

**KITSAP COUNTY SUPERIOR COURT
KITSAP COUNTY DISTRICT COURT
STATE OF WASHINGTON**

IN RE THE KITSAP COUNTY COURTHOUSE AND THE
PANDEMIC OUTBREAK OF THE CORONAVIRUS
DISEASE 2019 (COVID-19)

**No. 2020-11
EMERGENCY ADMINISTRATIVE ORDER
RE – DOMESTIC VIOLENCE NO
CONTACT AND PROTECTION ORDER
MODIFICATION OR CANCELING**

THIS ADMINISTRATIVE ORDER is being issued in response to the current pandemic outbreak of the Coronavirus Disease 2019 (COVID-19).¹

Given the significant number of identified and projected cases of the disease in Washington, the severity of the risk posed to the public and staff, the recommendations of the Kitsap Public Health District, and the authority granted by Supreme Court Orders No. 25700-B-602 (March 4, 2020) and No. 25700-B-607 (Amended March 20, 2020), additional immediate action by the Kitsap County Superior Court and Kitsap County District Court² is required.

NOW, THEREFORE, it is hereby –

ORDERED that effective immediately and until further Order of the Courts –

1. Previous Orders. All previous Emergency Administrative Orders remain in full effect.
2. Protected Party Highly Recommended To Contact The YWCA. A protected party is highly recommended to call the YWCA Alive Program at (360) 479-0491 to set up an appointment for screening. The YWCA may assist protected parties in scheduling a hearing to modify or cancel the order.
3. Kitsap County Superior Court. The following procedures are implemented for individuals seeking to modify or cancel a domestic violence no contact or protection order issued by the Kitsap County Superior Court –
 - A. Forms. An individual seeking relief should first fill out a motion and declaration seeking modification and/or rescission of the domestic violence no contact or protection order. The forms

¹ Hereafter “disease.”

² Hereafter “Courts.”

may be available through the Kitsap County Clerk's Office or online at <https://www.courts.wa.gov/forms/?fa=forms.static&staticID=14#DomViolence>.

B. Filing. The individual seeking relief should file their original motion and declaration with the Kitsap County Clerk's Office according to their policies and procedures.

C. Court Scheduler. The individual should then contact the Court Scheduler, Jennifer Kluver at JKluver@co.kitsap.wa.us. A copy of the motion and declaration should be provided to Superior Court at SuperiorCourt@co.kitsap.wa.us.

D. Hearing Date And Time. The Court Scheduler will set a date and time for the hearing at least three business days from the time of the request.

E. Contact Information Required. The individual will provide to the Court Scheduler valid contact information so they can participate electronically, unless that is impossible.

F. If A Criminal Case – Service On Prosecutor's Office. If the order was issued in a criminal case, the individual seeking relief must serve the Kitsap County Prosecutor's Office a copy of the motion and declaration at least 48 hours prior to the date and time the hearing is set. Service on the Prosecutor's Office shall be done according to their current practices and procedures.

4. Kitsap County District Court. The following procedures are implemented for individuals seeking to modify or cancel a domestic violence no contact order issued in a criminal case by the Kitsap County District Court –

A. How Can A Protected Party Schedule A Hearing? A protected party may schedule a hearing to modify or cancel the order by contacting the Court – (1) by email at kcdc@co.kitsap.wa.us; or (2) by telephone at (360) 337-7109, option 6 to speak with a clerk.

B. Schedule At Least 7 Days Before A Hearing Date. A protected party must schedule the hearing at least 7 days before an available hearing date.

C. No In-Person Hearings. All hearings will be by telephone or by video. No in-person hearings will be permitted.

D. How Will A Person Appear? A protected party must advise the Court how the person will be appearing, either – (1) by video; or (2) by telephone and provide a telephone number. The Court will provide a link for Zoom conferencing or call the person at the number provided. The defendant (or attorney) must also provide to the Court a telephone number or manner of appearance (video or telephone) if the defendant desires to be heard during the hearing.

E. Party Must Be Available Between 9:00 AM and Noon. A protected party must be available for the Court to call the protected party between 9:00 AM and noon on the scheduled hearing date. The Court will contact the individual(s) one case at a time. No hearings will be held after noon on the scheduled hearing date.

If the Court at the hearing is unable to contact the protected party within these time frames, the hearing will be stricken. The protected party may thereafter schedule another hearing.

If a defendant desires to be heard at the hearing, the defendant (or attorney) must also be available by telephone or by video.

F. Does A Protected Party Need A Hearing Sooner? If a protected party believes an “emergency” exists, the protected party must provide to the Court in writing an explanation why good cause exists to accelerate the hearing date. The Court will review the protected party’s written materials in chambers and decide whether to grant an “emergency” hearing. The Court will thereafter notify the protected party of the Court’s decision.

G. What Is An “Emergency”? For the purposes of this Order only, “emergency” means “an unforeseen combination of circumstances or the resulting state that calls for immediate action.”³

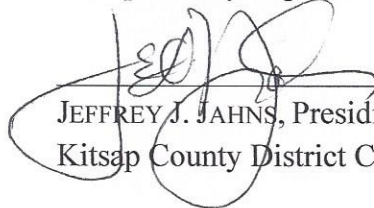
H. Refer To District Court Website. More information on the process is available at the Kitsap County District Court’s website (<https://www.kitsapgov.com/dc/>) at the bottom of the page under the How To Modify/Rescind a Domestic Violence/No Contact Order link.

Kitsap County Superior Court and Kitsap County District Court remain open.

DATED – MARCH 25, 2020



KEVIN D. HULL, Presiding Judge
Kitsap County Superior Court



JEFFREY J. JAHNS, Presiding Judge
Kitsap County District Court

³ *Webster’s Third New International Dictionary* 740 (2002) (emphasis added).