

DEC 10 2020

PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, County Clerk  
BY KMA DEPUTY

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6 **IN THE SUPERIOR COURT OF WASHINGTON,**  
7 **COUNTY OF PIERCE**  
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9  
10 IN RE THE MATTER OF THE RESPONSE  
11 BY PIERCE COUNTY SUPERIOR COURT  
12 TO THE PUBLIC HEALTH EMERGENCY  
13 IN WASHINGTON STATE

Emergency Order: 20-22

EMERGENCY **ORDER #22**  
PUBLIC HEALTH EMERGENCY ORDER  
REGARDING SUSPENSION OF JURY  
TRIALS AMENDING EMERGENCY  
ORDER 20-21

14 This matter comes before the Court once more due to the COVID-19 public health  
15 emergency pandemic in Pierce County, Washington.

16 This order is entered:

- 17
- 18 A. In a continuing and expanding struggle to reduce the danger of transmitting the COVID-  
19 19 virus that can be facilitated by close contact between those processing legal  
20 proceedings in the Pierce County Superior Court; and,  
21
- 22 B. Because certain county practices and protocols may necessarily evolve or change to  
23 enable efficient and fair access to, and administration of justice in this time of  
24 emergency; and,  
25

1 C. Consistent with the Washington Supreme Court Order that provides:

2 “The serious danger posed by COVID-19 constitutes an unavoidable circumstance  
3 under CrR 3.3(e)(8), CrRLJ 3.3(e)(8), and JuCR 7.8(e)(7), so the time between May 29,  
4 2020 (the date of this Court’s last Order on these topics) and the next scheduled court  
5 hearing after October 15, 2020, shall be EXCLUDED when calculating the time for  
6 trial.” CrR 3.3(e)(3). See Washington State Supreme Court ORDER EXTENDING  
7 EXCLUDED PERIOD IN CALCULATING TIME FOR TRIAL, AND ADOPTING  
8 RELATED EMERGENCY MEASURES (September 10, 2020), and

9 D. Because after Pierce County Superior Court Emergency Order 21 was signed our county  
10 has continued to experience a surge in COVID-19 transmissions; and,

11 E. Because the comprehensive statewide restrictions Governor Inslee ordered on  
12 November 15, 2020 have been extended an additional three-weeks to January 4, 2021.

13 **IT IS HEREBY ORDERED** that Emergency Order 21 is amended as follows:

14 1. All in-person **criminal** trials, set to begin on or after November 23, 2020, are  
15 suspended until at least **February 1, 2021**.

16 2. A continuance of criminal jury trials is required in the administration of justice.  
17 Based upon the court’s finding that the serious danger posed by COVID-19 is good cause to  
18 continue criminal jury trials, and constitutes an unavoidable circumstance under CrR 3.3(e)(8),  
19 the time between the date of this order and the date of the next scheduled trial date is  
20 EXCLUDED when calculating time for trial. CrR 3.3(e)(3).

21 3. All motions to continue a criminal case will be handled in the normal course  
22 before the Criminal Division Presiding Judge.

23 4. This order shall be filed with the Washington State Supreme Court. It is an  
24 official record that does not need to be attached to our court filings in individual cases.  
25

1           5.       All in-person **civil** jury trials set to begin on or after November 23, 2020 are  
2 suspended until at least **March 1, 2021**.

3           6.       All motions to continue a civil jury case will be handled in the normal course  
4 before Civil Department Judge to whom the case is currently assigned.

5           To be clear that there is a basis for this Pierce County Superior Court emergency order,  
6 the Court hereby incorporates into this emergency order the Supreme Court orders in response to  
7 the COVID-19 health crisis as well as any other Supreme Court order promulgated in response to  
8 COVID-19, together with any relevant Proclamations and Orders from Governor Inslee.

9           Any temporary Pierce County emergency protocol adopted and published may be  
10 updated or modified as necessary during this period.

11          Any updates or modifications to temporary emergency protocols shall be reduced to  
12 writing and published on the Pierce County Superior Court, Washington Administrative Office  
13 of the Courts and Tacoma-Pierce County Bar Association websites as they become available.

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16               DATED this 10<sup>th</sup> day of December, 2020.

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18   *Garold E. Johnson*  
  \_\_\_\_\_

19   Hon. Garold E. Johnson  
20   Presiding Judge  
21   Pierce County Superior Court

22   FILED  
  IN COUNTY CLERK'S OFFICE

23   DEC 10 2020

24   PIERCE COUNTY, WASHINGTON  
25   KEVIN STOCK, County Clerk  
  BY      K.M.A.       DEPUTY