

IN THE DISTRICT COURT FOR SKAGIT COUNTY and in the MUNICIPAL COURTS
OF ANACORTES, BURLINGTON, and MOUNT VERNON, WASHINGTON

IN THE MATTER OF

ADMINISTRATIVE ORDER

EMERGENCY RESPONSE TO
COVID-19 OUTBREAK

NO. 21-2

WHEREAS, the Governor of the State of Washington has previously declared a state of emergency in all counties of Washington due to the public health emergency caused by the Coronavirus Disease (COVID-19); and

WHEREAS, the Commissioners of Skagit County have declared a state of emergency in Skagit County due to the same public health concerns; and

WHEREAS, the Washington State Supreme Court has adopted various administrative orders authorizing certain specific emergency measures to address the safety of the public and of court employees; and

WHEREAS, the COVID-19 disease cases remain high in spite of recent declines in positive cases and deaths, and

WHEREAS vaccine distribution in Skagit County has not provided enough vaccination to significantly reduce the spread of COVID 19, and,

WHEREAS Skagit County meets metrics to move to Phase 2 of Governor Inslee's guidelines, and

WHEREAS continued restriction of public gatherings is warranted continue to slow the spread of the COVID 19 virus, and;

WHEREAS, the Presiding Judge has determined that all reasonably necessary steps to reduce court population and protect the health and welfare of court participants and the public must be taken; and

WHEREAS, the majority of District and Municipal Court hearings can be conducted via Zoom or other virtual platform, and;

WHEREAS, any prejudice to a misdemeanor offender who is not in custody resulting from a delay in holding a jury trial, absent evidence of special circumstances showing substantial prejudice to said defendant, is outweighed by the risk to public health and safety in holding a jury trial while COVID 19 cases remain high, resulting in undue risk of serious illness or death, and;

WHEREAS, due to these unavoidable circumstances brought about by the COVID 19 pandemic, further exclusion of time beyond February 19, 2021 is warranted.

NOW THEREFORE, Consistent with orders to all courts from the Washington State Supreme Court and in keeping with the applicable directions from the Governor combined with a statewide plan for gradual reopening of government and business facilities, and, so long as the following orders remain consistent with Washington State Supreme Court Administrative Orders, the following schedule will be observed by Skagit County District Court:

1. **CRIMINAL JURY TRIALS:** The court finds that COVID-19 presents a serious danger in congregate settings and that the current public health emergency is an unavoidable circumstance under CrRLJ 3.3(e)(8) constituting good cause to continue all jury trials in the administration of justice. The time period from February 19, 2021 to close of business April 2, 2021 shall be excluded for purposes of calculating time for trial. [CrRLJ 3.3.]
2. **JURY TRIALS:** Jury trial dates for both civil and criminal cases with an assigned jury trial date prior to April 5, 2021 are hereby stricken. No jury trials will be set prior to April 5, 2021. Criminal cases with jury trial dates which have been stricken will be set on the next trial assignment calendar.
3. **CIVIL JURY TRIALS.** Counsel on non-criminal matters shall renote said matters for trial assignment.
4. When jury trials resume, jury selection may be conducted via Zoom. Attorneys are strongly advised to familiarize themselves with the procedure for selecting juries on Zoom. Trainings is available through defender and prosecution associations and through the bar association.
5. Beginning not later than April 5, 2019 criminal jury trial dates and trial confirmation dates will be set at arraignment, consistent with CrRLJ 3.3.

The Skagit County District Court Clerk's office and Municipal Court Clerk's Offices will open for in-person assistance on April 1, 2021. Anyone coming to the clerk's counter for assistance must follow all public health guidelines.

While appearance via Zoom or other virtual platform for civil motions, criminal probation review, and criminal pretrial hearings is preferred, individuals who are unable to access court via Zoom may appear in person. Both civil and criminal litigants should remain in contact with their attorneys by phone and should not enter the courtroom until their matter is ready to be heard. Individual litigants unable to be in contact with an attorney by phone may enter the courtroom and shall abide by mask requirements and social distancing guidelines while in the courtroom.

All parties appearing for in person hearings shall continue to submit to health screenings if requested prior to being admitted to the courtroom. Anyone exhibiting symptoms of illness (fever, cough, body or muscle aches, recent loss of taste or smell, runny nose, sneezing, fatigue not associated with other known conditions, headache, or sore throat) shall not be permitted in the courtroom and shall be required to leave the courtroom if such symptoms are observed.

Surgical masks (available from the court clerk) shall be worn by all participants at all times when in the courtroom. Certain face coverings, such as single ply face masks, bandanas, and neck gaiters are ineffective, do not satisfy the face covering requirement and are not allowed. Masks with a vent or air release valve are ineffective and are not allowed. All parties shall observe social distancing requirements. Any person not complying with these requirements shall be subject to removal from the courtroom.

A complete schedule of calendars is available on the District Court website. Information on how to access Zoom or other virtual hearings is available on the District Court website.

Any provisions of Administrative Order 21-1 which are not inconsistent with this order shall remain in full force and effect.

DATED THIS 23 day of February, 2021.


Dianne Edmonds Goddard, District
Court Judge, Presiding