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FILED
KING COUNTY, WASHINGTON

MAR 26 2021

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 SUPERIOR COURT TO THE
PUBLIC HEALTH EMERGENCY IN
WASHINGTON STATE

No. 21-0-12050-3

**EMERGENCY ORDER #31
RE: SUSPENDING IN-PERSON JURY
TRIALS FOR CIVIL CASES TO APRIL
26, 2021.**

This matter comes before the Court on the public health emergency in Washington State. The Court incorporates Emergency Orders #1 through #22 and Emergency Orders #24 and #28. The Court now enters a revised order regarding procedures governing civil jury trials during the public health emergency. **This Order is in effect until close of business July 30, 2021.**

I. FINDINGS

1. By Emergency Order #28, this Court previously suspended all in person criminal and civil jury trials until after March 29, 2021.

2. The Court reviews public health data and actively consults with faculty members of the University of Washington School of Public Health every two weeks to aid in making decisions on court proceedings.

3. Space remains a limiting factor for the amount of trials the Court can safely accommodate. Guidelines in previous emergency orders have cited to the recommendations of the Centers for Disease Control, the State Department of

**EMERGENCY ORDER # 31
RE: SUSPENDING IN-PERSON JURY TRIALS
FOR CIVIL CASES TO APRIL 26, 2021. - 1 of 4**

1 Health and our Court's own Orders, all of which require six foot distancing for all
2 trials. As long as the public health emergency remains, each criminal jury trial
3 requires 2-3 courtrooms for social distancing, one for the trial, one for the jury
4 waiting room, and often one for spectators to view on video, because they cannot
5 fit inside the courtrooms with social distancing.

6 4. Criminal trials are the Court's first priority. As we move back to capacity for
7 criminal, we are out of space for civil jury trials (and could run out of space for
8 family law and other bench trials).

9 5. As of August 2020, King County Superior Court began holding in-person civil jury
10 trials at the Meydenbauer Center in Bellevue given the lack of space at the King
11 County Courthouse and Maleng Regional Justice Center. This facility is not
12 available the majority of April 2021. It is expected to be available for Superior
13 Court's use again April 26- July 30, 2021.

14 6. The Court has found remote family law, dependency, civil bench, and civil jury
15 trials to be a reasonable alternative when in-person trials are not possible.

16 7. The King County Superior Court has been conducting virtual civil jury trials with
17 all parties, witnesses, and jurors attending remotely via Zoom since December
18 2020. The trials have proceeded smoothly. Jurors appear attentive and engaged.
19 The allowance of virtual civil jury trials will further the parties' right to a civil jury
20 trial by allowing cases to proceed to trial in a timely manner when due necessary
21 social distancing in-person civil trials are not viable.
22
23

1 8. If the positive trends with respect to the pandemic continue, the Court will resume
2 in-person civil jury trials at Meydenbauer April 26, 2021 through July 30, 2021,
3 subject to biweekly review.

4 9. On August 2, 2021, the Meydenbauer Center will no longer be available for civil
5 trials. At that time, the Court expects civil bench and civil jury trials to be held
6 remotely until such time social distancing no longer requires multiple courtroom to
7 conduct a jury trial in the King County Courthouse and Maleng Regional Justice
8 Center.

9 10. All of the provisions in this Order are subject to regular, two week review and
10 revision as the pandemic conditions change for the better or worse.

11 II. ORDER

12 1. Washington Supreme Court requires that courts “follow the most protective public
13 health guidance applicable in their jurisdiction.” Fifth Revised & Extended Order Regarding Court
14 Operations, *In the Matter of Statewide Response by Wash. State Courts to the COVID-19 Pub.*
15 *Health Emergency*, at 3 (Wash. Feb. 19, 2021) (the “Fifth Supreme Court Order”). More
16 specifically, the Supreme Court has ordered that trial courts “have authority to conduct all
17 proceedings in civil matters, including civil jury trials and non-jury trials, by remote means or in
18 person, with strict observance of social distancing and other public health measures.” *Id.*

19 2. All in-person civil jury trials shall be suspended until close of business April 26,
20 2021. Assuming the positive trends concerning the pandemic continue, the court will conduct in-
22 person civil jury trials at Meydenbauer Center beginning April 26, 2021 through July 30, 2021.


22 3. After July 30, 2021, parties should expect remote civil bench and jury trials until
232 such time social distancing guidelines allows otherwise.

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4. This Court finds that there is good cause and compelling circumstances to allow civil jury trials to proceed virtually via video using Zoom or an equivalent platform.

IT IS SO ORDERED.

Dated: March 26, 2021



JUDGE JIM ROGERS
Presiding Judge, King County Superior Court