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PIERCE COUNTY DISTRICT COURT, STATE OF WASHINGTON

In Re

COURT OPERATIONS UNDER THE
EXIGENT CIRCUMSTANCES CREATED
BY PUBLIC HEALTH EMERGENCY IN
WASHINGTON STATE

AMENDED
GENERAL ORDER
NO. 2021-01

AMENDED AS TO THE ADDITIONAL
PARAGRAPH ON PAGE 3 LINE 8-23

WHEREAS On February 29, 2020, Washington State Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the spread of the coronavirus (COVID – 19).

WHEREAS during this state of emergency, the Centers for Disease Control and Prevention and the Washington State Department of Health have recommended increasingly stringent social distancing measures of at least six feet between people, and encouraged vulnerable individuals to avoid public spaces; and

WHEREAS consistent with these recommendations, Governor Inslee issued and extended a “Stay Home, Stay Healthy” order directing non-essential businesses to

1 close, banning public gatherings, and requiring Washingtonians to stay home except to
2 pursue essential activities; and

3 WHEREAS pursuant to this Court's prior orders as well as prior Orders by the
4 Washington State Supreme Court, this court has taken important steps to protect public
5 health while ensuring continued access to justice and essential court services, including
6 by strictly observing social distancing measures, holding proceedings remotely,
7 suspending some in-building operations, and promulgating emergency rules as
8 necessary; and
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10 WHEREAS, the response to prevent the further spread of COVID-19 must be
11 continued beyond the timeframes in this Court's orders, as well as the Orders issued by
12 the Washington State Supreme Court, while allowing the court to operate effectively and
13 maintain effective and equitable access to justice; and
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15 WHEREAS on March 19, 2020 Chief Justice Debra Stephens of the Washington
16 State Supreme Court adopted Corrected Order No. 25700-B-607, setting forth direction
17 and authority to Presiding Judges of trial courts across the State to effectively
18 administer their courts in response to this state of emergency, including the authority to
19 adopt, modify, and suspend court rules and orders as warranted to address the
20 emergency condition; and
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22 WHEREAS, on January 11, 2021, Governor Inslee signed the *Healthy*
23 *Washington – Roadmap to Recovery Proclamation 20-25.12* that declared that a State
24 of Emergency continues to exist and extended all prohibitions previously enacted
25 regarding health and safety measures to include restrictions on business and activities
26 that promote gatherings of people,
27

1 WHEREAS, the most recent *Situation Report* from the Tacoma Pierce County
2 Health Department and Pierce County Emergency Management (Report #219) noted
3 that the rolling average of positive Covid-19 testing is higher as of January 12, 2021
4 than it was when Jury Trials were suspended the second time in November 2020.
5

6 WHEREAS, the Superior Court for Pierce County has entered an order extending
7 the summoning on jurors until at least March 1, 2021;

8 WHEREAS, Pierce County Superior Court Jury Administration provides and
9 manages the jury pool for Pierce County Superior Court, Pierce County District Court,
10 and Tacoma Municipal Court. Pierce County Superior Court is resuming jury trials on
11 March 1, 2021. Due to the nature of the cases, Pierce County Superior Court jury trials
12 take priority when assigning jurors to the various courts. The jury demands of Pierce
13 County Superior Court in the month of March, 2021 will be extraordinary due to the
14 backlog created by Covid-19; hence, Pierce County Superior Court has decided to
15 stagger the start of their jury trials in order to fulfill the number of jurors needed for their
16 scheduled jury trials. As a result, Pierce County District Court cannot anticipate
17 available jurors during the month of March, 2021 and must delay the resumption of jury
18 trials until April 5, 2021. This is a direct result of the Covid-19 global pandemic which is
19 an unavoidable and unforeseen circumstance beyond the control of Pierce County
20 District Court.
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24 THEREFORE, pursuant to the Court's authority to administer justice and to
25 ensure the safety of court personnel, litigants, and the public,

26 IT IS HEREBY ORDERED
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1 (1) That the provisions of Pierce County General Orders 2020-02, 2020-03, 2020-04,
2 2020-05, 2020-06, 2020-07, 2020-08, 2020-10, 2020-12, 2020-15 and Supreme
3 Court Orders 25700-B606 and 25700-B607 (corrected), 25700-B-618 and 25700-B-
4 625, 25700-B-640, 25700-B- 642 and 25700-B-646 are hereby incorporated herein.
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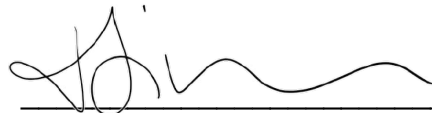
6 (2) All civil and criminal jury trials are hereby suspended until at least April 5, 2021.

7 (3) All civil cases will be rescheduled according to the court's availability for civil trials
8 and upon consultation with the parties.

9 (4) All criminal cases will be continued at the regularly scheduled Readiness Hearings
10 for jury trials scheduled on or before April 5, 2021. The period of time between the
11 Readiness Hearing and the next scheduled jury trial shall be an excluded period
12 pursuant to CrRLJ 3.3 as these circumstances are unavoidable, unforeseen and
13 beyond the control of the court or the parties. Cases will continue to be set for
14 Readiness Hearings if not resolved at the Pre-Trial Conference.
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16 Litigants, attorneys and the public are encouraged to visit the Pierce County
17 District Court website for updated information.
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19 DATED this 25th day of February, 2021.
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23 Jeanette A. Lineberry, Presiding Judge
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