

JAN 06 2021

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF FERRY

DISTRICT COURT  
REPUBLIC, WA 99166

IN THE MATTER OF THE RESPONSE  
BY FERRY COUNTY DISTRICT COURT  
TO THE PUBLIC HEALTH EMERGENCY  
(COVID-19)

**EMERGENCY ADMINISTRATIVE  
ORDER NO. 21-02**  
(amending Order No. 21-01)

**\*\*See underlined passages for amended language\*\***

WHEREAS, the Governor of the State of Washington has declared a state of emergency in all counties of Washington due to the public health emergency caused by the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the Washington Supreme Court has adopted it's Fourth Revised And Extended Order No. 25700-B-646 granting emergency authority to this Court to adopt, modify, and suspend court rules and order and to take further actions regarding court operations as warranted to address the current state of emergency; and

WHEREAS, on March 23, 2020, April 2, 2020 and May 1, 2020, the Governor of the State of Washington has added additional restrictions on the citizens of the State of Washington due to the declared state of emergency concerning the Coronavirus Disease with his Proclamations; and

WHEREAS, the State of Washington has experienced exponential surge since Thanksgiving, and is likely to again experience such a surge after the Christmas holidays; and

WHEREAS, on November 15, 2020 (and effective November 16, 2020), due to the aforementioned surge of COVID 19 cases, the Governor of the State of Washington issued an Executive Order placing additional restrictions on the citizens of the State of Washington; and

WHEREAS, this Court has issued multiple Emergency Orders since last Spring;

NOW, THEREFORE, IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY:

1. Based on Paragraph 12 of the Supreme Court's Fourth Revised and Extended Order 25700-B-646, "A continuance of these criminal.... hearings and trials is required in the administration of justice. Based upon the Supreme Court's finding that the serious danger posed by COVID-19 is good cause to continue criminal and juvenile offender trials, and constitutes an unavoidable circumstance under CrRLJ(e)(8), the time between the Supreme Court's May 29, 2020 Order and the next scheduled court hearing after October 15, 2020 shall be EXCLUDED when calculating time for trial. CrRLJ(e)(3). After October 15, 2020, courts may further exclude time under these rules based on individual findings of "unavoidable circumstances" due to COVID-19 or other circumstances." **THEREFORE, Ferry County District Court makes an individual finding of unavoidable circumstances due to COVID-19, and therefore excludes time for calculation of speedy trial until the next scheduled Court hearing after February 28, 2021.**
2. All criminal and civil jury trials will be continued until after March 15, 2021;
3. All out-of-custody criminal hearings (i.e. pre-trial, show cause, review, etc.) will be conducted remotely via WebEx or telephonically, until after March 15, 2021, unless impossible to do so;

4. All in-custody criminal hearings will continue to be conducted per current protocol, utilizing Polycom;
5. The Ferry County District Court Clerk/Court Administrator shall administratively strike all cases currently set for trial during both the January and February, 2021 jury terms.
6. The time for out-of-custody arraignments, as prescribed by CrRLJ 4.1(a)(2), is hereby waived until March 1, 2021.
7. All civil anti-harassment and domestic violence no contact order hearings will be handled remotely, via WebEx or telephonically, until after March 15, 2021, unless impossible to do so;
8. All civil matters (non-protection order), including small claims and non-contested traffic hearings, will be continued until after March 15, 2021;
9. All contested infractions and requested mitigations on infractions will be handled via mail until after March 15, 2021;
10. If it is impossible for a party to appear for any court matter via WebEx or telephonically, that party may appear in-person but MUST adhere to the strict guidelines listed in this Order;
11. **Any person who is physically ill or in quarantine shall not enter the Courthouse;**
12. Staff and visitors are expected to practice good hygiene by washing hands frequently or by using hand sanitizer when hand washing is unpracticable;
13. Frequently touched surfaces will be routinely cleaned by disinfectant or other approved method;
14. Social distancing measures will be strictly enforced to the greatest extent practicable in all courtrooms and public areas around the courtroom. The courtroom has a very limited capacity due to social distancing.

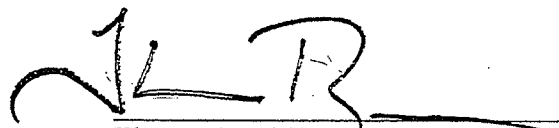
15. All persons entering the Ferry County District Court Courtroom shall be required to wear a mask, unless exempted under paragraph 16 below. The Court may direct the removal of masks worn by active participants to facilitate clear communication and due process. Active participant includes those seated at counsel table, witnesses, etc.

16. The following individuals do not need to wear a facial covering:

- a. Any child two or less;
- b. Any child aged twelve or less unless parents and caregiver supervise the use of face coverings by the child to avoid misuse;
- c. Any individual who has a physical disability that prevents easily wearing or removing a face covering;
- d. Any individual who is hearing impaired and uses facial and mouth movements as part of communication or an individual who is communicating with a person who is hearing impaired and uses facial and mouth movements as part of communication;
- e. Any individual who has been advised by a medical professional that wearing a face covering may pose a risk to that individual for health-related reasons;
- f. Any individual who has trouble breathing;

17. Ferry County District Court may adopt further restrictions as necessary to respond to the current state of emergency in order to mitigate the effect of COVID-19 and will do so by further court order.

DATED THIS 5th DAY OF JANUARY, 2021

  
Thomas David Brown  
Judge