

**KITSAP COUNTY SUPERIOR COURT
STATE OF WASHINGTON**

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

No. 2020-7

**EMERGENCY ADMINISTRATIVE ORDER
RE GUARDIANSHIP & PROBATE CASES**

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

Washington has been "ground zero" for this disease. Although for many this disease appears to cause only flu-like symptoms, for others it can pose a serious and potentially lethal risk as exhibited by the increasing number of Washington deaths currently attributed to the disease. Governor Inslee has declared a state of emergency and has banned most events with more than 50 people. It has been declared that all Washington elementary and secondary schools will be closed through April 24, 2020.

Kitsap County Superior Court has consulted with the Kitsap County Health Department² concerning the current status of the disease as well as recommendations the Health Department has made to attempt to contain and mitigate the spread of the disease.

On March 4, 2020, the Washington Supreme Court adopted Order No. 25700-B-602 granting emergency authority to the presiding judges of all Washington courts to "adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current public health emergency."

On March 13, 2020, the Kitsap County Superior Court adopted Emergency Administrative Order 2020-1 to address Superior Court Criminal and Civil Jury trials. On March 16, 2020, the Kitsap County Superior Court adopted Emergency Administrative Order 2020-2 to address Juvenile Dependency proceedings. On March 17, 2020, the Kitsap County Superior Court adopted Emergency Administrative Order No. 2020-3 regarding courtroom management. On March 17, 2020, the Kitsap County Superior Court adopted Emergency Administrative Order No. 2020-4 in

¹ Hereafter "disease."

² Hereafter "health department."

response to a confirmed case of COVID-19 that was reported among a member of the Kitsap County Superior Court.

On March 18, 2020, the Supreme Court of Washington entered Order No. 25700-B-606 which, related to civil cases, states as follows:

- 1.) All civil jury trials shall be suspended until after April 24, 2020.
- 2.) All non-emergency civil matters shall be continued until after April 24, 2020.
- 3.) All emergency matters that must be heard before April 24, 2020, must be heard by telephone, video, or other means that does not require in-person attendance unless impossible, and;

The Court recognizes that there are procedural issues in juvenile, dependency, involuntary commitment, child support, and other matters that may not be encompassed in this Order. Nothing in the Order limits other interested parties in submitting similar orders tailored to the unique circumstances of those matters and any other matters not contemplated by this Order; however, parties are strongly encouraged to contemplate the issues addressed in this Order.

Given the significant number of identified and projected cases of the disease in Washington, the severity of the risk posed to the public, the recommendations of the Health Department, and the authority granted by Order No. 25700-B-602, the current situation demands immediate action by the Courts. NOW, THEREFORE, it is hereby ORDERED that effective immediately and until further Order of the Court –

PROBATE

1. New probate petitions shall be filed by regular mail with payment by check or, if time sensitive, electronically with payment by Point and Pay as set out in the emergency rules enacted by the Clerk's office.
2. Request for admission of will to probate when no notice is required shall be done by email to SuperiorCourt@co.kitsap.wa.us . Request for issuance of Letters Testamentary or Letters of Administration can be emailed to the exparte@co.kitsap.wa.us with instructions for a certified copy and issuance of Letters which will be mailed by the Clerk's office to the attorney requesting same.
3. Matters requiring notice or contested shall be set after April 24, 2020 and after consulting with the Court Scheduler.

4. The following matters shall be considered as emergency hearings in probate: Issuance of letters of administration to permit securing of assets. Issuance of temporary restraining orders to preserve assets.

5. Emergency matters shall be set consistent with the directives of the Court issued on March 19, 2020. Please see the Kitsap County Superior Court website for those instructions.

VAPO

1. All Vulnerable Adult Protection Petitions shall be filed electronically and submitted to the Court electronically at SuperiorCourt@co.kitsap.wa.us.

2. The return date for any Temporary Restraining Order issued under the VAPO statute shall be no sooner than 28 days. Any temporary order issued shall be served on the Respondent by the designated law enforcement agency or as otherwise authorized by statute.

3. Return hearings on VAPO petitions shall be conducted telephonically or by video unless that is impossible.

NEW GUARDIANSHIP MATTERS

1. New guardianship petitions shall be filed by regular mail with payment by check or, if time sensitive, filed electronically with payment made by Point and Pay.

2. Requests for entry of an Order Waiving Filing Fee, Order Appointing Guardian ad Litem, and any temporary order pending hearing on the petition shall be emailed to SuperiorCourt@co.kitsap.wa.us and will be reviewed for entry by a judicial officer.

3. The hearing date for the Petition for Guardianship shall not be set before April 24, 2020.

4. Copies of documents entered will be available on Odyssey or as otherwise directed by the Clerk's Office.

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DATED – MARCH 20, 2020

Signed electronically

KEVIN D. HULL, Presiding Judge
Kitsap County Superior Court