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PIERCE COUNTY DISTRICT COURT, STATE OF WASHINGTON

In Re

COURT OPERATIONS UNDER THE
EXIGENT CIRCUMSTANCES CREATED
BY PUBLIC HEALTH EMERGENCY IN
WASHINGTON STATE

EMERGENCY GENERAL ORDER
NO. 2022-02

WHEREAS the health conditions that have impaired Court proceedings around the State remain. All the conditions and circumstances previously stated in prior emergency orders/proclamations related to the public health crisis brought on by COVID-19 issued by the Washington State Supreme Court, Pierce County District Court and Governor Inslee, are still in effect and continue to create a public health emergency affecting Court operations. Specifically, the Omicron Variant of COVID-19 presents new and unresolved challenges to the general health and welfare of the citizenry and the justice system. The Court has been characterized as an "essential function" by Governor Inslee.

WHEREAS unlike many other agencies and organizations, Courts may compel citizens to physically appear in the County-City building; which functions as the primary

1 courthouse for Pierce County Superior, Pierce County District Courts, and Tacoma
2 Municipal Court.

3 WHEREAS, when jury trials are being conducted in the County-City Building, as
4 many as four hundred jurors per week are mandated to appear by Superior Court's jury
5 administration. Additionally, several hundred people work inside the County-City
6 Building. Pierce County District Court obtains jurors from Pierce County Superior Court
7 jury administration. Pierce County District Court, together with Pierce County Superior
8 Court, the Office of the Governor, the Pierce County Executive, the Pierce County
9 Council, the Tacoma-Pierce County Health Department, Pierce County Department of
10 Emergency Management, the Washington State Department of Health, the Washington
11 State Supreme Court and the Washington State Administrative Office of the Courts,
12 have all worked diligently to create a safe and stable environment within the County-City
13 Building. To reduce the incidents of close contact between employees of Pierce County
14 District Court, members of the Bar, members of the public and any other entity or
15 agency accessing the Court, the Court has implemented many procedures that can
16 permit access to justice without the physical presence of parties in the Pierce County
17 District Court courtrooms. The use of video and audio technology has allowed for
18 virtual hearings. Through these means, the Court has effectively dispensed justice in
19 cases where a jury is not required since the public health emergency was declared.
20 These types of proceedings should and will continue as they have. District Court will
21 continue to take the appropriate steps to ensure that the court is a safe environment.
22 The Court has and continues to mandate the wearing of masks.
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1 WHEREAS Pierce County Superior Court Jury Administration provides and
2 manages the jury pool for Pierce County Superior Court, Pierce County District Court,
3 and Tacoma Municipal Court. Pierce County Superior Court has suspended jury trials
4 and may resume jury trials on February 14, 2022. Due to the nature of the cases,
5 Pierce County Superior Court jury trials will take priority when assigning jurors to the
6 various courts. The jury demands of Pierce County Superior Court will be extraordinary
7 due to the backlog of trials currently ready for trial but delayed by the most recent
8 suspension of jury trials. Additionally, once jury trials resume Superior Court will reduce
9 the number of jury trials conducted at any given time to comply with social distancing
10 and further reduce the foot traffic within the County City Building. As a result, Pierce
11 County District Court cannot anticipate the availability of jurors if District Court resumes
12 trials at the same time as Superior Court and therefore must delay the resumption of
13 jury trials until March 7, 2022. This is a direct result of Covid-19, the Omicron variant,
14 and continued pandemic. These circumstances are unavoidable, unforeseen and
15 beyond the control of Pierce County District Court.

16 THEREFORE, pursuant to the Court's authority to administer justice and to
17 ensure the safety of court personnel, litigants, and the public,

18 IT IS HEREBY ORDERED pursuant to the authority of the Washington Supreme
19 Court Orders No.257000-B-631, No. 25700-8-626, No. 25700- B-642, and No. 25700-8-
20 646 and the authority as the Presiding Judge of Pierce County District Court, that the
21 following shall be in effect today and until further order of the Court,

- 22 (1) That the provisions of Pierce County General Orders 2020-02, 2020-03, 2020-
23 04, 2020-05, 2020-06, 2020-07, 2020-08, 2020-10, 2020-12, 2020-13, 2020-14,
24

1 2020-15, 2021-01, 2021-02, 2022-01 and Supreme Court Orders 25700-B606
2 and 25700-B607 (corrected), 25700-B-618 and 25700-B-625, 25700-B-640,
3 25700-B- 642 and 25700-B-646 are hereby incorporated herein.
4

5 (2) All civil and criminal jury trials are hereby suspended until March 7, 2022. It is
6 expected that jury trials may resume on March 7, 2022. The Court will re-assess
7 the ability of the Court to resume in-person jury trials prior to that date.

8 (3) All civil cases will be rescheduled according to the court's availability for civil
9 trials and upon consultation with the parties. Criminal trials will take priority and
10 civil trials will be scheduled as circumstances allow.
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12 (4) All criminal cases will be continued at the regularly scheduled Readiness
13 Hearings for jury trials scheduled on or before March 7, 2022. The period of time
14 between the Readiness Hearing and the next scheduled jury trial shall be an
15 excluded period pursuant to CrRLJ 3.3 as these circumstances are unavoidable,
16 unforeseen and beyond the control of the court or the parties. Cases will
17 continue to be set for Readiness Hearings if not resolved at the Pre-Trial
18 Conference.
19

20 (5) Pierce County District Court remains open, to include the public counters
21 located at the County City Building, Room 239. The public is encouraged to
22 communicate with Pierce County District Court as follows:
23

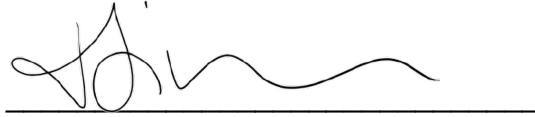
24 a. By Calling: 253-798-7487

25 b. Using live chat: <https://piercecountywa.gov/101/District-Court>

26 c. By email: PCDISTCRT1@piercecountywa.gov
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1 Litigants, attorneys and the public are encouraged to visit the Pierce County
2 District Court website for updated information.

3 DATED this 18th day of January, 2022.



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5 Hon. Jeanette A. Lineberry
6 Presiding Judge
7 Pierce County District Court
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