

1 **IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**

2 **IN AND FOR WHITMAN COUNTY**

FILED

JUN 24 2021

JILL E. VVHELCHER
WHITMAN COUNTY CLERK

3
4
5 IN THE MATTER OF)

No. *2021-5003-38-A*

6 EMERGENCY RESPONSE TO COVID-19)
7 THREAT TO JURY TRIALS)

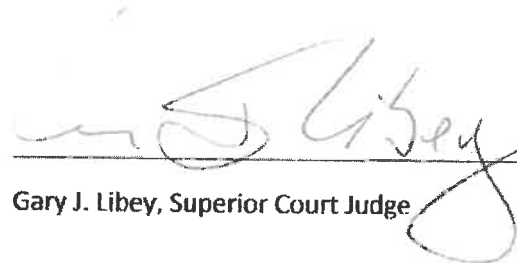
WHITMAN COUNTY SUPERIOR
COURT COURTROOM SAFETY
ORDER RE: JURY TRIALS

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10 IT IS HEREBY ORDERED WITH RESPECT TO JURY TRIALS:

11 This Court hereby rescinds all previous Courtroom Safety Orders regarding COVID-19 safety
12 protocol, effective immediately.

13 This order shall be posted at the Whitman County Superior Court Clerk's Office and online with
14 the Washington State Administrative Office of the Courts website and on the County's website.

15 IT IS SO ORDERED This 23rd day of June, 2021.

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Gary J. Libey, Superior Court Judge

FILED
JUN 11 2021
JILL E. WHELCHER
WHITMAN COUNTY CLERK

**SUPERIOR COURT OF WASHINGTON
COUNTY OF WHITMAN**

IN THE MATTER OF THE RESPONSE BY
WHITMAN COUNTY SUPERIOR COURT TO
THE PUBLIC HEALTH EMERGENCY IN
WASHINGTON STATE

No. 2021-5004-38-A

**WHITMAN COUNTY SUPERIOR
COURT COURTROOM SAFETY
ORDER RE: JURY TRIALS**

The Court hereby replaces the Courtroom Safety Order of June 6, 2020.

NOW, THEREFORE, IT IS HEREBY ORDERED WITH RESPECT TO JURY TRIALS, EFFECTIVE JUNE 3, 2021:

1. Any person who is sick or in quarantine shall not enter the courtroom;
2. Staff and visitors are expected to practice good hygiene by washing hands frequently or by using hand sanitizer when hand washing is not practicable;
3. Frequently touched surfaces will be routinely cleaned with disinfectant;
4. Social distancing measures will be enforced to the greatest extent practicable in the Courtroom. Courtroom and court administration areas have been equipped with social distancing markers to illustrate distancing. The Courtroom will have limited capacity due to social distancing.

1 5. Whitman County Superior Court may adopt further revisions as
2 necessary to respond to the current state of emergency in
3 order to mitigate the effect of COVID-19 and will do so by
4 further court order.
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7 Dated June 3, 2021

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11 Gary J. Libey, Judge
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2021-5003-38-A
OR 1
Order
9558101



FILED
JAN 11 2021
JILL E. WHELCHER
WHITMAN COUNTY CLERK

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4 IN THE MATTER OF)
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6 EMERGENCY RESPONSE TO COVID-19)
7 THREAT TO JURY TRIALS)
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2021-5003-38-A
No. 01/11/2021
EMERGENCY ADMINISTRATIVE
ORDER
RE JURY TRIALS

10 WHEREAS the COVID-19 Pandemic continues un-abated, this Court deems it required
11 in the administration of justice to adopt the following Findings and Conclusions and Order.

12 The court hereby FINDS:

- 13 1. On February 29, 2020, Governor Jay Inslee proclaimed a state of emergency due to the
- 14 public health crisis posed by the spread of the coronavirus (COVID 19), and on March
- 15 13, 2020, the President declared a national emergency due to the COVID-19 outbreak
- 16 across the United States. This state of emergency continues to the present day.
- 17 2. This Court hereby incorporates by reference all findings in this Court's Emergency
- 18 Administrative Order Re Jury Trials, No. 2020-5005-38-A, filed November 24, 2020.
- 19 3. The Court hereby incorporates by reference all statements of the Washington State
- 20 Supreme Court in that court's Covid Orders Regarding Court Operations, including that
- 21 court's Order No. 25700-B-646.
- 22 4. Under the Governor's recently-revised phase system, Whitman County is still in phase
- 23 one, which imposes fairly severe restrictions on gatherings and businesses. Public health
- 24 experts continue to expect a surge in hospitalizations following the Christmas and New
- 25 Years holidays.
- 26 5. The gathering of jurors or jury venire members for a Superior Court trial would be too
- 27 dangerous at this time due to the conditions of the COVID-19 pandemic. The danger to
- 28 the health and safety of jurors and jury venire members, as well as bailiffs, judges, clerks,
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lawyers, defendants and witnesses requires this court to suspend all jury trials from now through February 15, 2021.

6. The current danger posed by the COVID-19 pandemic is an unavoidable circumstance affecting the time for trial beyond the control of the court or of the parties, as contemplated by CrR 3.3(e)(8).

Based on the Foregoing, the Court CONCLUDES:


1. The time period between today's order and February 15, 2021 should be excluded in computing the time for trial under CrR 3.3(e) and CrR 3.3(e)(8) for all criminal cases.

NOW THEREFORE, IT IS HEREBY ORDERED

1. Jury trials are suspended, effective immediately, through February 15, 2021.
2. The time between today's order and the next scheduled court hearing after February 15, 2021 shall be EXCLUDED in computing the time for trial under CrR 3.3 for all criminal cases.
3. All other hearings, including Readiness Hearings, shall proceed as currently scheduled, unless re-set on an individual basis. Criminal cases which are currently set for trial between now and February 15, 2021 shall have a new trial date determined at their Readiness Hearing, unless determined by the parties and court before such Readiness Hearing.

This order shall be posted at the Whitman County Superior Court Clerk's Office and online with the Washington State Administrative Office of the Courts website and on the County's web site.

IT IS SO ORDERED This 11th day of January, 2021.


Gary Libey, Superior Court Judge
WHITMAN COUNTY SUPERIOR COURT

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