

**Superior Court of Washington  
County of Lincoln**

IN THE MATTER OF THE RESPONSE  
BY LINCOLN COUNTY SUPERIOR  
COURT TO THE PUBLIC HEALTH  
EMERGENCY IN WASHINGTON  
STATE

No. 07082020-22

SAFETY ORDER RE:  
MITIGATION OF COVID-19 IN  
SUPERIOR COURT

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WHEREAS, the Governor of the State of Washington with his various proclamations has declared a state of emergency in all counties of Washington due to the public health emergency caused by the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the Washington State Supreme Court has adopted Order 257-8-618 (Filed April 29, 2020), as amended by order 25700-B-602 and B-626 suspending all civil and criminal jury trial until after July 6, 2020, in addition to granting emergency authority to this court to adopt, modify, and suspend court rules and orders and to take further actions concerning court operations, as warranted to address the current state of emergency; and

WHEREAS, the Washington State Supreme Court has recently adopted Order Re: Modification of Jury Trial Proceedings No. 25700-B-631 filed June 18, 2020, to provide for the reinstatement of jury trials on or after July 6, 2020.

NOW, THEREFORE, IT IS HEREBY ORDERED, effectively immediately:

1. Any person who is sick with COVID-19 like symptoms or in quarantine shall not enter the courtroom;

2. Staff, participants, and visitors shall practice good hygiene by washing hands frequently or by using hand sanitizer when hand washing is not practicable;

3. Frequently touched surfaces should be routinely cleaned with disinfectant;

4. Social distancing measures will be enforced to the greatest extent practicable in the courtroom and public areas adjacent to the courtroom. Courtroom, jury room, and court administration areas have been equipped with social distancing markers to illustrate appropriate distancing. The courtroom will have a limited capacity due to social distancing.

5. All jurors and potential jurors during a trial are required to wear a mask which covers their nose and mouth. All other persons entering the Superior Court Courtroom are required to wear a mask which covers their nose and mouth; however, individuals actively participating in a court proceeding may remove their masks while talking. The court may also direct the removal of masks worn by active participants to facilitate clear communication and due process. "Active participants" includes those seated at counsel tables, witnesses, judge and court staff.

6. If someone refuses to wear a mask in the courtroom, the following should occur:

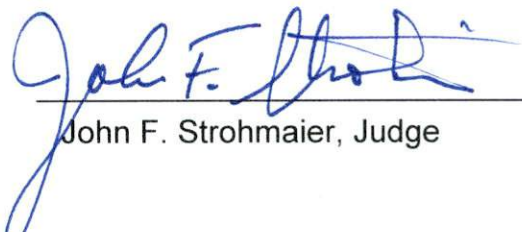
- The judge and/or court personnel should be promptly advised;
- The person may be instructed to wait in the lobby or car (If in car, a cell number will be needed to call when court is done with all other cases in court.) Their hearing will likely occur at the end of the docket when all other litigants have left the courtroom;
- If someone indicated due to a medical reason that they are unable to wear a mask, staff should treat this similar to an ADA accommodation. Staff should provide them a face shield, if available, that doesn't obstruct their breathing. If they refuse to wear a face shield, staff should follow the steps set forth above. They should also be instructed to follow social distancing rules.

7. Pursuant to the face-covering recommendations issued by the Washington State Department of Health, the following individuals do not need to wear a mask:

- a. Any child aged two years or less; however, unless the child is an active participant, he or she may be required to leave;
- b. Any child ages 12 years or less unless parents and caregivers are able supervise the use of face coverings by children to avoid misuse. Furthermore, unless the child is an active participant, he or she may be required to leave if unable to wear a mask or face shield;
- c. Any individual who has a physical disability that prevents easily wearing or removing a face mask;
- d. Any individual who is deaf and uses facial and mouth movements as part of communication or an individual who is communicating with a person who is deaf and uses facial and mouth movements as part of communication;
- e. Any individual who has been advised by a medical professional that wearing a face mask may pose a risk to that individual for health-related reasons;
- f. Any individual who has trouble breathing, incapacitated, or otherwise unable to remove the face mask without assistance; and
- g. For those individuals referenced under subparagraphs c. through f. above, a face shield may be required in lieu of a face mask.

8. Lincoln County Superior Court may adopt further restrictions as necessary to respond to the current state of emergency in order to mitigate the effect of COVID-19.

Dated July 8, 2020.

  
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John F. Strohmaier, Judge