

IN THE SUPERIOR COURT
FOR THE COUNTY OF SKAGIT

IN THE MATTER OF) ADMINISTRATIVE ORDER
EMERGENCY RESPONSE TO COVID-19) NO. 20-5
OUTBREAK)

WHEREAS, An identified public health emergency exists due to the current outbreak of the Novel Corona virus which emergency has been previously identified in this Court's Emergency Administrative Order 20-3; and

WHEREAS, the Governor of Washington has issued Proclamation 20-25 requiring persons to stay at home unless they are performing an essential service which proclamation has been extended to May 4, 2020; and

WHEREAS, the Presiding Judge of Skagit County Superior has determined that, with limited exceptions, all hearings that are not deemed critical should be continued;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. **EFFECTIVE DATE** This Order becomes effective upon signing and shall remain in effect for so long as the Governor keeps the stay at home proclamation in effect. Currently the proclamation is in effect through midnight on May 5, 2020. In addition, the effective date of Emergency Administrative Order 20-3 is extended through May 5, 2020 and all references to April 24, 2020 contained therein shall be deemed to refer to May 5, 2020.
2. **RELATIONSHIP TO EMERGENCY ADMINISTRATIVE ORDER 20-3** For so long as this Order is in effect, it will supersede Administrative Order 20-3 with respect to matters set forth herein. In all other respects Administrative Order 20-3 shall be interpreted as supplementary to this Order
3. **CRITICAL HEARINGS** The following hearings are deemed critical:
 - In custody criminal (including juvenile)
 - Arraignment
 - Bail hearings/release hearings
 - Plea and sentence

- Competency hearings
- Any other emergency Motion with the consent of a Judicial Officer

Civil

- Temporary Protection Orders (DVPO, VAPO, SAPO, ERPO)
- Immediate restraining orders where domestic violence is alleged
- Shelter care hearings
- Involuntary treatment hearings
- Guardianship hearings
- Any other emergency Motion with the consent of a Judicial Officer

During the term of this order only critical hearings will be conducted except as noted below. To accommodate the hearings noted above, the Court will hold calendars as follows:

- Involuntary treatment hearings – conducted telephonically on Tuesdays, Wednesdays and Fridays at 10:00 am
- Shelter Care Hearings – conducted telephonically on Tuesdays and Thursdays at 9:30 am
- Juvenile hearings – conducted telephonically Monday through Friday at 1:00 pm
- Ex Parte – conducted telephonically Monday through Friday at 1:30 pm
- Criminal matters – conducted at the Community Justice Center Monday through Friday at 2:30 pm. Appearances may be in person or telephonic.

4. PERMITTED NON-CRITICAL HEARINGS

- A. **DEPENDENCY** The Court will hear motions regarding issues of parental or child's rights (to include dispositional orders, visitation, services, or other issues approved by the court prior to filing), emergent motions critical to child's safety and health, and appointment of an attorney for child. These hearings will be held in conjunction with shelter care hearings on Tuesdays and Thursdays at 9:30 am.
- B. **CIVIL** Agreed orders on civil matters are heard on the pleadings and noted on the daily 1:30 pm ex parte calendar. Non-agreed civil matters will be heard on the pleadings and should be noted for Fridays at 9:30 am. If the Court determines that oral argument is necessary, the Court will advise the parties. All parties on scheduled civil hearings should be prepared for telephonic oral argument on the scheduled hearing date provided they are notified that the court is requesting oral argument. Summary Judgment motions shall be heard telephonically on Thursdays at 9:30 am. Argument shall be limited to ten minutes per side.

- C. **ADOPTIONS AND GUARDIANSHIPS** Agreed adoptions will be heard on the pleadings so long as an affidavit of formal testimony is submitted. Adoptions shall be heard on Friday mornings at 8:45 am. Guardianship hearings shall be heard telephonically at 9:00 am on Friday mornings.
- D. **DOMESTIC RELATIONS/FAMILY LAW** The pro se (unrepresented litigants) calendar will be heard on Mondays at 9:00 am. The calendar for represented litigants will be heard on Fridays at 9:30 am. Both calendars shall be capped at fifteen cases per calendar. Telephonic hearings are capped at no more than eight per calendar. Hearings on these calendars shall be regulated as follows:
- i. **CHILD SUPPORT MOTIONS** Motions for modifications and temporary support orders will be heard on the pleadings unless a judicial officer requests telephonic argument. The parties must file a financial declaration and sealed financial records to include the last 2 years taxes with W-2 and pay stubs together with a declaration regarding issues and requests.
 - ii. **CONTEMPT AND RESTRAINING ORDERS** Hearings on contempt motions and restraining orders will be heard on the Monday and Friday calendars telephonically.
 - iii. **TEMPORARY FAMILY LAW ORDERS AND OTHER MOTIONS** These motions will be heard on the pleadings unless telephonic argument is requested by a judicial officer.
 - iv. **ENTRY OF FINAL ORDERS** Final orders shall be presented ex parte together with parenting class certificates and an affidavit of formal proof/jurisdictional facts.
5. **TELEPHONIC HEARINGS** Except as set forth herein, all hearings conducted under this Order shall be conducted telephonically in the manner set forth in Emergency Administrative Order 20-3. The Court will post a daily calendar on its website.
6. **SHORTENED TIME ON CRIMINAL MATTERS** Motions for bail reduction, release on personal recognizance, temporary release, or any emergent matters shall be heard on shortened time if notice has been given to opposing counsel by noon of the day before the scheduled hearing.
7. **SCHEDULED PROTECTION ORDER HEARINGS** During the term of this order, the Court will not be conducting its regularly scheduled Full Protection Order calendar. Accordingly, for such matters the Court will issue orders continuing all

temporary orders of protection two weeks and continuing any scheduled hearing dates on protection order matters for two weeks. The Court will similarly reissue and continue all pending immediate restraining order matters. All other pending Civil and Domestic law hearing dates for matters not set forth in Paragraph three above will continued in two-week increments. Judicial Officers may, in their sole discretion, extend full hearings on temporary orders beyond 28 days based on agreement of the parties of additional specific findings of good cause.

8. **FACT FINDINGS/TERMINATION OF PARENTAL RIGHTS** All Dependency fact findings are continued to a date after May 5, 2020. Further, the Court finds that the COVID-19 pandemic is good cause under RCW 13.34.145 (5) (a) not to order DCYF to file a petition to terminate parental rights.
9. **LIMITATION ON CIVIL MATTERS** During the term of this Order the Court will not be hearing any Unlawful Detainer matters with the exception of those alleging waste of the premises or maintaining a drug house, Motions for Default, Motions for Default Judgment, Motions for Judgment on the Pleadings, and Orders for Payment under writs of garnishment. Any of said matters that are noted for hearing will be stricken. Any proposed Orders on said matters will be denied without prejudice.
10. **PROPOSED ORDERS** For all calendars, the moving party shall provide the Court with a proposed order in Word format at least five days before the hearing. The Court may strike any matter for which there is no proposed order. All proposed orders shall be emailed to: SValadez@co.skagit.wa.us.
11. **SUSPENSION OF RULES** This Order modifies or suspends any and all court rules, both Local Court Rules and State Court Rules which are inconsistent with the terms set forth herein.

DATED this 8th day of April, 2020.


David A. Svaren
Presiding Judge