court continues to operate under a State of Emergency due to the novel corona virus health pandemic and its continued impact to court operations. All Order provisions remain in effect for purposes of calculating speedy trial and other time of hearing rules. This Order is issued to update King County District Court's COVID-19 safety protocols and court operations. This Order remains in effect until September 1, 2021, but may be modified, terminated, or extended as circumstances warrant.

Health and Safety

2. All persons shall wear masks or other appropriate facial covering of the mouth and nose, regardless of vaccination status, when entering and remaining in any King County District Court location unless they have a documented precluding health condition or disability, are a child three years of age or younger, or are allowed to temporarily remove the facial covering at the direction of the courtroom judge when necessary to facilitate effective communication. All persons shall strictly adhere to all directions and markings to ensure social distancing. The number of persons allowed into a courtroom at any one time shall be limited. The courtrooms are marked to indicate allowable seating and places to stand when moving about the courtroom.

3. Hand sanitizer will be available in every courtroom, and frequent handwashing is encouraged. Courthouse locations will be cleaned daily, and frequently touched surfaces inside the courtrooms and public clerk's office areas will be wiped down with an appropriate cleaning agent throughout the day.

4. ***Persons who are ill, or who have recently been exposed, or who reside with persons who are ill, must remain home.*** If signs of illness are detected, you may be

refused entry or be asked to leave. If you are ill, have been recently exposed to someone who has tested positive for COVID-19, or reside in a household with someone who is ill or has tested positive within the last 10 days, please call the court at 206-205-9200 to reschedule your court date. For those persons needing a continuance due to illness, the procedural requirement of filing such a request in writing is hereby suspended.

Location and Operation Changes

5. All courthouse locations are open to the public during business hours and for all scheduled hearings. Courtroom capacity is limited due to social distancing requirements. Video and telephonic hearings conducted via Zoom remain an option for many hearing types (see below for details). King County District Court continues to consolidate or schedule cases in alternative locations due to staffing and space limitations. *All persons should carefully check their court notice to confirm the scheduled hearing location.*

6. Redmond, Bellevue, and Issaquah District Court jury trials will be scheduled in Issaquah District Court. Jury trials may be conducted in the Bellevue location during the first full week of the month as an overflow location. The conducting of jury trials at the Redmond Courthouse location remains suspended until further order of the court.

7. City of Auburn, Covington, Shoreline, Kenmore schedule changes: Due to additional space needs to conduct jury trials, jail calendars and protection order calendars usually scheduled at the Auburn and Shoreline Courthouse locations will be relocated during the Auburn, Covington, Shoreline, and Kenmore scheduled jury weeks. Auburn and Covington in custody matters will be heard in Burien during the first full week of every month and Full and Temporary Order hearings typically scheduled at the Shoreline Courthouse will be scheduled in Seattle the third Monday through Thursday of every month. All persons may appear by video.

8. City of Sammamish and Carnation in custody matters will be heard at the Issaquah Courthouse every Monday and at the Bellevue Courthouse every Tuesday through Friday. All parties may appear by video.

9. Community Courts will continue to be held at the courthouse locations. In person resource centers for Shoreline and Redmond Community Courts remain closed. The Auburn Resource Center is open for Community Court participants and members of the public. Community Court Virtual Resource Centers are available for all Community Court participants and the public. Please see the King County District Court website for

days and hours of operation. Scheduled Hearings may be conducted by telephone or video via Zoom, or in-person at the appropriate courthouse location.

10. Clerk Office hours: Due to continued staffing shortages and limitations in all District Court locations, District Court Clerk Offices will be closed from 12 noon to 1:00 p.m. each court day. Clerk Offices may also be closed as needed due to insufficient staffing at a location. Every effort will be made to accommodate the public's need to access services, and notice of alternate locations or options to file emergency matters or to pay legal financial obligations will be posted at the location and on the court's website.

11. Call Center: The King County District Court Call Center (206-205-9200) will continue to operate Monday through Friday from 8:30 a.m. to 4:30 p.m.

12. Filing: Pursuant to the authority granted by the Washington State Supreme Court Emergency Orders, all filings, except for those related to Protection Orders and **not subject to mandatory e-filing**, may be submitted via email at KCDCCourtFilings@Kingcounty.gov. Petitions for Protective Orders may be filed via email at KCDCCOrders@kingcounty.gov. Filings sent to other email address or subject to mandatory e-filing will be returned to the sender for proper filing. When submitting documents for filing by email, each matter must be sent by separate email and indicate King County District Court and the proper courthouse location, or it may be returned to the sender. Case numbers shall be included on each email filing submitted or it will be returned to the sender.

13. Video appearances are NOT permitted for the following (in person court appearance required):

- Criminal Jury and Bench Trials
- Criminal Testimonial Motions
- Motions to Quash Bench Warrants issued in an amount over \$5000.00
- Civil Jury trials (witnesses may be permitted to appear remotely as authorized by the trial judge).
- Name Change Hearings unless the Petitioner appeared in person and their identification was verified at the time the Petition was filed (identification must still be verified when appearing by video). If a Petition for a Name Change was submitted via the online portal, all parties must appear in person before the judge at the time of the hearing.
- Small Claim Trials (unless scheduled prior to the date of this Order). Remote appearance requests may be filed at least 2 weeks prior to the scheduled trial date and may be permitted at the judge's discretion. Exhibits may not be filed in

advance of the trial and persons appearing remotely must be able to submit and view exhibits remotely.

