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FILED
KING COUNTY, WASHINGTON

MAR 11 2020

DEPARTMENT OF
JUDICIAL ADMINISTRATION

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY**

IN THE MATTER OF
THE RESPONSE BY
KING COUNTY SUPERIOR COURT
TO THE PUBLIC HEALTH
EMERGENCY IN WASHINGTON
STATE

NO. 20-0-12050-5

EMERGENCY ORDER #2
ON ALLOWING TELEPHONIC
TESTIMONY IN ALL NON-TRIAL
HEARINGS FOR ALL CASE TYPES

This matter comes before the Court on the public health emergency in Washington State.

1. On February 29, 2020, Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the coronavirus disease 2019 (COVID-19).
2. King County Public Health and the Center for Disease Control has announced to the public the following on their web sites and in the press generally:

Public Health recommends that people at higher risk of severe illness should stay home and away from large groups of people as much as possible, including public places with lots of people and large gatherings where there will be close contact with others. This includes concert venues, conventions, sporting events, and crowded social gatherings.

People at higher risk include people:

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- Over 60 years of age
- With underlying health conditions including heart disease, lung disease, or diabetes
- With weakened immune systems
- Who are pregnant

Public Health has also advised “social distancing” and advised all members of King County to not congregate in groups so as to not spread the COVID-19 disease to those at higher risk.

3. On March 4th, 2020, Chief Justice Debra Stephens entered an Emergency Order that states, in part, as follows:

WHEREAS, during this state of emergency, it may become necessary for courts in these counties to close, relocate, or otherwise significantly modify their regular operations; and WHEREAS, the presiding judges in these counties need sufficient authority to effectively administer their courts in response to this state of emergency, including authority to adopt, modify, and suspend court rules and orders as warranted to address the emergency conditions.

NOW, THEREFORE, pursuant to the Court's authority to administer justice and to ensure the safety of court personnel, litigants, and the public, It IS HEREBY ORDERED THAT:

1. The Presiding Judges of the Washington courts are authorized to adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current public health emergency;
2. Each court shall immediately transmit copies of emergency local rules adopted or modified to address the public health emergency to the Administrative Office of the Courts in lieu of the requirements of General Rule 7;
3. Each court that closes pursuant to this Order or General Rule 21 shall sign an administrative order closing the court, file the original with the clerk of the affected court, and notify the Administrative Office of the Courts as soon as practicable.

4. Roughly 2000 people a day enter the King County Courthouse. Roughly half that number enter the Maleng Regional Justice Center each day.
5. Many are counsel and litigants who attend court for hearings in one of the more than fifty courtrooms. These may be pretrial motions, requests for petitions,

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1 guardianships, protective orders, dependency reviews, or eviction/unlawful
2 detainer matters. This list is not exclusive.

- 3 6. Certain courtrooms are “high volume” and hear many non-trial matters in a day.
4 All courtroom hearings, whether high volume or not, involve the congregation of
5 groups of people.
6

7 Therefore, IT IS ORDERED under the authority by Chief Justice Stephens’ Order
8 and the authority as a Presiding Judge for King County that the King County Superior
9 Court may, at any judicial officer’s discretion (judges and commissioners), in any civil
10 motions, family law hearings, civil protection order hearings, civil preliminary
11 proceeding, and criminal matters:
12

- 13 • Order telephonic or other remote communication technology for argument
- 14 • Order telephonic or other remote communication technology for testimony.
- 15 • This Order does not apply to trials.
- 16 • This Order does not apply to arraignment and bond hearings which continue to be
17 held in person.
- 18 • This Order will not implicate most criminal pretrial matters as a factual matter. In
19 King County Superior Court, criminal cases typically hold all pretrial hearings
20 after the beginning of the trial.
- 21 • This Order specifically allows telephonic or other remote communication
22 technology for criminal competency proceedings.
- 23 • Counsel may, of course, agree to telephonic testimony in trials at any time.
24
25

1 This Order modifies, but is not limited to modification of, the following rules:

2 LCR 7

3 LCR 12

4 LCR 56

5 LFLR 5

6 LFLR 6

7 LJuCR 3.12

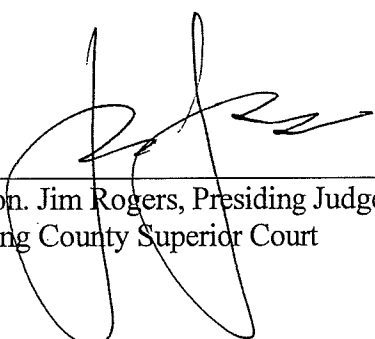
8 LCR 40.1

9 GALR 2(I)

10 SPR 98.16W(f)

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13 **It is so Ordered.**

14 March 11, 2020

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