

IN THE MUNICIPAL COURT
FOR THE CITY OF GIG HARBOR

COURT OPERATIONS UNDER THE EXIGENT)
CIRCUMSTANCES CREATED BY COVID-19)
AND RELATED CORONAVIRUS) ADMINISTRATIVE ORDER
) NO. 2020-08

WHEREAS, the Washington State Supreme Court has adopted Order Nos. 25700-B-602, 25700-B-606, 25700-B-607, 25700-B-618, 25700-B-625, and 25700-B-626, 25700-B-631, 25700-B-642 and 25700-B-646 granting and extending emergency authority to this court to adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current state of emergency; and

WHEREAS, the Chief Justice of the Supreme Court of the State of Washington has issued a Fourth Revised and Extended Order Regarding Court Operations (No. 25700-B-646) in response to the public health emergency that affects operations of trial courts in Washington State on October 13, 2020; and

WHEREAS Chief Justice Stephens allowed, in the Fourth Revised and Extended Order Regarding Court Operations, that "After October 15, 2020, courts may further exclude time under these rules based on individual findings of "unavoidable circumstances" due to COVID-19 or other circumstances."; and

WHEREAS, Pierce County and Gig Harbor have seen a spike in new COVID-19 cases; and


WHEREAS, the court is located within Gig Harbor City Hall which is not open to the public at this time and the timeline for re-opening the government building is uncertain at this time; and

WHEREAS the continued closure of the Gig Harbor City Hall building, the continued increase in COVID-19 cases in the Pierce County area and unexpected staff shortage in the Gig Harbor Municipal Court are unavoidable circumstances that render continued court calendars temporarily unmanageable:

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The court office will be closed to the public from March 16, 2020 through February 1, 2021 and will be re-evaluated at that time. Court staff will be available by telephone and via email at court@cityofgigharbor.net.
2. All civil infraction hearings after November 10, 2020 are continued to a date after March 1, 2021 and may be conducted by telephone or video conferencing to address the ongoing threat to the public health. IRLJ 2.6(a)(1) 120 day rule is suspended, and all time between March 4, 2020 and March 1, 2021 shall be excluded in calculation of time for hearing.
3. All criminal matters are continued to a date after January 20, 2021 and may be heard by telephone or video conferencing to the extent possible. The court reserves the right to maintain or schedule in-person hearings when video or telephonic methods are not possible.
4. The combination of circumstances currently impacting court services, including the serious danger posed by COVID-19, are good cause to continue criminal trials, and constitute an unavoidable circumstance under CrRLJ 3.3(e)(8). All Court Rules regarding time for trial, time for arraignment and time for continue to be suspended, and all time from the Supreme Court order of October 13, 2020 until the first court appearance after January 20, 2021 shall be excluded from calculation of time for trial or time for arraignment.
5. This order may be amended or withdrawn as warranted to address the ongoing public health emergency.
6. All other previous emergency orders issued by this Court remain in effect.

DATED this 3rd day of November 2020.



Zenon P. Olbertz, Presiding Judge