

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

0Š0Ö
GEGGÁRÖP ÁGÁHGÍ ÁJT
SÖ ÖÁÖUWÞVÝ
ÙWÚÖÜÖÜÁÖUWÜVÁÖŠÖÜS
ÖÉZŠÖÖ
ÖÖÉJÒÁKÖGÉÉFÉÉÉÁÜÖCE

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

No. 22-0-12050-1

IN THE MATTER OF THE RESPONSE BY
KING COUNTY SUPERIOIR COURT TO THE
PUBLIC HEALTH EMERGENCY IN
WASHINGTON STATE

**EMERGENCY ORDER 35 RE:
ALL TRIAL TYPES IN LIGHT OF
OMICRON VARIANT
CRIMINAL TRIALS SUSPENDED
TO FEBRUARY**

This matter comes before the Court on the public health emergency in Washington State and more specifically on the challenges caused by the Omicron Variant of Covid-19. The Court has reviewed available data and consulted with authorities before issuing this Order. The Executive and Council have chosen to delay a return to work as a result of this variant. The King County Department of Public Health reports a 109% increase in cases (in the last seven days) and 102% increase in hospitalizations (in the last seven days) in this County. This new variant has spread in the midst of higher vaccination rates (and booster shots) and remains a cause of concern.

This Order is based, in part, on the Washington State Supreme Court’s Order of February 19, 2021, Washington State Labor and Industries Guidance and Requirements, June 30, 2021¹, Washington State Department of Health Order of the Secretary of Health Amending Order 20-03, June 29, 2021², and Governor Jay Inslee’s remaining proclamations regarding the COVID-19 pandemic governing the effectiveness of certain laws.

¹ <https://www.lni.wa.gov/forms-publications/F414-164-000.pdf>

² https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/Secretary_of_Health_Order_20-03_Statewide_Face_Coverings.pdf

1 The Court is governed by the laws of the State of Washington and the Chief Justice's
2 Emergency Orders. The Court has been deemed an "essential" function by the Governor.

3 This Order is intended to continue several important new methods of doing business that
4 will be enforced by judicial officers and to update previous orders to reflect current conditions.
5 The Court is in a unique position in that many witnesses, parties, and jurors are ordered to appear
6 at the courthouse. Additionally, the Court has hundreds of employees who report to work at the
7 courthouses daily. Both the vaccinated and unvaccinated must be allowed access to the courts. The
8 Court is cognizant of its responsibility to keep all people who enter the courthouse safe. To that
9 end, the Court will continue to implement its safety protocols to deter the spread of COVID-19.
10 The Court has promulgated public health guidelines for those who visit in-person, which include
11 the requirement to wear a mask.

12 The Court has adopted widespread use of video and telephonic technologies and found the
13 use of this technology to be very successful. Since the start of this pandemic, the Court has
14 conducted over 1000 remote bench trials and over 300 jury trials (190 criminal, 110 civil (40 in
15 person and 70 all remote).³ Voir dire has been conducted virtually for all jury trials. The trials
16 have proceeded smoothly. By adopting video technology, the Court has been able to provide
17 justice during the pandemic.

18 **All parties and persons are encouraged to monitor the Court's website at**
19 **<https://www.kingcounty.gov/courts/superior-court.aspx> for updates.**

20 **The Court ORDERS the following for the duration of the period January 18, 2021**
21 **through February 11, 2022 only:**

- 22 1. Criminal jury trials: No criminal jury trials shall be started from the date of this Order
23 through February 11, 2022. Current criminal trials shall continue to completion. Juvenile
24 bench trials may be held in person at the discretion of the Chief of the Clark Children and
25 Family Justice Center.

232 _____
³ These are approximate as they do not include ongoing trials or last month's data.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

2. Civil bench and jury trials: Emergency Order 33 remains in place. Most civil trials shall be held virtually but with prior court approval, in-person proceedings for civil jury trials may be conducted, notably those few currently in process. All trials of all case types currently in progress shall continue to completion.

This Order expires February 11th 2022 close of business.

IT IS SO ORDERED.

Dated: January 12, 2022

JUDGE PATRICK OISHI
Presiding Judge

King County Superior Court
Judicial Electronic Signature Page

Case Number: 22-0-12050-1
Case Title: General Admin Policy Orders
Document Title: ORDER

Signed By: Patrick Oishi
Date: January 12, 2022



Judge: Patrick Oishi

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 9FE6803641CCD6B28195B29614DF30AE3A16A5FF
Certificate effective date: 7/16/2018 2:07:06 PM
Certificate expiry date: 7/16/2023 2:07:06 PM
Certificate Issued by: C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,
O=KCDJA, CN="Patrick Oishi:
nIlI6Ir95BGfnOJmHl1GsA=="