

**MARYSVILLE MUNICIPAL COURT
COUNTY OF SNOHOMISH
STATE OF WASHINGTON**

In the Matter of

Emergency Response to a Threat of)	EMERGENCY
Public Health)	ADMINISTRATIVE ORDER
)	NO 2021-02
)	

WHEREAS, On February 29, 2020, Governor Jay Inslee declared a state of emergency due to the public health crisis posed by the spread of the coronavirus (COVID 19). This public health state of emergency continues to the present day, and is expected to exist going forward. On November 15, 2020, Governor Inslee announced a doubling of coronavirus transmission rates has occurred in the past two weeks in Washington State, further endangering public safety. Effective November 16, 2020, indoor social gatherings were banned for non-family members.

WHEREAS, the State Supreme Court of Washington has previously authorized the Presiding Judge of the District and Municipal Courts to suspend court rules as necessary to promote the public safety while keeping the courts as open as possible, and this Court has enacted Emergency Administrative Orders as follows:

- Marysville Emergency Administrative Order 2020-03
- Marysville Emergency Administrative Order 2020-04
- Marysville Emergency Administrative Order 2020-05
- Marysville Emergency Administrative Order 2020-06
- Marysville Emergency Administrative Order 2020-07
- Marysville Emergency Administrative Order 2020-08
- Marysville Emergency Administrative Order 2021-01

WHEREAS, the latest public health numbers in Washington State, in particular, Snohomish County, show that there continues to be a severe risk posed to the public by having indoor gatherings of any size, and the current situation demands immediate action by the court,

WHEREAS, this court has taken steps to ensure continued access to justice while protecting the public safety and health,

WHEREAS, the Marysville Municipal Court continues to operate under a State of Emergency and the health and welfare of all individuals must be considered in the continued operations of the court and reducing the number of people who come into the courthouse is necessary to reduce the spread of the virus and protect persons who are deemed to be particularly vulnerable to COVID-19;

WHEREAS, Marysville Municipal Court's previously issued Emergency Orders remain in effect except where the provisions of any prior Order (s) are inconsistent with this Order, this Order controls.

WHEREAS, Marysville Municipal Court Emergency Administrative Order 2020-01 suspended all Jury Trials until after April 13, 2021.

WHEREAS, it is anticipated that Jury Trials will resume after April 13th and it is necessary to conduct Jury Trial selection and Jury Trial(s) in a manner consistent with all CDC and public health guidelines. Therefore, because of limited space available at the Marysville Municipal Court, jury selection must be conducted at an offsite location in order to comply with public health guidelines. This process mandates a separate and additional day of jury selection to the jury term.

NOW THEREFORE, IT IS HEREBY ORDERED

- 1) Effective, immediately, in order to streamline the telephonic jury confirmation requirements MMCLCR 1.3(b) and (c), (telephonic jury trial confirmation procedure) is suspended until further notice.
- 2) Telephonic confirmation of Jury Trial(s) is required and replaced with the following:

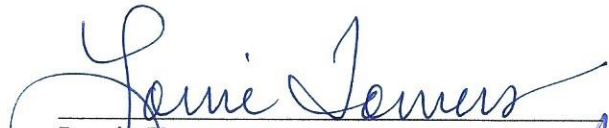
Jury trial(s) must be confirmed by the Friday prior to the date of the assigned Jury Trial, the defendant (if not represented by an attorney) or the defendant's attorney and the city Prosecutor shall contact the jury trial confirmation line at (360)363-8071 no later than 1:00 p.m. on the Friday before the Jury Trial date and confirm that the case is proceeding to trial. Telephonic confirmation of Jury Trial(s) using interpreter services shall be required to do the same.

In addition, if more than one (1) case is confirmed for Jury Trial by any party, such party is required to file a Jury Trial priority list no later than 1:00 p.m. on the Friday before the trial date. The Jury Trial priority list shall be emailed to court management (selsner@marysvillewa.gov and kricker@marysvillewa.gov) and shall set forth in numerical order the party's priority of cases: including speedy trial considerations, witness availability and all relevant factors determining case priority.

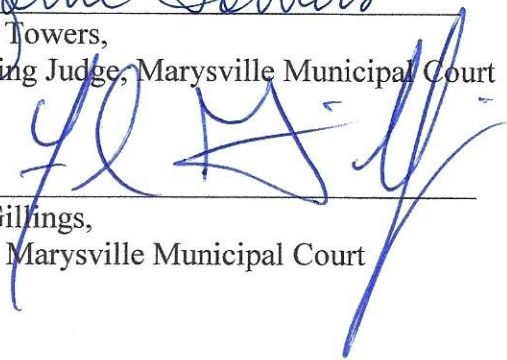
Failure to telephonically confirm the jury trial shall cause the case to be stricken from the jury trial docket. Furthermore, failure of a pro se defendant or the defendant's attorney to telephonically confirm the Jury Trial as set forth in this order shall constitute a waiver of the defendant's speedy trial rights.

- 3) For cases set over to a later Jury Trial date, the time between the date of continuance and the next scheduled Jury Trial date shall be excluded when calculating time for trial.
- 4) Further, recognizing that the public health emergency created by the COVID-19 pandemic remains a fluid situation, this order may be revised or extended as necessary consistent with public health recommendations.

DATED this 16th day of March, 2021.



Lorrie Towers,
Presiding Judge, Marysville Municipal Court



Fred Gillings,
Judge, Marysville Municipal Court