

FILED
COUNTY CLERK
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WHATCOM COUNTY
WASHINGTON
BY _____

IN THE SUPERIOR COURT OF WASHINGTON
FOR THE COUNTY OF WHATCOM

CASE NO. 20-2-00001-37

IN THE MATTER OF RESPONSE TO PUBLIC)
HEALTH RISK DUE TO COVID-19 PUBLIC) SEVENTH
HEALTH EMERGENCY) ADMINISTRATIVE ORDER
) May 15, 2020

WHEREAS the state of emergency declared by the Governor of this State and resulting from the current COVID-19 pandemic and described in this Court's previous Administrative Orders, continues, and

WHEREAS the Washington Supreme Court has adopted Orders granting this Court emergency authority to adopt, modify and suspend court rules and take further actions as warranted to address the current state of emergency, and has updated those Orders with its Second Revised and Extended Order Regarding Court Operations, No. 25700-B-618, dated April 29, 2020; and

WHEREAS this Court has implemented technology and procedures to permit hearings of certain matters by telephone, Go To Meeting, Zoom or other measures permitting participants to appear before the Court without physical presence in the courtroom (herein "remote technology" or "remotely"), and will endeavor to hear those matters in which remote procedures will be achievable and will provide the judge with the information necessary to make informed decisions on the cases involved; and

WHEREAS it is necessary for this Court to conduct arraignments and other pretrial procedures in cases arising after the onset of the public emergency described in the Court's prior Orders, to the extent possible while maintaining prescribed restrictions to minimize contagion; and

WHEREAS this Court finds good cause to extend the period for arraignment in criminal cases and in some cases beyond the 45 day time period set forth in the Washington Supreme Court's order, as described in this Order, in order to permit the Court to maintain distancing and other public health precautions necessary to address the continuing COVID-19 crisis, by limiting

the number of cases on a given calendar and/or staggering the cases, while conducting arraignments in those cases in which arraignment has been deferred; and

WHEREAS, in-person court appearances for drug court participants are essential to participants' successful compliance with the drug court program and should in the interest of justice be held weekly, and strict compliance with current public health mandates is feasible at this time;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. CRIMINAL CALENDARS.

Beginning Monday, June 1, 2020, criminal calendars will be scheduled as follows:

Arraignment Calendars

- Fridays @ 8:30 am in Courtroom 3, third floor, for **Out-of-Custody Cases (A-L)** involving defendants whose last names begin with letters A - L
- Fridays @ 10:00 am in Courtroom 5B, fifth floor, for **In-Custody Cases**
- Mondays @ 10:00 am in Courtroom of Judge conducting Trial Call Calendar, for **Out-of-Custody Cases (M-Z)**, involving defendants whose last names begin with letters M-Z
- Cases in which charges were filed after March 17 and before May 11 will be noted for arraignment on or before June 29, 2020.

Criminal Motions and Plea Calendars

- Tuesdays @ 8:30 am in Calendar-Assigned Judge's courtroom, immediately after Fast Track Calendar, for motions in cases involving **Out-of-Custody Defendants only**;
- Thursdays @ 8:30 am in Courtroom 5B for motions and pleas in cases involving **In-Custody Defendants only**.

Wednesday Out of Custody Plea & Status Calendars

- Wednesdays @ 8:30 am in Calendar-Assigned Judge's courtroom for status reports, trial setting orders and pleas in cases involving defendants who are out of custody and whose last names begin with letters **A – L**;
- Wednesdays @ 1:30 pm in Calendar-Assigned Judge's courtroom for status reports, trial setting orders and pleas in cases involving defendants who are out of custody and whose last names begin with letters **M – Z**

To permit counsel, parties and the public to minimize waiting time in the courtroom, cases on all criminal calendars will be called in the order listed on the written calendar published in advance:

- **In Custody Calendar** cases will be called, and listed on the written calendar, in order of chain designation
- **Out of Custody Calendar** cases will be called in alphabetical order by defendant's last name

The additional calendars described above will remain in effect until the Court determines that they are no longer necessary, and issues a further Order revising them. .

2. PROCEEDINGS IN DRUG COURT

Regular attendance, in person, is essential to full participation in the Drug Court program. Effective immediately, the Drug Court may require in person appearances by any and/or all Drug Court participants, with strict compliance with current public health mandates.

3. COURT'S PRIOR ADMINISTRATIVE ORDERS

This Court's prior Administrative Orders remain in effect to the extent they are not revised by or inconsistent with this Order.

DATED this 15th day of May, 2020.


Deborra Garrett, Presiding Judge