

IN THE MUNICIPAL COURT  
FOR THE CITY OF CENTRALIA

IN THE MATER OF EMERGENCY RESPONSE TO A	)	ADMINISTRATIVE ORDER
THREAT TO PUBLIC HEALTH	)	
	)	8 <sup>th</sup> AMENDED
	)	GR 21

This Order supplements and modifies the prior Administrative Orders of this Court issued in response to COVID-19. All other provisions of the prior Administrative Orders, not addressed within this Order remain in full force and effect.

Based upon information from the Center for Disease Control (CDC), the recommendations of the Public Health Officer for Lewis County, the Director of Public Health for Lewis County, guidance from the Washington State Supreme Court and based upon other restrictions put in place by the Governor of the state of Washington, the Centralia Municipal Court is taking the following actions (Orders):

THEREFORE, it is hereby ordered that effective March 1<sup>st</sup>, 2021 and continuing until further notice. The following shall apply:

- A. All Court Rules are suspended until further notice.
- B. All in person traffic infraction hearings are to resume beginning March 16, 2021. Hearings may also be done in writing . Please contact the clerk of the court for more information.
- C. Traffic Safety School may be granted on a case by case basis. A request to do so shall be made to the clerk of the court. The time period to complete Traffic Safety School may be increased on a case by case basis.
- D. Traffic infractions may be paid in full, or set up on a payment plan. Contact the Clerk of the Court for complete payment information at (360) 330-7667.

- E. New criminal cases where a defendant is detained on that particular case will continue to be scheduled for hearing per the usual rules and practice of the Court.
- F. In Custody hearings shall be heard as scheduled, via Video Hearing. These hearings are recorded and can be obtained by the public, upon request, in order to maintain the public's right to access court to the extent reasonable under the circumstances.
- G. Criminal matters shall be heard in person under strict observance of social distancing and other public health measures.
- H. Arraignment on out of custody matters filed between the issuance of this Order and February 28<sup>th</sup>, 2021 may be deferred until 45 days after filing of charges. The arraignment date shall be considered the initial commencement date for purposes of establishing the time for trial under the Criminal Rules (CrRLJ).
- I. Sentencing Compliance hearings (sentence monitoring) will be rescheduled to after January 11, 2021 unless deemed an emergency by the court, or unless the defendant is detained in custody.
- J. All jury trials scheduled for December 2020, and for January, and February 1 through 28, 2021, are hereby stricken. No jury trials will occur until at least the week of March 9<sup>th</sup>, 2021.
- K. As to jury trials. The court finds, pursuant to CrRLJ 3.3(f), as well as guidance from the Washington State Supreme Court, the continuances are required in the administration of justice as the court has a reduced ability to obtain an adequate spectrum of jurors for trials as well as providing adequate facilities to carry out trials in a fashion that does not create a greater risk of spread of COVID-19
- L. All matters stricken under this Order shall be reviewed by the Court at the currently scheduled Trial Confirmation hearing, or other hearing that may be set currently, or in the future.
  - i. Beginning with trial scheduled after March 9, 2021, trials shall be limited to a schedule of 10 per designated Jury Trial date.
  - ii. Such restriction is necessary when considering the following factors:

1. The Court has the ability to hold jury selection in only one (1) location.
2. Victims, witnesses, and defendants alike, in this time of uncertainty, are entitled to reasonable estimates of when their matters will proceed to trial.
3. The prosecution, defense, and the staff of this Court have, throughout this pandemic, labored under immense stress and strain.
  - a. In the case of prosecution and defense, they too need to be able to properly evaluate and address the matters on their caseloads to address the unique circumstances and the people that are being impacted
  - b. In the case of Court staff, the unique pressure imposed by COVID (pandemic, restrictions, and stresses) require additional preparation measures to be taken.
4. These limits, when taken together, or individually, are such that the limit of setting 10 Jury trials for each second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Monday of the month is exceedingly reasonable. This limitation will be reviewed and adjusted as needed.

M. Defense counsel has the authority to complete a promise to appear on behalf of their client and sign; "Not signed by Defendant Under Supreme Court Order." The original shall be filed with the court.

---

N. If new hearing dates are created outside of the defendant's presence. Defense counsel shall be responsible for providing written notice to the defendant. If the defendant is Pro Se, the Court, or it's designee, shall provide notice.

O. The hearings and trials of criminal matters continued under these, or previous, orders are required in the administration of justice based upon a good cause finding. Time between November 17<sup>th</sup>, 2020 (date of this Court's previous order) and February 28, 2021 are hereby excluded when calculating time for trial under applicable rules. See CrRLJ 3.3 (e)(3)

- P. At the time of hearing, the Court shall make a further determination whether to extend the excluded period, apply additional excluded periods, or enlarge the time for trial in the interests of fairness and equity to parties involved.
- Q. Such continuances will not prejudice any defendant or party impacted and each case impacted will, in addition to this order, be addressed on a case by case basis.
- R. The time periods set forth in this Administrative Order are excluded periods for the purposes of computing time for trial. See CrRLJ 3.3(e)(3).
- S. The 24/7 Sobriety Monitoring Program shall remain in full operation until further notice.
- T. At this time no other hearing will be impacted
- U. The Centralia Municipal Court remains open at this time, and staff are available. Subject to the Closure of City Hall, or by further order from the Washington State Supreme Court.

This order may be modified consistent with the Court's continued assessment of the needs of the community as well as the recommendations of public health officials

DATED this 23 day of Feb., 2021.



JAMES MB BUZZARD  
Centralia Municipal Court Judge