

IN THE MUNICIPAL COURT SERVING
LAKEWOOD, STEILACOOM and DUPONT
PIERCE COUNTY, WASHINGTON

IN RE:

EMERGENCY RESPONSE TO WASHINGTON)
STATE ADMINISTRATIVE OFFICE OF THE) Emergency Administrative Order No. 24-01
COURTS INFORMATION TECHNOLOGY)
SERVICE OUTAGE)
_____)

WHEREAS on November 3, 2024, the Washington State Administrative Office of the Courts (AOC) notified Courts across the State of Washington that a significant disruption had occurred to information systems that are hosted by AOC due to “unauthorized activity on the Washington Courts network”;

WHEREAS Washington Courts, including the Municipal Court serving the City of Lakewood, Town of Steilacoom, and City of DuPont (Municipal Court), are unable to access any systems or databases hosted by AOC including but not limited to the Judicial Information Systems (JIS) and the Abstract of Driving Record (ADR), and therefore have limited or no access to Washington State case information, Washington State criminal history, Washington State Department of Licensing (DOL) records, and Washington State Protection Order history.

WHEREAS, the Revised Codes of Washington (RCW) requires that judicial officers consult certain databases prior to entering certain orders;

WHEREAS, the disruption to AOC systems has had a significant impact on court operations and AOC has not identified a date on which access to all systems will resume;

WHEREAS, the Municipal Court has limited access to NCIC/III nationwide criminal histories through the prosecuting attorney;

WHEREAS, on November 8th, 2024, the Washington State Supreme Court promulgated Emergency Administrative Order No. 25700-b-720 allowing Washington Courts to expand or extend time rules on criminal cases regarding filing, speedy trial, sentencing, and out of custody arraignments, speedy infraction filings, hearings and dispositions. The unavailability of the AOC networks and databases hinders the local Court’s ability to meet said deadlines or process filings submitted by litigants, and allowing Courts to use other databases to get information not available via JIS OR DOL as required by statute;

WHEREAS, the following expansion and extensions of rules are necessary because of the unavailability of the AOC networks and databases in order for the Municipal Court to meet deadlines, process filings submitted by litigants, and effectively decide cases;

NOW THEREFORE, in order to continue with the essential work of the Municipal Court during the AOC system disruption, the Municipal Court adopts the following rules and procedures immediately and on an emergency basis;

SUSPENDED COURT RULES

1. All Court rules, policies and procedures regarding filing, scheduling, docketing and transmitting information to AOC are extended by 21 days from the date of this order, or until the AOC judicial information systems are restored, whichever is later.
2. All time requirements of CrRLJ 3.3, CrRLJ 4.1, CrRLJ 4.7, IRLJ 2.1, IRLJ 2.6 (both civil infractions and vehicle related violations) and any other Court rule, policy or procedure governing "time" is hereby extended for 21 days from the date of this order or until the AOC judicial information systems are restored, whichever is later.

AFFECTED CASE TYPES

Because of the inability to access certain information systems, the Court is unable and therefore will not act on the following types of motions/petitions for at least 21 days from the date of this order or until the AOC judicial information systems are restored, whichever is later:

1. Motion to modify a Protection or No Contact Order
2. Granting and/or reviewing compliance of a deferred finding on an infraction
3. Granting of a Deferred Prosecution
4. Any other motion/petition that cannot statutorily be decided without a review of an AOC system or database that cannot currently be accessed.

DISCRETION TO CONTINUE A MOTION HEARING

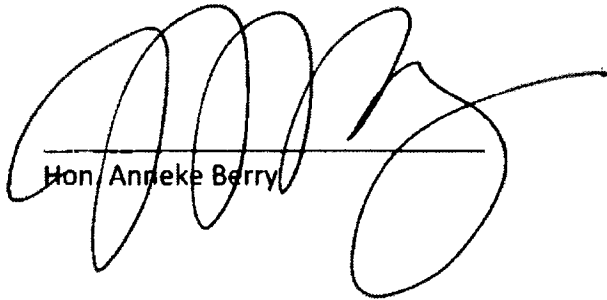
The Court relies on AOC informational systems when ruling on many matters, even when it is not statutorily required to do so. The Court retains discretion to continue a motion hearing for which the judicial officer lacks vital information based on the AOC outage. This includes but is not limited to the following:

1. Arraignment hearings
2. Sentencing hearings
3. Sentence compliance and/or other Review hearings
4. Infraction hearings
5. Deferred Prosecution petitions
6. Deferred Finding infraction petitions/requests

The Court will also suspend all receipting and payments until further notice.

Therefore, it is hereby ORDERED that this Order will take effect on November 14th, and will remain in effect until further order of this Court.

DATED November 14, 2024



Hon. Anneke Berry