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Temporary Health Emergency Procedure / Waiver of Physical Appearance For Superior Court Criminal Defendants

Summary and Intent—Criminal justice stakeholders recently convened to address the ongoing health emergency related to the COVID-19 outbreak. Participants included Superior Court Presiding Judge Bruce Weiss and court administrative staff, representatives from the Prosecuting Attorney's Office, Clerk's Office, Office of Public Defense, and the Snohomish County Public Defender Association. Collaboratively, in an effort to further public safety and well-being for all criminal justice participants, and consistent with the directives of state and local authorities, the group adopted a waiver of appearance procedure for Superior Court criminal defendants.

Procedure—Until further notice, the physical appearance of Superior Court criminal defendants may be waived for hearings related to agreed Omnibus, Reset, and Trial Continuance orders.

Waiver of the presence of the defendant will only be valid upon the execution, with counsel of record, of the attached Waiver of Appearance.

The Waiver of Appearance shall be filed in each case with the Clerk of the Court. Notwithstanding the filing of the Waiver of Appearance, the parties in each case shall present agreed orders consistent with this procedure in open court and on the record.

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