

**THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR CLALLAM COUNTY**

JUDGES

**Brian P. Coughenour
Brent Basden
Lauren Erickson**



**Courthouse
223 East Fourth Street, Ste 8
Port Angeles, WA 93862-3015**

**360.417.2386
360.417.2486**

COMMISSIONER

Brandon R. Mack

March 12, 2020

RE: COVID-19

Greetings:

Like many others, we have been engaged in discussions regarding the appropriate response to COVID-19. We understand that there are differing opinions and that the information available is constantly changing. The following steps are our effort to be good citizens and to allow individuals to act to protect their own health and the health of others.

As circumstances change, our approach may change. However, we are enacting the following changes effective immediately.

1. Civil Hearings: Except as set forth below, parties and attorneys may request to appear in court by phone.
 - a. Request procedure:
 - i. The request must be made by 8:00 a.m. the day of the hearing for morning hearings, and 12:00 noon for afternoon hearings.
 - ii. Requests will only be accepted by email to SupCtWebNotice@co.clallam.wa.us.
 - iii. The subject line of the email must state "Phone Appearance Request."
 - iv. The request must identify the case number.
 - v. The request must identify the date and time of the hearing.
 - vi. The request must include the contact phone number.
 - b. Guidelines:
 - i. A land-line is preferred but not required. If a phone connection is garbled, the call will be terminated and the matter decided based upon what has been provided to the court.
 - ii. The court will call the indicated number one time. If the phone is not answered, the matter will be decided based upon what has been provided to the court.
 - iii. A person wishing to appear by phone must be available during the entire calendar schedule until their case is called.
 - iv. The court will initiate one call per party per hearing (i.e. the court will not call an attorney at one number and that attorney's client at a different number).
 - v. Hearings with parties appearing by phone will be heard after cases where parties are personally appearing in the courtroom.

- c. Excluded Hearings: The following hearings require in-person appearance.
 - i. An initial request for a restraining order.
 - ii. Any hearing where live testimony will be taken.
 - iii. Therapeutic court hearings (except as described below).
 - iv. Any hearing involving more than three parties who need to be contacted by phone (based upon current limitations with phone system).
2. Ex parte Calendar: Ex parte matters that do not include a request for a restraining order may be delivered to the court clerk for decision without an in-person court appearance. Those received before 11:00 a.m. will be decided on the normal ex parte calendar. Those received after 11:00 a.m. may not be addressed until the following day's ex parte calendar. All such requests must contain a clearly identified phone number so that the court may call about any questions that arise.
3. Out of Custody Criminal Matters: Defendants may appear by phone for status / review hearings. Defendants must execute and file a waiver of in-person appearance. A standard waiver form has been generated and will be made available. A defendant's failure to answer the phone when called by the court may result in the issuance of a bench warrant.
4. Jury Service: Jury trials will continue as scheduled.
 - a. Jurors may request to have their jury service rescheduled under any of the following situations:
 - i. They are over the age of 60.
 - ii. They have a chronic health condition or believe they have a weakened immune system or other health concern which they believe puts them at risk if they report to jury duty.
 - iii. They are pregnant.
 - iv. They have had contact with someone who is sick.
 - b. Jurors should not report to jury duty if they are sick.
 - c. Jurors who do report for jury duty and are sick will be excused.
5. Therapeutic Courts: Personal appearance is required unless excused by the treatment provider, social worker, doctor, or court coordinator.
6. The Superior Court Clerk's Office will be sending out information regarding the ability to utilize the drop box outside of the courthouse for the purpose of filing documents.

As indicated, further steps may be adopted as circumstances change.

We will be available on Friday, March 13, 2020 at 12:00 noon in Courtroom I to answer any questions or provide any clarification that is necessary.

We encourage careful adherence to recommendations being made by public health officials.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brent Basden".

Brent Basden
Presiding Judge

A handwritten signature in blue ink, appearing to read "Lauren Erickson".

Lauren Erickson
Assistant Presiding Judge