FILED
SUPREME COURT
STATE OF WASHINGTON
SEPTEMBER 10, 2020 BY
SUSAN L. CARLSON
CLERK

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF STATEWIDE RESPONSE BY WASHINGTON STATE COURTS TO THE COVID-19 PUBLIC HEALTH EMERGENCY	ORDER AUTHORIZING DELAYED REPORTING TO DEPARTMENT OF LICENSING OF FAILURES TO APPEAR No. 25700-B-640

WHEREAS, Washington State has been in a state of emergency since Governor Jay Inslee's proclamation on February 29, 2020 due to the novel coronavirus (COVID-19) pandemic, necessitating court-imposed restrictions on in-person court proceedings; and

WHEREAS, the court recognizes that while some courts have set-up remote access to court hearings, there are nevertheless a significant number of people who do not have the ability to connect remotely and thus have been unable to appear for in person non-criminal traffic related hearings. Non-appearance in these matters results in a Failure to Appear (FTA) court docket entry and the mandatory reporting of such FTAs to the Department of Licensing which results in license suspensions; and

WHEREAS the limited ability of in-person proceedings to address matters relating to license suspensions for non-criminal matters has had a negative economic impact on individuals across the state; and

WHEREAS, access to public transportation is limited and where available, may pose an increased risk to some populations and there are many populations for whom the utilization of a vehicle is the only means of transportation for employment, medical needs, and essential services; and

WHEREAS, the court acknowledges that license suspension for non-criminal reasons disproportionately affects historically marginalized communities.

NOW THEREFORE, pursuant to the Supreme Court's authority to administer justice,

IT IS HEREBY ORDERED:

For the duration of the Governor's State of Emergency in response to the COVID-19 pandemic, all courts are authorized to delay the reporting of FTAs to the Department of Licensing until individuals are provided full access to appear in court, either in person or remotely, to address their infractions and license suspensions.

DATED at Olympia, Washington this 10th day of September, 2020.

For the Court

CHIEF JUSTICE