# MARYSVILLE MUNICIPAL COURT
# COUNTY OF SNOHOMISH
# STATE OF WASHINGTON

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| **In the Matter of Emergency Response to a Threat of Public Health** | ) | **EMERGENCY ADMINISTRATIVE ORDER NO 2020-06** |

WHEREAS, On February 29, 2020, Governor Jay Inslee declared a state of emergency due to the public health crisis posed by the spread of the coronavirus (COVID 19).This state of emergency continues to the present day, and is expected to exist going forward.

WHEREAS, On March 4, 2020 Chief Justice Debra Stephens adopted Order 25700-8-602, granting emergency authority upon all Washington courts to "adopt, modify and/or suspend court rules and orders and to take further actions concerning court operations, as warranted to address the current public health emergency." The Emergency order adopted by the Washington Supreme Court on March 4 has been subsequently modified and updated with the following:

Washington Supreme Court Order 25700-B-602
Washington Supreme Court Order 25700-B- 607 Corrected
Washington Supreme Court Order 25700-B- 615
Washington Supreme Court Order 25700-B 626

WHEREAS, the Marysville Municipal Court has adopted the following Emergency Administrative Orders:

Marysville Emergency Administrative Order 2020 -03
Marysville Emergency Administrative Order 2020 -04
Marysville Emergency Administrative Order 2020 -05

Accordingly, pursuant to authority given to this Court through Washington State Supreme Court Orders 25700-B-602, 607, 615, and 626 and authority granted to the Presiding Judge of the Marysville Municipal Court pursuant to GR 29, this Emergency Order is effective June 5, 2020, and shall remain in effect until renewed, modified or rescinded by Marysville Municipal Court Presiding Judge. The Marysville Municipal Court's previously issued Emergency Administrative Orders remain in effect except where superseded by this Order. This Order is effective through December 31, 2020,unless specifically modified or terminated by subsequent Order.

NOW THEREFORE, IT IS HEREBY ORDERED

1) June 5, 2020 – Pursuant to Statewide Public health Orders and Citywide Orders, the Courthouse Building remains CLOSED to the Public. The Court deems it necessary to adopt a gradual, phased-in approach to re-opening to ensure public health and safety. Currently, Public access to remote video hearings is being provided through Livestream audio recordings, and also Public Access through the Zoom Video platform to actual hearings.

2) June 22, 2020 Limited Access to Building: Beginning Monday, June 22, 2020 through September 4, 2020, the daily Jail Calendars at 8:30 AM and 10:00 AM will be open to allow immediate family members (no children) into the facility to observe in-custody matters only. The door will remain locked, however, custody staff will allow immediate family in between 8:00 a.m. to 10:00 a.m.to view in-custody hearings. No other building access will be allowed. COVID 19 health screening may take place, People with a fever or who are feeling ill will not be allowed into the building. Face coverings, social distancing and the use of hand sanitizer will be required to enter the building and courtrooms.

3) September 8, 2020 Increased Public Access: Beginning Tuesday, September 8, 2020 through October 31, 2020 the court building will be open to the public for 6 hours per day. No other building access will be allowed. COVID 19 health screening may take place, People with a fever or who are feeling ill will not be allowed into the building. Face coverings, social distancing and the use of hand sanitizer will be required to enter the building and courtrooms.

4) Arraignments will be conducted through a remote platform or telephonically through September 4, 2020. The Court will issue an FTA to toll the speedy trial and a court date will issue subject to a CrRrLJ 2.2 address certification being filed by the prosecutor. In-person Arraignment hearings will begin the week of September 8, 2020. All persons entering the courthouse will be required to wear a face covering and use hand sanitizer prior to entering the court building. Social distancing measures will be in place. In order to comply with public health guidelines only the defendant will be allowed in the courtroom. Medical exceptions are allowed with advance notice to the court and approval by the Judge.

5) DUI first appearances will be held in-person beginning the week of September 8, 2020. All persons entering the courthouse will be required to wear a face covering and use hand sanitizer prior to entering the court building. COVID 19 precautions will be in effect. In order to comply with public health guidelines only the defendant will be allowed in the courtroom. Medical exceptions are allowed with advance notice to the court and approval by the Judge.

6) Confirmation Hearings will continue to be conducted through a remote platform or telephonically through September 4, 2020. In-person hearings will begin the week of September 8, 2020. COVID 19 precautions will be in effect. In order to comply with public health guidelines only the defendant will be allowed in the courtroom. Medical exceptions are allowed with advance notice to the court and approval by the Judge.

7) Interpreter calendars will be continued through September 4th. The court will automatically appoint the public defender office to these cases. In-person hearings will begin the week of September 8, 2020. COVID 19 precautions will be in effect. In order to comply with public health guidelines only the defendant will be allowed in the courtroom. Medical exceptions are allowed with advance notice to the court and approval by the Judge.