- When otherwise ordered by the judge.

Video appearances are permitted for all other hearing types and will be conducted via Zoom.

14. Telephone appearances (conducted via Zoom) are limited to the following types of hearings:

- Criminal pretrial and jury readiness hearings;
- Infraction hearings (when video not available);
- Civil motions and other hearings (when video not available);
- Small claim pretrials (when video not available);
- Protective Order hearings (when video not available).

15. Small Claim Pretrial Hearings will be conducted via video or telephone (when video not available) ONLY. If you are unable to appear remotely, you may appear in person if authorized by the court in advance of the hearing. Mediation will only be available for those appearing remotely.

16. Judges may require any person to appear in person for a hearing when required in the administration of justice. Except for Small Claim Pretrial hearings, remote appearances are voluntary and persons may appear in person for any scheduled hearing, but must strictly adhere to all court safety protocols in effect at the time of the hearing, including masking and social distancing.

17. Attorneys may continue to appear remotely when their clients appear remotely. Attorneys with multiple matters scheduled on a calendar are encouraged to appear in person. All paperwork must be prepared and reviewed in advance of a hearing or the hearing may be rescheduled.

18. Interpreters will continue to be scheduled remotely except for those hearing types where remote appearances are not permitted (See Paragraph 13). Judges may request an interpreter appear in person for any hearing type, if necessary, to facilitate full communication and court efficiency.

19. Electronic Signatures: Attorneys are permitted to sign pleadings and other documents using an electronic signature and their WSBA number. The signatures of parties may be waived when an attorney is permitted to sign on their client's behalf or the person is present and their acknowledgment of receipt is noted on the record.

20. Signatures – When required: Effective July 6, 2021, Defendant signatures (scanned documents permitted) shall be required on all Statements of Defendant on Plea of Guilty, Stipulated Order of Continuances, Judgement and Sentences, Notice of Loss of Right to Own or Possess a Firearm, and Criminal No Contact Orders. Signatures from in custody defendants on these documents may be waived as required in the administration of justice but should be obtained whenever possible. Except for pretrial orders and speedy trial waivers signed by the defendant's attorney on their behalf, defendant signatures are encouraged and may again be required by the judge on any court form.

21. In Custody Hearings shall be conducted via video from the SCORE and Issaquah Jails unless transport to a location is required for a testimonial motion, trial, or in the administration of justice. Defendants exhibiting signs of illness shall not be transported to any King County District Court location at any time.

In Custody cases scheduled at the Maleng Regional Justice Center (Courtroom GB) will be conducted with all parties appearing in person unless the defendant must appear by telephone due to COVID-19 jail protocols. In Custody cases scheduled in the downtown Seattle Courthouse and Seattle King County Jail locations will continue to be conducted via video or telephone from Courtroom KCJ 1 or the Maleng Regional Justice to Courtroom W338 until further order of the court.

22. Probation intake appointments shall be conducted in person. Probation check in appointments may be scheduled in person, by video, or by telephone until July 31, 2021. Effective August 1, 2021, probation appointments will transition to in person appointments unless otherwise authorized by the judge. Appointments may continue to be scheduled remotely until the new in person schedule is available. Probationers may continue to remotely attend self-help groups, certified treatment classes, including Alcohol Drug Information School (ADIS), and King County approved DUI victim panels as approved by the probation officer or supervising judge. Probation personnel may reschedule any appointment if someone appears to be ill. Probation officers may also refuse to see any person who does not comply with the court's safety protocols and shall report the defendant to the supervising judge.


23. Petitions for Protection Orders, or Motions to Modify, Extend, or Recall any type of Protective Order previously issued by a King County District Court judge may be submitted by email at KCDCOrders@kingcounty.gov or in person at any King County District Court location. Petition forms and instructions for electronic filing can be located on the King County District Court's website. Interpreter assistance may be requested by calling the clerk at 206-205-9200. Unless otherwise ordered by the hearing judge as required for the effective administration of justice, all Protective Order Hearings may be conducted in person, by video, or by telephone (if video is not available).

24. Passport services remain suspended until such time as it is safe for the court to resume normal operations.

Other Provisions

25. Consistent with the Washington Supreme Court's Emergency Orders and the Governor's COVID-19 related Proclamations, all hearings delayed as a result of this or any prior Washington Supreme Court or King County District Court Emergency Administrative Order, are made for good cause in light of the ongoing health crisis and shall be excluded periods 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. Due to the pandemic, infraction hearings set beyond the 120 day time requirement shall not be dismissed unless the court determines that the dismissal is required in the interests of justice after weighing the unforeseen circumstances of the pandemic against any prejudice to the defendant.

DATED this 1 day of July, 2021.



Judge Joe Campagna
Acting Chief Presiding Judge, King County District Court