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**FILED**

**MAR 11 2022**

PEGGY A. SEMPRIMOZNIK  
LINCOLN COUNTY CLERK

**IN THE SUPERIOR COURT OF WASHINGTON,  
COUNTY OF LINCOLN**

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

Emergency Order: 22-04

**EMERGENCY ORDER #22-04**  
EMERGENCY ORDER REGARDING  
FACE MASKS

The health conditions that have impaired Court proceedings around the State remain but appear to be abating. For all the reasons previously stated in prior emergency orders related to the public health crisis brought on by COVID-19 issued by the Washington State Supreme Court, Lincoln County Superior Court and various proclamations by Governor Inslee, Washington State Courts are still in the midst of a public health emergency. Most recently, the Omicron Variant of COVID-19 presented new challenges to the general health and welfare of the citizenry, and the justice system in particular. The Court has been characterized as an “essential function” by Governor Inslee.

To reduce the incidents of close contact between employees of Lincoln County Superior Court, members of the Bar, members of the public and any other entity or agency accessing the Court, the Court has implemented certain court procedures that can accomplish justice without the actual presence of parties in the courtroom. The use of video and audio technology has

1 allowed for remote trials and hearings that do not involve juries. Through these means, the Court  
2 has effectively dispensed justice in many cases not requiring juries since the health emergency  
3 was declared. However, technology limitations in Lincoln County require that most aspects of  
4 jury trials, whether criminal or civil, be done in person.

5 On February 28, 2022, Governor Inslee announced that Washington State indoor mask  
6 mandate would end effective March 12, 2022. In making that declaration the Governor also  
7 noted, "... we must still be mindful that many within our communities remain vulnerable. Many  
8 businesses and families will continue choosing to wear masks..." Lincoln County Superior  
9 Court recognizes that certain court dockets may serve populations that present as chronically  
10 more vulnerable.  
11

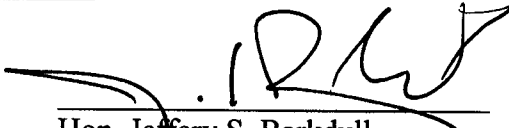
12 **NOW, THEREFORE** it is hereby **ORDERED**, pursuant to the authority of  
13 Washington Supreme Court Orders No. 257000-B-631, No. 25700-B-626, No. 25700-  
14 B-642, and No. 25700-B-646 and the authority as the Presiding Judge of Lincoln  
15 County Superior Court, that the following shall be in effect:

- 16
- 17 **A. Findings:** The Court incorporates by reference findings of fact and  
18 procedural recitations in its previous Orders, and considers the public health  
19 emergency broadly, as well as the particularized effect within Lincoln  
20 County, and further,
- 21 **B. Incorporation Into The Record:** As with all prior orders of the Supreme  
22 Court of Washington, and prior orders of this Court, this Order is deemed part  
23 of the record in affected cases for the purposes of appeal without the need to  
24 file this order in each case. If necessary to make clear that there is a basis for  
25 this Lincoln County Superior Court emergency order, the Court hereby  
incorporates into this emergency order all Supreme Court and Lincoln County  
Superior Court orders promulgated in response to the COVID-19 health crisis  
together with any relevant Proclamation by Governor Inslee.

1 C. **Face Coverings:** Effective March 12, 2022, the wearing of face coverings in  
2 Superior Court controlled common spaces will be optional, provided, however,  
3 that each Superior Court Judicial Officer has the authority to mandate face  
4 coverings in a particular courtroom as circumstances dictate.

5 Any temporary Lincoln County emergency protocol adopted and published may be  
6 updated or modified as necessary and shall be reduced to writing and transmitted to the relevant  
7 entities for publication on the Lincoln County Superior Court, Washington Administrative Office  
8 of the Courts and Lincoln County Bar Association websites as they become available.

9 DATED this 11 day of March 2022.

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12 Hon. Jeffery S. Barkdull  
13 Presiding Judge  
14 Lincoln County Superior Court  
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***SUPERIOR COURT OF THE  
STATE OF WASHINGTON  
FOR LINCOLN COUNTY***

**SUPERIOR COURT PRESS RELEASE  
MARCH 10, 2022  
FACE COVERING GUIDANCE AT THE COURTHOUSE**

Based on information provided in Governor Jay Inslee's press conference on February 28, 2022, Lincoln County Superior Court plans to end its court-wide face covering requirement on March 12, 2022. Face coverings in Superior Court controlled offices and common spaces will be optional, provided, however, that each Superior Court Judicial Officer has the authority to mandate face coverings in a particular courtroom as circumstances dictate. The court will monitor guidance from our stakeholders to determine if face coverings would need to be reinstated on a court-wide basis.

Updated information will be posted at <https://www.co.lincoln.wa.us/superiorcourt>

Rena Hills, Superior Court Administrator  
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