

**Spokane Municipal Court
City of Spokane, State of Washington**

IN RE THE MATTER OF:
THE RESPONSE BY SPOKANE MUNICIPAL
COURT TO THE PUBLIC HEALTH
EMERGENCY IN THE STATE OF
WASHINGTON

No: 2021-02

**FOURTH SUPERSEDING
EMERGENCY ORDER
RE: COURT OPERATIONS
CIVIL INFRACTIONS**

This matter comes before the Court on the public health emergency in Washington State. The actions set forth herein will take effect on Monday March 16, 2020 and will remain in effect until further order of the Court, unless otherwise stated herein. If a date is stated herein, the stated date may be extended by further Court Order.

1. On February 29, 2020, Governor Jay Inslee declared a state of emergency due to the Public health emergency posed by the coronavirus 2019 (COVID-19).
2. On March 4, 2020, Washington Supreme Court Chief Justice Debra Stephens entered Order No. 25700-B-602, in response to the declared public health emergency in Washington State, that states, in part, as follows:

WHEREAS, during this state of emergency, it may become necessary for courts in these counties to close, relocate or otherwise significantly modify their regular operations; and WHEREAS, the presiding Judges in these counties need sufficient authority to effectively administer their courts in response to this state of emergency, including to adopt, modify, and suspend court rules and orders as warranted to address the emergency conditions, NOW THEREFORE, pursuant to the Court's authority to administer justice and to ensure the safety of court personnel, litigants and the public, IT IS HEREBY ORDERED THAT:

1. The Presiding Judges of the Washington courts are authorized to adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current public health emergency;
2. Each court shall immediately transmit copies of emergency local rules adopted or modified to address the public health emergency to the Administrative Office of the Courts in lieu of the requirements of General Rule 7;
3. Each court that closes pursuant to this Order or General Rule 21 shall sign an administrative order closing the court, file the original with clerk of the affected court, and notify the Administrative Office of the Courts as soon as practicable”;

3. WHEREAS on March 13, 2020, President Donald J. Trump declared a national state of emergency related to COVID-19;
4. WHEREAS ON March 13, 2020, Governor Jay Inslee expanded a previously declared emergency in several western Washington counties to the entire State of Washington ordered and ordered all K-12 public schools closed until April 24, 2020;
5. WHEREAS on April 2, 2020, Governor Jay Inslee issued Proclamation 20-25.1 extending the provisions of Proclamations 20-05 and 20-25 related to the Governor's Stay Home – Stay Healthy policy until May 4, 2020;
6. WHEREAS on April 6, 2020, Governor Jay Inslee issued Proclamation 20-09 closing schools through the end of the current school year;
7. WHEREAS on April 13, 2020, the Washington State Supreme Court issued Revised and Extended Order Regarding Court Operations No. 25700-B-615, extending provisions of the Court's previous emergency order until July 1, 2020;
8. WHEREAS on April 29, 2020, the Washington State Supreme Court issued Revised and Extended Order Regarding Court Operations No. 25700-B-618, extending provisions of the Court's previous emergency order;
9. WHEREAS on May 28, 2020, the Washington State Supreme Court issued Third Revised and Extended Order Regarding Court Operations No. 25700-B-625, extending provisions of the Court's previous emergency order;
10. WHEREAS on May 29, 2020, the Washington State Supreme Court issued Amended Third Revised and Extended Order Regarding Court Operations No. 25700-B-626, extending provisions of the Court's previous emergency order;
11. WHEREAS on October 13, 2020, the Washington State Supreme Court issued Fourth Revised and Extended Order Regarding Court Operations No. 25700-B-646, extending provisions of the Court's previous emergency order;
12. WHEREAS, the State of Washington and specifically Spokane County have experienced an exponential and unprecedented surge in new COVID-19 cases, the Governor of the State of Washington issued an Executive Order placing additional restrictions on the citizens of the State of Washington; and
13. Spokane Municipal Court may adopt further restrictions as necessary to respond to the current state of emergency in order to mitigate the effect of COVID-19 and will do so by further court order.

Given the significant number of projected cases of COVID-19 likely to occur in the City of Spokane and the severity of risk posed to the public, court personnel and litigants, and given the recommendations from local, state, and federal public health offices;

IT IS HEREBY ORDERED, that pursuant to the authority of Washington State Supreme Court Order No. 25 700-B-602, 25700-B-606, 25700-B-615, 25700-B-618, 25700-B-625, 25700-B-626, 25700-B-646, and the authority as Presiding Judge of the Spokane Municipal Court, the following shall apply to all infractions currently pending or filed with Spokane Municipal Court:

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. All requests for mitigation of infractions shall be conducted by mail.
2. All motion hearings shall be conducted in chambers as hearings by mail. If necessary, a judicial officer may set a motion for an in-person or telephonic hearing, at their discretion.
3. This Order may be amended or withdrawn as warranted to address the on-going public health emergency.

DATED THIS 12th day of January, 2021.

MATTHEW W. ANTUSH, Presiding Judge

