

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR BENTON AND FRANKLIN COUNTIES

IN RE THE MATTER OF	)	
THE RESPONSE BY	)	Nos. 20-2-00002-03 (BCSC)
BENTON & FRANKLIN	)	20-2-50002-11 (FCSC)
SUPERIOR COURT TO THE COUNTIES	)	
PUBLIC HEALTH EMERGENCY	)	EMERGENCY ORDER #3
IN BENTON & FRANKLIN	)	RE: COURT OPERATIONS
COUNTIES AND THE	)	Effective: April 24, 2020
STATE OF WASHINGTON	)	

The public health emergency in Washington State posed by the coronavirus 2019 (COVID-19) continues to evolve and requires modification of Emergency Order #1, issued on March 16, 2020, and Emergency Order #2, issued on March 19, 2020. The Court has in mind the factual record of Emergency Orders #1 & #2, incorporates the same by reference, and adds to this record the following:

1. On March 20, 2020, Washington Supreme Court Chief Justice Debra Stevens entered Order No. 25700-B-607, clarifying the Supreme Court’s response to the declared public health emergency in Washington State in Order No. 25700-B-606.
2. On April 13, 2020, Washington Supreme Court Chief Justice Debra Stevens entered Order No. 25700-B-615, revising and superseding prior orders and indicating that all non-emergency civil and criminal matters shall be continued until after May 4, 2020, with certain exceptions for in custody criminal matters.
2. On April 2, 2020, The Board of Commissioners of Benton County, Washington approved an amendment to Resolution 2020-258, limited operations by allowing staffing on site of essential employees only until April 13, 2020, while indicating the potential for further extensions of the resolution.
3. On April 14, 2020, The Board of Commissioners of Benton County, Washington approved a second amendment to Resolution 2020-258, extending the grant of authority to adjust office hours through May 4, 2020, and approving tele-commuting options and other matters “through May 5, 2020 at 6:00 a.m.”

4. On March 31, 2020, The Board of Commissioners of Franklin County, Washington issued Resolution 2020-089, extending Resolution 2020-074, and allowing, under certain conditions, non-essential employees to remain at home “through April 21, 2020 due to the continuation of the COVID-19 pandemic.”

5. On April 21, 2020, The Board of Commissioners of Franklin County, Washington issued Resolution 2020-104, extending the provisions of Resolution 2020-089 “for April 22, 2020 through May 4, 2020, or until the end of the governor’s “stay at home” order, whichever is later.”

6. On April 2, 2020, Governor Jay Inslee, in his Proclamation 20-25.1, extended his Proclamation 20-25, “Stay Home, Stay Healthy” order until May 4, 2020

7. On April 7, 2020, Governor Jay Inslee, in his Proclamation 20-09.1, extended his prior proclamations on Statewide K-12 School Closures to June 19, 2020, thereby ordering all K-12 public and private schools in the State of Washington to close for the remainder of the academic year.

**NOW, THEREFORE**, it is hereby **ORDERED**, pursuant to the authority of Washington State Supreme Court Order Nos., 25700-B-602, 25700-B-606, 25700-B-607 & 25700-B-615, and the authority as the Presiding Judge of Benton & Franklin Counties, that the following shall be in effect beginning immediately:

**IT IS ORDERED THAT:**

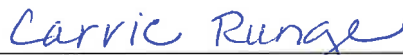
1. Except as otherwise provided herein, all other provisions of Emergency Order # 2 remain in full force and effect
2. All references to April 24, 2020 and May 1, 2020 in the Court’s Emergency Order #2, where those dates are listed as dates after which matters must be set, are hereby replaced with May 4, 2020.
3. Section C, Court Schedule, subsection 3 of Emergency Order #2 is hereby amended as follows (language added in red), “3. All emergency motions shall be heard telephonically (other than critical stage criminal motions referenced in Section D, Court Operations, subsection 12 or unless otherwise ordered by the Court) in open Court, with a clerk and shall be recorded and the record preserved. For those criminal motions that involve a critical stage of the proceedings referenced in Section D, Court Operations, subsection 12, counsel for the defendant are encouraged, but only if they

can safely do so, to attend the Courtroom session in person, where social distancing will be maintained. For such critical stages, counsel for the defendant is responsible for assuring that the defendant has a copy of any document or order the defendant has previously signed or counsel has signed on the defendant's behalf, where the document or order will be the subject matter of the hearing, available for the defendant to review during the hearing.

4. When considering what constitutes a 30-day delay in the filing of a referral under LJuCR 7.15(b), any period of time during which the normal operation of the Court is suspended in whole or in part due to this emergency order, and those emergency orders that precede or follow this order, shall be excluded from the calculation of delay. A weekend or holiday that precedes or follows any such period of time shall also be excluded.

This Order may be further extended or modified.

DATED this 22 day of April, 2020.

  
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Carrie Runge, Presiding Judge  
Benton & Franklin Counties  
Superior Court