8) Failure to Comply hearing and Active Probation hearings will continue to be conducted through remote platform or telephonically through September 4, 2020. In-person hearings will begin the week of September 8, 2020. COVID 19 precautions will be in effect. In order to comply with public health guidelines only the defendant will be allowed in the courtroom. Medical exceptions are allowed with advance notice to the court and approval by the Judge.

9) Motions, unless requiring testimony, will continue to be conducted through remote platform or telephonically until further notice unless a specific written or email request for an in-person hearing has been approved by a judge. Motions requiring testimony will be conducted in-person beginning after the September 8, 2020 opening of the court. COVID 19 precautions will be in effect. In order to comply with public health guidelines only the defendant will be allowed in the courtroom. Medical exceptions are allowed with advance notice to the court and approval by the Judge.

10) For remote or telephonic hearings the Court waives the requirement of the Defendant's signature on the judgment and sentence subject to the proper record of the Defendant understanding the Judgment and sentence. The Court further waives the requirement of the Defendant's signature on the No Contact Order subject to the proper record of the Defendant understanding the No Contact Order. The Court further waives the requirement of the Defendant's signature on the Notice of Case setting subject to the proper record of the Defendant understanding the new hearing date. All paperwork will be mailed to the address provided by the defendant at the hearing. Defendants with changes of address shall contact the court clerk promptly at 360-363-8050 to update their mailing address.

11) Probation appointments will continue to remain telephonic through September 4, 2020. In-person appointments beginning the week of September 8, 2020 will be subject to any COVID 19 precautions in effect.

12) Mental Health Court (MAP) will continue to be conducted through remote platform or telephonically through September 4, 2020. In-person MAP hearings and MAP peer support group will begin the week of September 8, 2020. COVID 19 precautions will be in effect. In order to comply with public health guidelines only the defendant will be allowed in the courtroom. Medical exceptions are allowed with advance notice to the court and approval by the Judge.

13) MRT will continue to remain remote through September 4, 2020. MRT classes beginning the week of September 8, 2020 will be subject to any COVID 19 precautions in effect.

14) The jury terms are suspended through September 4, 2020.

15) November 2, 2020 – Resume Normal Operations: Beginning Tuesday, November 2, 2020 the court building will be open to the public for 8 hours per day. In-Person Courtroom hearings will be conducted, however, the applicable public health guidelines will be followed and Court operations will be tailored to comply with State and City directives. COVID 19 precautions will be reviewed prior to this date to determine what measures will continue to be needed.

16) Pre-Trial Hearings will continue to be conducted through a remote platform or telephonically through October 31, 2020. Beginning, November 2, 2020, Pre-Trial Hearings will be heard in-person and COVID 19 precautions will be reviewed.

17) Stipulated Order of Continuance compliance reviews will continue to be conducted through remote platform until further notice unless a specific request for an in-person hearing has been approved by a judge.

18) Impound Hearings will continue to be conducted through remote platform until further notice unless a specific request for an in-person hearing has been approved by a judge.

19) Seizure Hearings will continue to be conducted through remote platform until further notice unless a specific request for an in-person hearing has been approved by a judge.

20) All infraction hearings will remain electronic or by mail through December 31, 2020. An in-person contested hearing may be requested by filing a motion with the court to show cause why an in-person hearing is needed.

21) Prosecutor Contested Hearings, Prosecutor Bus Hearings and Prosecutor Nuisance Hearings will continue to be conducted through remote hearing through December 31, 2020. An in-person hearing may be requested by filing a motion with the court to show cause why an in-person hearing is needed.

22) Disposition hearings will continue to be conducted through remote platform or telephonically through December 31, 2020. In-person dispositions will be allowed upon written or email request only and subject to any COVID 19 precautions in effect.

23) Defendants who missed a telephonic or remote hearing will have their case set for review by the prosecutor in September and October to determine if a bench warrant should be issued.

24) For cases currently in warrant status the warrant recall fee of $50.00 will be waived. Telephonic requests by a defendant to quash their warrant remain in place and the court will reset their case for a hearing. except all DV, DUI and Physical Control or No Bail warrant cases, which may upon written motion be reviewed by the judge. This provision will remain in effect through October 31, 2020.

25) Public Defender applications will be accepted through alternative means, including electronic (website), mail, fax and drop box at City Hall. This provision will remain in effect until further notice.

26) No Contact Order Terminations or Modifications will continue to be accepted by email, fax or mail. These will continue to be reviewed by the Judges ex-parte.

27) Domestic Violence, Harassment, Stalking, ERPO and Sexual Assault order requests will continue to be accepted by email, fax or mail. Theses case will be reviewed and set for a remote hearing until further notice.

28) Remote platform or telephonic hearings will continue to be available through December 31, 2020 upon request of all parties or as determined by the court.

DATED this 5th day of June, 2020.

Fred Gillings,
Presiding Judge

Lorrie Towers,
Judge