



Lewis County Prosecuting Attorney's Office

345 W. Main Street, 2nd Floor
Chehalis, WA 98532
Phone: (360) 740-1240
Fax: (360) 740-1497
TDD: (360) 740-1480

TO: Whom It May Concern
FOR IMMEDIATE RELEASE

FROM: JONATHAN L. MEYER, Prosecuting Attorney

DATE: March 16, 2020

RE: COVID-19 Response

The Lewis County Superior Court, Juvenile Court, District Court, Superior Court Clerk's Office, Sheriff's Office and this office met to determine what steps were necessary to comply with recent mandates regarding COVID-19 response and other steps to protect those wishing to access the criminal justice system.

After meeting, it was determined limited staffing would be available in some areas and many hearings will be impacted. The goal is to continue to meet the obligations of each office while doing what is necessary to protect those wishing to access the justice system and those working inside the system.

Attached is the General Order issued by the Superior and District Courts. In addition, other office will have impacted availability to the public.

In a joint statement, all involved said "It is important that each person does his or her part to help contain this virus and prevent further spread of COVID-19. These steps, while inconvenient, are necessary to satisfy the mandate and protect those working inside the system while, at the same time, minimizing the impact on those seeking to access the system."

It is the Mission of the Lewis County Prosecutor's Office to zealously seek justice in all criminal matters, consistently promote public confidence in the legal system, and diligently represent county government while adhering to the highest ethical and moral standards.

6. The Lewis County District Court facilities are high volume areas and accommodate hundreds of people each day for both the County and the Cities that contract with Court for District Court services. It is therefore necessary for the Lewis County District Court to make modifications to court operations to allow for the orderly transition to a system of work that will allow for implementation of systems and procedures that will limit the potential spread of the virus and provide for the safety of staff, litigants, attorneys, and the general public.

THEREFORE, it is hereby ordered that effective March 16, 2020, and continuing until April 24, 2020 (at which time a new assessment will be made), the following shall apply:

- A. All traffic infraction hearings are cancelled and will be rescheduled. Hearings submitted for a determination on written documents without the need for any party to appear in Court shall continue to be scheduled and resolved. Those in receipt of a traffic infraction notice may still pay the infraction in full, contact the Court for payments or request a deferred finding in writing. Payments may be made online at <https://lewiscountywa.gov/offices/district-court/online-fine-and-infraction-payments/>; Mitigation, Contested and Deferral requests may be heard through the mail and the forms to request these hearings can be found online at <https://lewiscountywa.gov/offices/district-court/what-is-filed-in-district-court/infractions/>;
- B. Criminal cases where a defendant is detained in custody on that particular criminal case will proceed as currently scheduled;
- C. New criminal cases where a defendant is detained on that particular case will continue to be scheduled for hearing per the usual rules and practice of the Court;
- D. If any defendant currently detained in custody is released while this order is in effect, their matters will be re-scheduled;
- E. Currently scheduled out of custody criminal matters are cancelled and will be rescheduled;
- F. New criminal cases where a defendant is not arrested and detained shall be filed by law enforcement with the District Court. The District Court Clerk shall send out summonses to appear for arraignment when this emergency order is lifted;
- G. Sentencing Compliance hearings (probation hearings) are cancelled and will be rescheduled, unless the defendant is detained in custody on that case;
- H. All probation appointments and reporting requirements shall be conducted via telephone;
- I. Petitions for Anti-Harassment orders and impound hearings (vehicles and animals) will continue to be filed and heard per the usual rules and practice of the Court. Temporary Anti-Harassment orders and orders to show cause will be set

