

SCANNED



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IN COUNTY CLERK'S OFFICE

MAR 12 2020

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY DEPUTY

IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF PIERCE

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

Cause No: 20 2 05474 2

EMERGENCY ORDER #1
ORDER ON EXPANDED CRITERIA
FOR EXCUSING JURORS BASED
UPON PUBLIC HEALTH EMERGENCY

This matter comes before the Court on the COVID-19 public health emergency in Washington State.

I. On February 29, 2020, Governor Jay Inslee declared a state of emergency due to the public health emergency posed by COVID-19. On March 11, 2020 the governor issued the follow executive proclamation and order:

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim that Proclamations 20-05 and 20-06 remain in effect and are amended to impose restrictions on large gatherings in King, Pierce, and Snohomish counties as provided herein, and that a State of Emergency continues to exist in all counties of Washington State.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 epidemic.

1 As a result of this event, I continue to order into active state service the organized militia
2 of Washington State to include the National Guard and the State Guard, or such part
3 thereof as may be necessary in the opinion of The Adjutant General to address the
4 circumstances described above, to perform such duties as directed by competent authority
5 of the Washington State Military Department in addressing the outbreak. Additionally, I
6 continue to direct the DOH, the Washington State Military Department Emergency
7 Management Division, and other agencies to identify and provide appropriate personnel
8 for conducting necessary and ongoing incident related assessments.

9 **FURTHERMORE**, based on the above situation and under the provisions of RCW
10 43.06.220(1)(b) and RCW 43.06.220(1)(h), to help preserve and maintain life, health,
11 property or the public peace, I hereby prohibit the following activities in King, Pierce and
12 Snohomish counties related to social, spiritual, and recreational gatherings, which
13 restrictions shall remain in effect until midnight on March 31, 2020, unless extended
14 beyond that date:

15 Gatherings of 250 people or more for social, spiritual and recreational activities
16 including, but not limited to, community, civic, public, leisure, faith-based, or
17 sporting events; parades; concerts; festivals; conventions; fundraisers; and similar
18 activities.

19 Violators of this of this order may be subject to criminal penalties pursuant to RCW
20 43.06.220(5).

21 II. On March 4, 2020, Washington Supreme Court Chief Justice Debra Stephens
22 entered an Emergency Order that states, in part, as follows:

23 WHEREAS: During this state of emergency, it may become necessary for courts in these
24 counties to close, relocate, or otherwise significantly modify their regular operations; and

25 WHEREAS: the presiding judges in these counties need sufficient authority to effectively
administer their courts in response to this state of emergency, including authority to
adopt, modify, and suspend court rules and orders as warranted to address the emergency
conditions.

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

IT IS HEREBY ORDERED THAT:

1 1. The Presiding Judges of the Washington courts are authorized to adopt, modify, and
2 suspend court rules and orders, and to take further actions concerning court operations, as
warranted to address the current public health emergency;

3 2. Each court shall immediately transmit copies of emergency local rules adopted or
4 modified to address the public health emergency to the Administrative Office of the
Courts in Lieu of the requirements of General Rule 7;

5 3. Each court that closes pursuant to this Order or General Rule 21 shall sign an
6 administrative order closing the court, file the original with the clerk of the affected court,
and notify the Administrative Office of the Courts as soon as practicable.

7 III. The Tacoma Pierce County Health Department and the Center for Disease
8 Control both recommended that people at higher risk of severe illness should stay home and
9 away from large groups of people as much as possible, including public places with lots of
10 people and large gatherings where there will be close contact with others. This includes concert
11 venues, conventions, sporting events, and crowded social gatherings. These health officials
identify people at high risk as including people:

- 12 • Over 60 years of age;
- 13 • With underlying health conditions including include heart disease, lung disease,
or diabetes;
- 14 • With weakened immune systems; or
- 15 • Who are pregnant

16 IV. Jury Service in the Pierce County Superior Court, Pierce County District Court
17 and Tacoma Municipal court necessarily involves congregating in relatively close-proximity
18 groups of 300 to 400 or more persons who come to court in response to a summons.

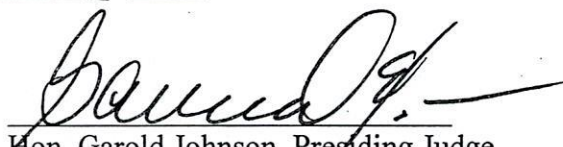
19 Therefore, under the authority granted by Chief Justice Stephens' Order and the
20 authority as the Pierce County Superior Court Presiding Judge;

21 **IT IS HEREBY ORDERED** that:

22 The Pierce County Superior Court shall enact policies to automatically excuse persons
23 from jury service who are summoned and fit the public health criteria for high risk populations
24

1 set forth above. All Judges and jury room personnel shall follow this policy and it shall be
2 published in all usual locations.

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5 DATED this 12th day of March 2020.

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8 Hon. Garold Johnson, Presiding Judge
Pierce County Superior Court
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