

IN THE DISTRICT COURT FOR SKAGIT COUNTY and in the MUNICIPAL COURTS OF ANACORTES, BURLINGTON, and MOUNT VERNON, WASHINGTON

IN THE MATTER OF

EMERGENCY RESPONSE TO
COVID-19 OUTBREAK

ADDENDUM TO

ADMINISTRATIVE ORDER

NO. 21-11

WHEREAS, on February 29, 2020, Governor Inslee declared a state of emergency due to the public health emergency caused by the Coronavirus Disease (COVID-19); and on March 13, 2020 President Trump declared a national emergency due to the same public health emergency; and on February 24, 2021 President Biden continued the national emergency; and

WHEREAS, the Commissioners of Skagit County have declared a state of emergency in Skagit County due to the same public health concerns; and

WHEREAS, the Washington State Supreme Court has adopted various administrative orders authorizing certain specific emergency measures to address the safety of the public and of court employees; and

WHEREAS the COVID-19 pandemic remains an ongoing threat to the health of the people of Skagit County; and

WHEREAS the infection and hospitalization rate for COVID-19 cases has increased substantially over the past month; and,

WHEREAS the Pfizer COVID 19 vaccine has been fully approved by the FDA, which may result in an increase in vaccination rates in the county; and

WHEREAS the Skagit County District and Municipal Courts are ill equipped to effectively comply with social distancing and other public health requirements for large gatherings such as selection and impaneling juries, and therefore in-person court appearances for certain court functions jeopardize the health and safety of litigants, attorneys, judges, court staff, and members of the public. Yet court operations are recognized as essential and may often be conducted by alternative means, in alternative settings, and with extra measures taken for public safety; and

WHEREAS the coordinated response from Washington courts to prevent the further spread of COVID 19 must be continued; and

WHEREAS in order to prevent the spread of COVID-19 as much as possible, further public health measures, in addition to those required under previous emergency administrative orders, should be implemented.

WHEREAS this week, Skagit County saw its highest hospitalization rate to date at 19.9 COVID patients per 100,000 residents over the last seven days. Skagit County is expecting to see its highest case counts to date this weekend, at 633.2 per 100,000 residents over the last 14 days.

NOW THEREFORE, Consistent with orders to all courts from the Washington State Supreme Court and in keeping with the applicable directions from the Governor and County Commissioners combined with a statewide plan for gradual reopening of government and business facilities, and, so long as the following orders remain consistent with Washington State Supreme Court Administrative Orders, the following schedule will be observed by Skagit County District Court:

The following paragraphs of Administrative Order 21-11 have been amended as follows:

8. GUILTY PLEAS:

- a. In recognition of the parties need and right to enter a plea and based upon the finding of this emergency, the court will allow guilty pleas as follows:

Guilty pleas shall continue to be in person hearings only, however, unless a judicial officer orders the plea and/or sentencing to be conducted in person, guilty pleas may be scheduled for entry on a virtual platform consistent with this order.
- b. Guilty pleas for individuals represented by the Office of Public Defense who do not require the services of an interpreter shall be scheduled only on Thursday afternoons at 1:30 pm in District Court Courtroom 1. Cases will be scheduled at 15-minute intervals. Individuals requiring the services of an interpreter shall continue to resolve their cases on the 8:30 am Wednesday interpreter calendar.
- c. Guilty pleas for private attorney criminal matters shall continue to be scheduled at 15-minute intervals on Tuesday mornings, beginning at 8:45 am. Parties wishing to schedule a guilty plea shall contact the calendaring clerk to obtain a time slot. Private attorney criminal matters, where the defendant requires the services of an interpreter, shall be heard on the 8:30 am Wednesday interpreter calendar at the Community Justice Center.
- d. Guilty pleas for individuals represented by the Office of Public Defense may be scheduled on the Tuesday morning private attorney calendar if time slots are available. Parties wishing to schedule a guilty plea shall contact the calendaring clerk to obtain a time slot.
- e. Individuals entering a guilty plea via virtual platform shall comply with the following:
 - Use a device which allows clear video as well as audio transmission.
 - Provide signature on a waiver of physical appearance prior to hearing.
 - Provide signature on the guilty plea prior to hearing.

- Provide signature on a no contact order, if applicable, prior to hearing.
- Provide signature on any orders for weapons surrender and/or ineligibility, if applicable, prior to hearing.
- Judgment and Sentence may be signed virtually for all charges.
- Paperwork shall be provided to the court 48 hours prior to hearing.
- Abide by all other requirements for remote guilty pleas.

For a remote plea on an Assault 4 DV, the following requirements are necessary in addition to the other requirements set forth in this order. A minimum of 72 hours in advance of the plea, the defendant must:

- Notify the jail alternatives office via e-mail that the defendant will be present in person at the jail alternatives office to provide fingerprints and DNA swab. The notification shall include the defendant's name, the cause number, and the charge (Assault 4 DV). The address is - #scsojailprograms@co.skagit.wa.us
- The Defendant must personally appear and provide the statutory requirements of DNA and fingerprinting (if required after screening by jail alternatives) no later than 72 hours prior to the plea date and time.
- No Assault 4 DV virtual plea shall be entered by the court without this emergency order condition being met.

9. DUI AND DV ARRAIGNMENTS: Arraignments for Driving Under the Influence, Physical Control of a Motor Vehicle while Under the Influence, and all Domestic Violence charges will continue as in person appearances only absent judicial approval to appear on a virtual platform.

14. LICENSING COURT: The District Court 'Licensing Court' will begin October 13, 2021 in District Court only. In person 'Licensing Court' will begin in the municipal courts at a later date.

21. ANTI-HARASSMENT HEARINGS: All hearings for anti-harassment orders shall be conducted in person unless a judicial officer grants approval for a hearing via virtual video platform upon good cause shown.

Additional information on court schedules and accessing court services is available on the various websites for all court departments. Any provisions of prior Administrative Orders which are not inconsistent with this order shall remain in full force and effect.

DATED THIS 12th day of October, 2021.



Jenifer G. Howson
Acting Presiding Judge