



SUPERIOR COURT OF THE STATE OF
WASHINGTON
FOR CLARK COUNTY

GENERAL ORDER 20-06

**CLARK COUNTY SUPERIOR COURT
REVISED EMERGENCY ORDER**

Adopted: March 17, 2020

Effective Wednesday, March 18, 2020 General Order 20-05 Clark County Superior Court Emergency Order is rescinded and the actions set forth herein will take effect immediately and will remain in effect until further order of the Court, unless otherwise stated herein. If a date is stated herein, the stated date may be modified by further Court Order.

Given the significant number of identified and projected COVID-19 cases in Washington State, the severity of the risk posed to the public, court personnel and litigants, the child care needs of potential jurors, witnesses, and other parties, and based upon the consistent and urgent advice of all public health experts that proactive “social distancing” and limiting public gatherings is essential to slow the spread of the outbreak and avoid overwhelming the healthcare system, it is hereby ORDERED, pursuant to the authority of the Washington State Supreme Court Order No. 25700-B-062 and the authority as Presiding Judge of the Clark County Superior Court, that the following shall be in effect as of March 18, 2020:

- A. Persons exhibiting symptoms of COVID-19, including fever, persistent cough, or shortness of breath SHALL NOT enter the Clark County Courthouse, Juvenile Courthouse, or the Family Law Annex. Any such person who does appear shall be refused entry by Courthouse Security staff.

Persons at a higher risk of serious illness from COVID-19 may seek to avail themselves of the policies set forth in this Emergency Order.

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1200 FRANKLIN STREET
VANCOUVER, WA 98660

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Persons who cannot enter the Courthouse or those at high risk for serious illness who wish to avail themselves of this order SHALL contact the appropriate judicial department to request other arrangements to be made related to their court business.

- B. All persons present in any Clark County Courthouse SHALL, to the extent practicable, observe social distancing and maintain a distance of at least 6 feet from any other person.
- C. The judicial officer presiding over the courtroom shall retain the authority to exclude any person from a courtroom as may be necessary to comply with this order.
- D. All criminal jury trials and civil jury trials not yet in session are CONTINUED until at least April 27, 2020. The status of any jury trial in sessions as of March 18, 2020 shall be decided by the assigned judicial department. Any trials currently set between March 18, 2020 to April 27, 2020 are STRICKEN and shall be rescheduled by the assigned department.
- E. The Court further finds that the ends of justice served by continuing these cases outweighs the defendant's right to a speedy trial. The Court further finds that any delays for time for trial are the result of the unavoidable and unforeseen circumstances and are therefore excluded from computing time for trial by CrR 3.3(e)(8).

Furthermore, the Court SUSPENDS CrR 3.3 and JuCR 7.8 regarding time for trial and CrR 3.4 and related local court rules requiring the presence of the defendant, effective March 16, 2020 to at least April 27, 2020.

- F. All jury panels are CANCELLED until at least April 27, 2020. Due to the reduced ability to obtain an adequate cross section of attentive and focused jurors and the effect of current public health recommendations on the likely availability of witnesses, court personnel, and trial counsel to be effectively present in the courtroom, the time period of continuances by this Emergency Order will be excluded in computing time for trial pursuant to CrR 3.3(e)(3), CrR 3.3(f)(2), and related local court rules.
- G. From March 18, 2020 to April 24, 2020, no criminal, civil or family law bench trials will be held. Any trials currently set are STRICKEN and shall be rescheduled by the assigned department.
- H. Beginning March 18, 2020, for adult and juvenile **IN CUSTODY** criminal defendants/respondents hearings except for first appearances SHALL be STRICKEN until April 24, 2020. Requests for special set for all other matters will be considered by the assigned department. To request a special set contact the assigned department in writing.
- I. Beginning March 18, 2020, for adult and juvenile **OUT OF CUSTODY** criminal defendants/respondents all hearings SHALL be STRICKEN until April 24, 2020.

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Any out of custody criminal defendant/respondent scheduled to appear for summons from March 16, 2020 to at least April 24, 2020 need not appear. No bench warrants will issue for not appearing for a summons during this time frame. Where a defendant/respondent does not appear for a summons, these matters will be recited for hearing by the Prosecuting Attorney no sooner than April 27, 2020.

