

FILED
COUNTY CLERK

2021 JUL 23 A 8: 21

IN THE SUPERIOR COURT OF WASHINGTON
FOR THE COUNTY OF WHATCOM

WHATCOM COUNTY
WASHINGTON

BY _____

CASE NO. 20-2-00001-37

IN THE MATTER OF RESPONSE TO PUBLIC)
HEALTH RISK DUE TO COVID-19 PUBLIC HEALTH)
EMERGENCY)

) TWENTY-FIRST
) ADMINISTRATIVE ORDER
) July 22, 2021

WHEREAS Governor Jay Inslee announced that all industry sectors previously covered by guidance in the Healthy Washington – Roadmap to Recovery or the Safe Start Reopening Plan may return to usual capacity and operations, with limited exceptions for indoor events with over 10,000 participants;

WHEREAS current guidance does not restrict capacity for indoor events with fewer than 10,000 participants, does not require physical distancing and does not require facial coverings for vaccinated individuals;

WHEREAS Whatcom County Executive Satpal Sidhu has announced that only unvaccinated individuals are expected to wear facial coverings in the public areas of the Whatcom County Courthouse;

WHEREAS the Washington State Department of Labor & Industries does not require that vaccinated employees wear facial coverings while working indoors, but does require that unvaccinated employees do so;

WHEREAS the Washington Secretary of Health, Dr. Umair A. Shah, has provided that, subject to a few exceptions, fully vaccinated individuals are not required to wear a facial covering.

THIS COURT HEREBY AMENDS ITS PRECEDING ADMINISTRATIVE ORDERS AS FOLLOWS:

The 15th Amended Order (October 30, 2020) is hereby rescinded in full and will be replaced by the court’s Twenty-Second Administrative Order (regarding criminal and civil jury trial confirmation and prioritization) to be entered herewith.

The 8th Administrative Order (May 29, 2020) is amended to remove paragraphs (3)(b)(iii), (4), (4)(a) and (5) in their entirety (limited number of criminal defendants on calendars and staggering hearing times, and determining order of criminal cases to be called).

The 7th Administrative Order (May 15, 2020) is amended to remove paragraph (1) in its entirety (criminal calendar schedule). The current criminal calendar schedule, dated April 26, 2021, is attached to this order for reference. In addition, the Thursday motion calendar for in-custody defendants will return to the rotating Judge's Courtroom beginning July 29, 2021, rather than Courtroom 5B.

The 6th Administrative Order (May 8, 2020) as amended by the 20th Administrative Order (May 28, 2021) is further amended to remove all distancing requirements previously imposed in the courtrooms and to require facial coverings in the courtrooms only for non-vaccinated individuals with the following exceptions:

- a. Due to the compulsory nature of jury service, and the close proximity required for participation, all jurors must wear facial coverings during jury selection and trial, regardless of vaccination status.
- b. All jurors must maintain appropriate social distancing during jury selection and trial.
- c. Other participants in jury trials, including members of the public who wish to observe the trial, attorneys, parties and court staff are not required to wear facial coverings if they are vaccinated.

Any individual in the courtroom may choose to wear a facial covering at any time, regardless of vaccination status.


The 4th Administrative Order (May 1, 2020) is amended to remove paragraph (E)(2) (extending time for hearing on temporary protection orders to 28 days).

The *ex parte* calendar will resume starting the week of July 26, 2021.

The 2nd Administrative Order (March 16, 2021) is amended to remove paragraph (4)'s limits on the number of guilty pleas per week.

THIS ORDER updates and supersedes the Court's prior Administrative Orders concerning jury trials. The Court's prior Administrative Orders remain in effect to the extent they are not inconsistent with this Order.

DATED this 21st day of July, 2021.



ROBERT E. OLSON, Presiding Judge