

FILED

MAY 01 2020

CLALLAM COUNTY
DISTRICT COURT #1

IN THE DISTRICT COURT I

OF THE STATE OF WASHINGTON FOR CLALLAM COUNTY

)	No. 2020-04
)	
IN THE MATTER OF)	REVISED ADMINISTRATIVE ORDER
COURT OPERATIONS DURING PUBLIC)	
HEALTH EMERGENCY)	
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This matter comes before the Court regarding the public health emergency in Washington State and Clallam County:

WHEREAS, on February 29, 2020 Washington State Governor Inslee issued Proclamation 20-05 declaring a state of emergency due to the COVID-19 virus, and:

WHEREAS, on March 23, 2020 Governor Inslee issued Proclamation 20-25 re: “Stay Home Stay Healthy”, as extended through May 4, 2020, and:

WHEREAS, on April 14, 2020 Governor Inslee issued Proclamation No. 20-47 re: “Criminal Justice – Limitation of Actions”, and;

WHEREAS, on March 4, 2020 the Washington State Supreme Court entered Order No. 25700-B-602, as modified, granting emergency authority to the Presiding Judges of Washington courts to adopt, modify, and/or suspend court rules, and to take further actions concerning court operations as needed to respond to the public health emergency, and;

WHEREAS on April 29, 2020 the Washington State Supreme Court entered its ‘Second Revised and Extended Order Regarding Court Operations’ which supersedes its previous orders regarding court operations during the public health emergency, which Order is incorporated fully herein by reference;

NOW, THEREFORE, in consideration of the preceding,

IT IS HEREBY ORDERED:

A. As to criminal cases;

1. Readiness and confirmation hearings in pending criminal cases shall remain as currently set. Attorneys and defendants may appear by phone. If the defendant and defense counsel each wish

to appear by phone, defense counsel shall conference the defendant onto the attorney's phone prior to the hearing. Defense counsel shall provide their phone number to the Clerk at least two (2) hours prior to the scheduled hearing time. A *pro se* defendant who wishes to appear by telephone shall contact the Clerk of the court no later than 10:00AM on the hearing date. Defense counsel appearing in person shall provide a current working phone number for the Clerk to contact the defendant. If appearing by phone, a defendant's failure to respond to the Clerk's call shall be treated as a failure to appear.

2. Criminal cases which are not resolved at readiness or confirmation hearing shall be reset for a jury trial date of no sooner than July 6, 2020. The Court may also set an interim case status review hearing. Non-jury trials and motion hearings may be set by agreement of the parties, to a date and time approved by the Court.

3. Other out-of-custody criminal matters including sentence compliance review hearings, restitution hearings, and request to modify conditions of release may be heard by phone. Supporting documents and exhibits must be filed with the Court by noon on the court day preceding the hearing.

4. All in-custody criminal matters, including, without limitation, the initial appearance, arraignment, request to modify conditions of release, change of plea, and sentencing shall be conducted by video conference.

5. Deferred prosecution special report review calendars remain as set, commencing May 4, 2020. Participants are not required to appear in-person at Court. The Court, through its Probation Department, shall facilitate participation in the review calendars through alternative means such as video conferencing, telephone, or other means, as may be practical.

6. Participants in the mental health special report review calendars, commencing May 7, 2020 may appear by telephone by providing a contact number to the mental health treatment provider no later than 10:00AM of the review date.

B. As to civil cases:

7. Civil infraction hearings shall be set by the Court. Persons who request a deferral or mitigation hearing are encouraged to submit a written statement by using the link found under "Mitigation of Infractions" at the Court website: clallam.net/DC1/trafficinfractions.html. Persons who request

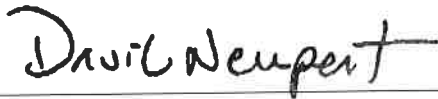
a contested infraction hearing are required to attend in person. The Court may use additional courtrooms to facilitate social distancing.

8. Antiharassment protection order petitions under Chapter 10.14RCW shall be filed in person at the Court. The Court does not at present maintain an electronic filing option. Hearings shall be conducted in-person unless the Court finds there is good cause to allow participation by phone or video. Social distancing protocols shall be maintained at all in-person hearings.

9. The Court construes name change petitions as non-emergency civil matters, which will be set for hearing after June 1, 2020 unless good cause is shown to warrant an earlier hearing.

This Administrative Order 2020-04 supersedes and replaces Administrative Order 2020-03. This Administrative Order is effective May 4, 2020 and shall remain in effect until amended, revised, or rescinded.

DATED this 1st day of May, 2020

A handwritten signature in black ink that reads "David Neupert". The signature is written in a cursive style and is positioned above a horizontal line.

David Neupert
Presiding Judge,
Clallam County District Court I