- J. Beginning March 18, 2020, all family law dockets, including the Commissioner show cause dockets, modification dockets, self-represented (pro se) dockets, self-represented finalization dockets, child support docket and the ARY/CHINS dockets are CANCELLED through April 24, 2020. Additionally, the Judge's Wednesday and Friday morning dockets and all family law trials are CANCELLED through April 24, 2020. All matters currently scheduled for these dockets are STRICKEN and will need to be re-cited by the moving party after April 24, 2020. Requests for special set hearings will be considered for emergent issues. Agreed orders shall be submitted ex parte. To request a special set for telephonic hearing contact the assigned departments as follows:
- a. Family law cases with the exception of the self-represented finalizations – contact the assigned judicial department.
 - b. Self-represented finalizations may be submitted to the assigned Commissioner, with a Declaration in Support of Entry, in writing to Court Administration.

Examples of emergent and/or necessary court involvement include, but are not limited to: temporary restraining orders, child safety concerns, financial concerns that limit a party's ability to meet basic needs, etc.

- K. Beginning March 18, 2020, guardianship/probate dockets are CANCELLED through April 24, 2020. All matters currently scheduled for these dockets are STRICKEN and will need to be re-cited by the moving party after April 24, 2020. Requests for special set hearings will be considered for emergent issues. Agreed orders SHALL be submitted ex parte. To request a special set for telephonic hearing contact the assigned department.
- L. Beginning March 18, 2020, civil dockets are CANCELLED through April 24, 2020. All matters currently scheduled for these dockets are STRICKEN and will need to be re-cited by the moving party after April 24, 2020. Requests for special set hearings will be considered for emergent issues. Agreed orders SHALL be submitted ex parte. To request a special set for telephonic hearing contact the assigned department.
- M. Beginning March 18, 2020, all dependency dockets, including fact-findings, initial shelter care hearings and contested shelter care hearings are CANCELLED through April 24, 2020.

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All dependency review hearings, permanency plan hearings and any other motion or matter currently docketed shall be set over as follows:

- Matters scheduled for 3/17 continued to 5/5
- Matters scheduled for 3/24 continued to 5/12
- Matters scheduled for 3/31 continued to 5/19
- Matters scheduled for 4/7 continued to 5/29
- Matters scheduled for 4/14 continued to 6/2
- Matters scheduled for 4/21 continued to 6/9
- Matters scheduled for 4/28 continued to 6/16

The Attorney General's Office will draft orders continuing these matters and present it to the assigned department for signature.

Requests for special set hearings will be considered for emergent issues. Agreed orders SHALL be submitted ex parte. To request a special set for telephonic hearing contact the assigned department.

Examples of emergent and/or necessary court involvement include, but are not limited to: change of placement, trial return home, dismissals, emergent medical care, etc.

Initial shelter care hearings will proceed as follows: The Attorney General's Office shall notify the Court of an impending pick up as soon as possible. The Court will appoint the parents preliminary attorneys and notify all parties of the initial shelter care date and time. The initial shelter care hearing will be held telephonically unless specifically noted otherwise, and will include the newly appointed attorneys.

Contested shelter care hearings and fact finding hearings are CANCELLED through April 24, 2020. Matters currently set for these types of hearings will be rescheduled by the assigned department, with notice provided to all parties at the last known address.

- N. Beginning March 18, 2020, Unlawful Detainer docket are cancelled. Orders to show cause will be considered by the assigned department.
- O. Beginning March 18, 2020, 1:00PM Ex Parte will remain open for agreed and emergency orders.
- P. All Settlement Conferences scheduled between March 18, 2020 to April 27, 2020 are administratively CANCELLED. Settlement Conferences rescheduled by Court Administration.
- Q. All Civil Protection matters shall proceed in the manner consistent with all State and Local Court rules.

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- R. Therapeutic specialty courts (Adult Drug Court, Family Treatment Court, and Juvenile Recovery Court) will continue based on procedures adopted by each specialty court team.
- S. Any matters not addressed in this emergency order shall proceed in the manner consistent with all State and Local Court rules.
- T. The Clark County Superior Court remains open.

Dated this 18th day of March, 2020



Scott A. Collier, Presiding Judge