FILED
KING COUNTY WASHINGTON

AUG 27 2020

SEA
SUPERIOR COURT CLERK

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

IN THE MATTER OF THE RESPONSE BY KING COUNTY SUPERIOIR COURT TO THE PUBLIC HEALTH EMERGENCY IN WASHINGTON STATE	No. 20-0-12050-5 **EMERGENCY ORDER #20 RE: CIVIL JURIES**

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

1. This Order incorporates the following findings from the following documents:
    a. King County Emergency Orders Nos. 1-17 (available at https://www.kingcounty.gov/courts/superior-court.aspx),
    b. the March 23, 2020 Stay Home-Stay Healthy proclamation of Governor Jay Inslee (https://bit.ly/2UfHC9M),
    c. the March 13, 2020 Proclamation of President Donald Trump regarding the COVID-19 pandemic (https://bit.ly/38SiuK7),
    d. Chief Justice Debra Stephens' Orders including the latest Order (http://www.courts.wa.gov/content/publicUpload/Supreme%20Court%20Orders/Extended%20and%20Revised%20Supreme%20Court%20Order%2004292 0.pdf).
2. This Court has four courthouse locations: The King County Courthouse in Seattle, the Maleng Regional Justice Center in Kent, the Clark Children and Family Justice Center in Seattle, and the Harborview suite for Involuntary Treatment cases. The KCCH and the MRJC are the two courthouses that hear jury trials.

3. The County is divided up into two jury assignment areas for assigning potential jurors to criminal and civil jury trials, per LGR 18:

(e) Location for Jury Assignment Areas for Civil and Criminal Cases Filed in King County.

(1) ***Designation of Jury Assignment Areas.*** The jury source list shall be divided into a Seattle jury assignment area and a Kent jury assignment area that consist of registered voters and licensed drivers and identicard holders residing in each jury assignment area. The area within each jury assignment area shall be identified by zip code and documented on a list maintained by the chief administrative officer for the court.

(2) ***Where Jurors Report.*** Individuals receiving a jury summons shall report for service to the Court facility in the jury assignment area identified on the face of the summons.

(3) ***Adjustment of Jury Assignment Area Boundaries.*** The jury assignment areas contained in this rule may be adjusted by the administrative office of the courts based on the most current United States census data at the request of the majority of the judges of the superior court when required for the efficient and fair administration of justice.

4. The pandemic has had several severe effects on the ability of the Court to hold jury trials. First, there is far less space to hold jury trials safely. Second, the Court leased a new location to hold any civil jury trials, but the location was unsuitable for criminal trials. Third, as a result of the new location and the demands of criminal cases, assigning potential jurors from their jury assignment area per LGR 18 has become unworkable.

5. There is less space to hold jury trials. Due to the pandemic, every criminal trial must use two entire courtrooms for social distancing purposes, as the jury rooms are far too small to fit the Public Health guidelines. Also, not all KCCH courtrooms can be reconfigured for social distancing for jury trials because of ancient installations that would be dangerous to modify (asbestos). This further reduced the number of available jury courtrooms.

6. Therefore, it is impossible to hold criminal and civil jury trials in the two existing courthouses-the number of courtrooms are insufficient. This Court was faced with the

prospect of shutting down civil jury trials during the pandemic or at least holding very few.

7. As a result, the Court requested and was given CARES ACT funding to rent a new location for civil jury trials. That location is the Meydenbauer Center in Bellevue. The Court has no prior locations on the Eastside of the County.
8. The Meydenbauer Center is not appropriate for budgetary reasons to hold criminal jury trials. The amount of security necessary was cost prohibitive and transportation of in custody defendants was also cost prohibitive. At Meydenbauer, the Court is hearing all other trials, including civil jury and family law trials, leaving the KCCH and MRJC as priority criminal jury trial locations.
9. The Civil and Family law trials sent to Meydenbauer Courthouse are from all over the County, thus both KNT and SEA designations.
10. The Court has moved to a virtual "zoom" jury selection process. The Court is summoning many jurors at this time. By statute, criminal cases receive the first jurors. For a civil jury trial to be guaranteed a panel drawn from its jury assignment location, the Court would be required to summons many, many more jurors.
11. It is far more feasible and practical to draw from the entire County for each civil jury trial.

ORDER

Therefore, to assure that all civil jury trials receive juries, this Order **suspends the**

application of LGR 18 to civil jury trials until December 31, 2020. The jury assignment area for the Meydenbauer Center, and for all civil cases, shall be the entire County. The authority for suspension of the rule is based upon the Chief Justice's Orders during this pandemic.

IT IS SO ORDERED.

Dated: August 27, 2020

JUDGE JIM ROGERS
Presiding Judge, King County Superior Court