- J. All other civil matters, including name changes, small claims, civil motions and civil trials are cancelled and will be rescheduled. Ex Parte matters will continue to be processed;
- K. Any party may file a written request to the Judge explaining the emergent need for a hearing. Upon a Judicial determination of an emergent need, the Court clerk will set a hearing which may be accomplished via a telephonic or video hearing;
- L. All jury trials are cancelled and will be rescheduled;
- M. For hearings that will occur, the Court will limit attendance in the courtroom, to be prioritized as follows:
 - a. Necessary Court personnel (Judge, Clerk, Security, and transport officers);
 - b. Parties, including attorneys; and
 - c. The general public who wish to attend.
 - i. General public will be limited to a number varying on the number of other participants and the courtroom in which the hearing is held.
 - ii. Because courtrooms vary in size, the number allowed will vary, but will be consistent with the six (6) foot requirement to allow sufficient room for social distancing.
- N. The continuances ordered herein best serves the ends of justice and protects the rights of those impacted by the continuances, including defendants;
- O. Such continuances will not prejudice any defendant or party impacted and each case impacted will, in addition to this order, be addressed on a case by case basis;
- P. The Lewis County District Court remains open, but in-person contact is limited.
 - a. Such limitations may vary depending on staffing and other factors. People wishing to access the District Court are encouraged to call (360) 740-1203.

For all hearings currently pending and for hearings on new cases filed during the pendency of this order that are delayed by effect of this order, the delay/continuance shall constitute an excluded period for purposes of Speedy Trial/Speedy Hearing/Speedy arraignment, CrRLJ 3.3, CrRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6, and any other applicable court rule.

It is further ordered that all hearings delayed by this order shall be rescheduled by the Court clerk and notices will be mailed to the parties of the next scheduled hearing date via US mail, to the last address provided to the Court. Any party needing to update their mailing address should contact the Court clerk at (360)740-1203.

For all hearings not continued by effect of this rule, telephonic and video hearings will be permitted to the greatest extent possible in order to encourage social distancing.

The Courthouse and Lewis District Court will remain open. However, the public is encouraged to contact the Court via telephone or email.

This order may be modified consistent with the Court's continued assessment of the needs of the community as well as the recommendations of public health officials.

DATED this 16th day of March, 2020.



RW Buzzard
Presiding Judge

1
2
3 IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR LEWIS COUNTY

4 In Re:

5 EMERGENCY NOTIFICATION LIMITING
6 COURT OPERATIONS RESULTING
7 FROM PUBLIC HEALTH EMERGENCY

GENERAL ORDER NO.

GR 21 DATED
03/16/2020

8 Pursuant to General Rule (GR) 21(a), "A court may be closed if weather,
9 technological failure or other hazardous or emergency conditions or events are or
10 become such that the safety and welfare of the employees are threatened or the court is
11 unable to operate or demands immediate action to protect the court, its employees or
12 property. Closure may be ordered by the...presiding... judge in his or her discretion
13 during the pendency of such conditions or events." In addition, the Washington State
14 Supreme Court, through Order No. 25700-B-602 issued on March 4, 2020, authorized
15 the presiding Judges of all Washington courts to "...adopt, modify, and suspend court
16 rules and orders, and to take further actions concerning court operations, as warranted
to address the current public health emergency."

17 Since the date of that order, the situation faced by Washington residents has
18 changed drastically. With mandated school closures and restrictions on other activities,
19 this court must address the continuing issues presented by the COVID-19 virus.

20 As of the date of this order, there is a public health emergency currently within
21 the state of Washington. Lewis County now has one (1) confirmed case and is under its
22 own proclamation of emergency. Proactive steps to continue to protect Lewis County
residents and those in contact with the justice system in Lewis County are necessary.

23 With nearly 800 confirmed cases of COVID-19 and over 40 deaths resulting, the
24 courts have worked closely with local, state and federal health officials to protect those
25 coming into contact with the justice system. To properly respond to COVID-19, the
26 Lewis County Superior Court is taking the following actions (Orders):

