

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. 20-2-00001-03 (BCSC)
BENTON & FRANKLIN)	20-2-50001-11 (FCSC)
SUPERIOR COURT TO THE COUNTIES)	
PUBLIC HEALTH EMERGENCY)	EMERGENCY ORDER #5
IN BENTON & FRANKLIN COUNTIES)	<i>Re: Jury Trials for July</i>
AND THE STATE OF WASHINGTON)	<i>-- Civil & Criminal</i>
)	Effective: June 19, 2020

The public health emergency in Washington State posed by the coronavirus 2019 (COVID-19) continues to evolve and requires modification of prior Orders of this Court. The Court has in mind the factual record of prior Emergency Orders and incorporates the same by reference, and on particular has in mind the following:

1. On June 18, 2020, Washington Supreme Court Chief Debra Stephens entered Order No. 25700-B-631, revising and superseding prior orders to the extent they are inconsistent and stating as follows:


“1. Jury trials are necessary to the open administration of justice in Washington. Courts may commence new jury trials starting July 6, 2020 in courthouse facilities or offsite facilities, while observing social distancing and following the most appropriate public health guidance in their jurisdiction.”
2. All but three counties in the State of Washington have advanced to Phase 2 or 3 of the Governor’s phased reopening plan, known as “Safe Start.” Benton and Franklin Counties are two of the three counties that remain in Phase 1 restrictions.
3. The Court recognizes that jury trials are necessary and that court operations are essential. Nevertheless, the Court concludes that, it is not reasonable to believe, under the totality of circumstances (including but not limited to the current emergency restrictions on members of potential jury venires and the need to prepare procedures and facilities to comply with the guidance in the aforementioned Washington Supreme Court Order and instructions), the Court cannot conduct jury trials, while sufficiently protecting the rights of parties nor the safety of parties and participants, including potential jurors, during the month of July, 2020.

NOW, THEREFORE it is hereby **ORDERED**, pursuant to the authority of Washington Supreme Court Order NO. 257000-B-631, and the authority as the Presiding Judge of Benton & Franklin Counties, that the following shall be in effect:

A. Jury Trials (Civil & Criminal): No Jury Trial, in either a civil or a criminal case, will be held during the month of July, 2020. The Court will continue to work with stakeholders toward the goal of empaneling juries in August 2020 to the extent it can be safely accomplished,

B. Prior Orders: This emergency Order supplements the prior emergency orders which remain in full force and effect to the extent that they are not inconsistent with this order.

Dated at Kennewick, Washington, this 19th day of June, 2020.



Carrie Runge, Presiding Judge
Benton & Franklin Counties Superior Court