

1 SUPERIOR COURT OF WASHINGTON
2 COUNTY OF CLALLAM

3 IN THE MATTER OF THE RESPONSE BY
4 CLALLAM COUNTY SUPERIOR COURT
5 TO THE PUBLIC HEALTH EMERGENCY IN
6 WASHINGTON STATE

NO. 21-2-00001-05

EMERGENCY ORDER

JANUARY 21, 2021

7 This matter comes before the Court on the public health emergency in Washington State
8 related to Covid-19.

9 The court incorporates, by this reference and as a basis for the following order, the
10 orders and guidance of the Washington State Supreme Court, this court's prior orders to the
11 extent they are consistent with this order, the mandates and guidance from the Washington
12 State Governor, the binding and suggested directives and guidance from federal, state, and local
13 health and public safety officers.

14 The court has taken significant steps to ensure the safety of those who participate in jury
15 trials in Clallam County. These steps include the following:

- 16 1. Allowing potential jurors to automatically postpone their jury service based upon
17 their own or family member's medical needs.
- 18 2. Arranging a location for jury selection that allows for physical distancing to be
19 maintained.
- 20 3. Altering the configuration of the courtrooms to allow jurors, parties, and witnesses
21 in a trial to maintain physical distancing during all phases of the trial.
- 22 4. Requiring the wearing of personal protective equipment by all participants in jury
23 trials.
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1 5. Ongoing consultation with local health officials to ensure that the implemented
2 processes are sufficient to respond to the ongoing health crisis.

3 Within this context, the court has carefully considered the significant increase in the
4 number of Clallam County citizens testing positive during the last seven days.

5 NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

6 All criminal jury trials are suspended until March 29, 2021.

7 All civil jury trials are suspended until May 17, 2021.

8 For criminal trials affected by this order, the parties are directed to appear in court on
9 their next scheduled court date for purposes of resetting the trial.

10 A continuance of criminal trials is required in the administration of justice. The court
11 finds that the serious danger posed by COVID-19 is good cause to continue criminal trials, and
12 constitutes an unavoidable circumstance under CrR 3.3(e)(8). The time from January 19, 2021,
13 through March 28, 2021, shall be EXCLUDED when calculating time for trial for all criminal
14 cases, in addition to time already excluded pursuant to Washington State Supreme Court Orders
15 and this court's Emergency Orders dated November 18, 2020 and December 4, 2020.
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17 For civil jury trials affected by this order, the parties are to present an agreed order with
18 a new trial date, or alternatively schedule a trial setting to occur on the normal trial setting
19 calendar.

20 The court will continue to conduct bench trials in person.

21 The courtrooms continue to remain open. However, the Court strongly encourages
22 remote appearance for all motion hearings unless the nature of the hearing requires in person
23 attendance or where remote attendance is not possible based upon individual circumstances.
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