EMERGENCY NOTIFICATION LIMITING
COURT OPERATIONS RESULTING
FROM PUBLIC HEALTH EMERGENCY

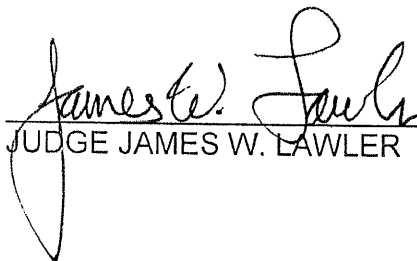
- 1 1. Criminal Rule (CrR) 3.3 is hereby suspended until April 27, 2020.
- 2 2. All criminal jury trials scheduled between March 9 and April 24, 2020 are
3 hereby continued.
 - 4 a. These cases shall be reviewed on April 30, 2020 on the regularly
5 scheduled criminal calendar.
 - 6 b. At that hearing, speedy trial will be recalculated and a new trial date
7 will be set.
- 8 3. All criminal bench trials will be addressed on an individual basis.
 - 9 a. The court will consider the urgency, custody status of the defendant,
10 and the number of participants/witnesses anticipated by the parties.
- 11 4. Criminal hearings with out of custody defendants will be continued to a date
12 to be determined after April 24, 2020. A separate order will be entered on
13 each case setting new dates.
 - 14 a. In custody hearings will be held, with the exception of sentencings, via
15 video.
 - 16 b. All arraignments will be, based upon a finding of good cause as
17 outlined above, continued to April 30, 2020.
- 18 5. All civil trials scheduled between March 9 and April 24, 2020 will be
19 addressed on case by case basis.
 - 20 a. All impacted trials will be placed on the trial setting docket for Friday,
21 May 1, 2020 at 0900 a.m. to determine a new trial date, unless
22 previously reset with Court Administration.
 - 23 b. Stricken cases may be given priority over other, currently set civil
24 matters.
- 25 6. All civil hearings, including family law, child support, and dependency matters
26 are stricken except as noted below.
 - a. The court will continue to address emergent matters on a case by case
basis. *Court Call* may be used for emergency hearings.
 - i. Ex parte orders granted will be set for a hearing after April 24,
2020.
 - ii. Hearings stricken shall be rescheduled with Court
Administration.
 - iii. Longer continuances may be agreed to by the parties.
 - b. Shelter care hearings will continue to be held as scheduled.
 - i. Special requirements may be imposed dependent upon the
circumstances of each case.
 - c. Involuntary Treatment Act (ITA) matters will continue to be held as
scheduled.
 - i. ITA matters will be held via video to the extent possible.
7. All final dissolution matters scheduled between March 9 and April 24, 2020
are hereby stricken.
 - a. Final dissolutions may be accomplished via written interrogatories.
Parties should consult with their attorneys or contact the court via
telephone to discuss the procedures.

- 1 8. For hearings that will occur, the court will limit attendance in the courtroom, to
2 be prioritized as follows:
3 a. Necessary court personnel (Judge, Clerk, Reporter, Security, and
4 Transport Officers);
5 b. Parties, including attorneys; and
6 c. The general public who wish to attend.
7 i. General public will be limited to a number varying on the
8 number of other participants and the courtroom in which the
9 hearing is held.
10 ii. Because courtroom vary in size, the number allowed will vary,
11 but will be consistent with the six (6) foot requirement to allow
12 sufficient room for social distancing.
13
14 9. All Juvenile offender matters with in-custody respondents shall be heard on
15 the 4th Floor of the Law and Justice Center.
16
17 10. All out of custody Juvenile offender matters are continued to April 28, 2020
18 unless previously rescheduled by Court Administration.
19
20 11. The continuances ordered herein best serves the ends of justice and protects
21 the rights of those impacted by the continuances, including defendants.
22
23 12. Consideration of the current health crisis and the safety of the community
24 outweighs the prejudice to any defendant or party impacted. Each case
25 impacted will, in addition to this order, be addressed on a case by case basis,
26 and may be subject to additional charges in the future.

The Lewis County Superior Court remains open, but in-person contact is limited.

- a. Such limitations may vary depending on staffing and other factors. People wishing to access the Superior Court are encouraged to call either the Superior Court or the Lewis County Superior Court Clerk.

DATED this 16 day of March 2020.



JUDGE JAMES W. LAWLER