

IN THE LYNNWOOD MUNICIPAL COURT
SNOHOMISH COUNTY, STATE OF WASHINGTON

In re)
The Public Emergency Created by the) No. 2020-01
COVID-19 Virus)
_____)

On 29 February 2020, Governor Jay Inslee declared a state of emergency in Washington State due to infections of the coronavirus (COVID-19). On 4 March 2020, Chief Justice Debra L. Stephens issued an order number 25700-B-602 authorizing the Presiding Judges in each court in the state to "adopt, modify and suspend court rules and orders and to take further actions concerning court operations, as warranted to address the current public health emergency."

Lynnwood Municipal Court will remain open during this emergency, at least until further order of this court. Staff are required to report to work unless otherwise directed. Staff who are feeling sick, running an elevated temperature, or experiencing a cough or other respiratory problems are directed to remain at home and take sick leave.

The public having business with the court is urged to use hand sanitizer, wash hands frequently and cover their coughs before dealing with the clerk at the front counter. The public having business in the courtroom are similarly urged to use hand sanitizer, wash hands frequently and cover their coughs. The officers providing court security at the courtroom door have masks which will be offered to any person coming to court with an active cough.

The following people are considered "at risk": those with an active respiratory disease (cold, flu); those with an active respiratory condition (asthma, COPD); those who are immunosuppressed or immuno-compromised; those with chronic medical conditions such as heart disease or diabetes; pregnant women; and people over 65 years of age.

To the extent possible, at-risk people should avoid coming to court. The court will be liberal in granting continuances when properly requested. No documentary medical proof of need is required.

Arraignments (except for defendants in custody, DUI/Physical Control, and Domestic Violence) will be set out sixty days from the filing of the charge(s). The time-for-arraignment rule in CrRLJ 4.1(a) is suspended until further order of this Court and the intervening period is excluded from computation of the proper time for arraignment. Defense counsel or the prosecutor may request an earlier setting for good cause.

In-custody arraignments for all charges will be done daily from Lynnwood Jail and SCORE on video.

Out-of-custody arraignments for DUI/Physical Control and Domestic Violence charges will be done in-person on the daily 0800 calendar.

The time-for-trial provisions of CrRLJ 3.3 are suspended until further order of this Court.

Pretrial hearings may be continued by agreement of the parties by completing the necessary motion in OCourt, with a waiver electronically signed by the Defendant, which continuances will be granted in open court on the record on the date originally scheduled for the pretrial hearing. Defense counsel is responsible for printing a copy of the order of continuance and providing it to the client. The clerk will mail notice of the new hearing date to the defendant and defense counsel, as well.

Jury confirmation hearings may be continued by agreement of the parties by completing the necessary motion in OCourt, with a waiver electronically signed by the Defendant, which continuance will be granted in open court on the record on the date originally scheduled for the confirmation hearing. Defense counsel is responsible for printing a copy of the order of continuance and providing it to the client. The clerk will mail notice of the new hearing date to the defendant and defense counsel, as well.

The Probation Department is authorized to convert any face-to-face meetings with defendants on probation to telephonic meetings. This does not create a right to a telephonic hearing for any particular defendant; the Probation Department may exercise this authority at its discretion.

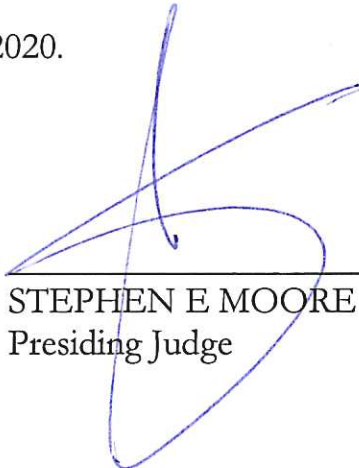
Hearings set for failure to surrender/serve jail time will remain as normally calendared. Hearings to prove the surrender of firearms, the installation of an ignition interlock device or the installation of an alcohol-sensing device on one's person will remain as normally set.

Presently scheduled review hearings will be set over roughly sixty days, unless the probation department, the prosecutor or defense counsel objects. The intervening period will toll the expiration of jurisdiction in any case which would otherwise expire.

Presently scheduled mitigated hearings and contested hearings will be conducted by mail or on-line or be set over 120 days. The speedy-hearing provisions of IRLJ 2.6 are suspended until further order of this Court. All cases presently scheduled in which the respondent has requested live testimony will be reset 120 days and the intervening period excluded from the operation of IRLJ 2.6. Newly received requests for contested or mitigation hearings will be set out 120 days and excluded from the time limits in IRLJ 2.6. Either the prosecutor or defense counsel may move the Court for an earlier hearing date for good cause shown.

This emergency order becomes effective at the start of business on Monday, 16 March 2020.

DONE in open court his 12th day of March, 2020.



STEPHEN E MOORE
Presiding Judge