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IN THE SUPERIOR COURT OF WASHINGTON  
IN AND FOR THE COUNTY OF DOUGLAS

IN THE MATTER OF: Emergency Response to a ) EMERGENCY  
Threat to General Public Health and Welfare, ) ADMINISTRATIVE ORDER  
Caused By the Coronavirus Disease 2019 ) NO. 9  
("COVID-19") )

WHEREAS, on March 4, 2020, Washington Supreme Court Chief Justice Debra Stephens entered Order No. 25700-B-602, in response to the declared public health emergency in Washington State;

WHEREAS, our community has experienced a recent increase in the number cases of COVID-19 and public health officials are strongly recommending residents avoid social contact to the extent possible in an attempt to slow the transmission of the disease;

WHEREAS, the Court finds that based on the current COVID 19 positive rate in Douglas County the health and safety of the public, the parties to any litigation in this Court, the employees of the Court and the employees within the law enforcement community are at risk by said pandemic; and

NOW, THEREFORE, pursuant to the Court's authority to administer justice and to ensure the safety of court personnel, litigants, and the public,

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IT IS HEREBY ORDERED THAT:

1. This Court hereby incorporates by this reference any and all findings set forth in this Court's previously issued Emergency Administrative Order Nos. 1, 2, 3, 4, 5, 6, 7 and 8; the Washington Supreme Court's various COVID-19 related Orders in response to the COVID-19 public health emergency including Order No. 25700 entered March 4, 2020 and similar Orders issued to date; and all findings of public health authorities or other third parties as referenced in such Orders issued by this Court or by the Washington Supreme Court.

2. The provisions of this Court's Emergency Administrative Order Nos. 1, 2, 3, 4, 5, 6, 7 and 8 shall remain in full force and effect except as revised by the terms of this Emergency Administrative Order No. 9.

3. As of January 20, 2022, Douglas County's most recent COVID-19 case count was at 2,370.3 per 100,000 population for the most recently reported two-week period per the Chelan-Douglas Health District's website. This is more than ten times the rate just a few weeks ago of 214 new cases in Douglas County per 100,000 population and almost four times the rate of 640 new cases in Douglas County per 100,000 population as of January 11, 2022, the date this Court issued its Emergency Administrative Order No. 8 (just nine days ago).

4. This Court finds that the Douglas County Courthouse located in Waterville, Washington is not currently able to safely and appropriately accommodate jury trials at this time. For example, given the space available in the courtroom it would be impossible to accomplish social distancing with a minimum of six feet of separation at all stages of trials and otherwise comply with established COVID-19 protocols.

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5. It is believed that the rapid spread of the omicron variant in North Central Washington is responsible for the dramatic increase in local infection rates.

6. The Court finds that the serious danger posed by the virus COVID-19 is good cause to continue criminal jury trials and bench trials and constitutes an unavoidable circumstance affecting the time for trial beyond the control of the court or of the parties pursuant to CrR 3.3(e)(8) and other applicable law.

7. Based on the above finding of good cause to continue criminal jury trials and bench trials due to unavoidable circumstances, the Court Orders that (a) there shall be no criminal jury trials or bench trials scheduled to begin in this Court prior to March 1, 2022, and (b) the time between the entry of this Order and the next scheduled trial date is EXCLUDED when calculating time for trial. (CrR 3.3(e)).

**AMENDMENT OF THIS ORDER**

8. The Superior Court anticipates the need to amend and/or supersede this Order as the COVID-19 public health emergency continues to develop and more information becomes available.

DATED this 20th day of January, 2022.



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BRIAN C. HUBER  
Judge of the Superior Court