

**KING COUNTY DISTRICT COURT
KING COUNTY, STATE OF WASHINGTON
OFFICE OF THE PRESIDING JUDGE**

) **GENERAL ADMINISTRATIVE ORDER**
) **Clerk's Action Required**
)
) **NO. 16-04**
)
) **PROCEDURES FOR KING COUNTY DISTRICT**
) **COURT WARRANT RECALL CALENDARS**
) **Rescinds GAO 02-77**

BACKGROUND

On January 26, 2002, the King County District Court adopted GAO No. 02-77 establishing the policy that any Judicial Officer in the King County District Court had the discretion to address a motion to quash a bench warrant issued out of any its divisions. Recently the King County District Court judges adopted GAO 16-03 establishing the authority of its court clerks to recall bench warrants under certain circumstances and authorize a release on personal recognizance and written promise to appear. The purpose of this General Administrative Order is to revise and clarify certain provisions set forth in GAO NO. 02-77. GAO NO 02-77 is hereby rescinded and its provisions revised as set forth in this GAO.

1. There is concern about the number of outstanding misdemeanor bench warrants, many of which originate throughout the divisions of the King County District Court. King County has adopted Social Justice and Equity principles to guide various policies of the County relating to its services; and
2. SHB 2499 and RCW 3.66.060 authorize any judge of a court of limited jurisdiction to “take recognizance, approve bail and arraign defendants held within its jurisdiction on warrants issued by other courts of limited jurisdiction when those courts are participating in the program established under sections 1 of that Act; and
3. It is the continuing desire of the judges of the King County District Court to handle outstanding warrants in the Court’s divisions in order to implement the goals of the Court’s comprehensive Driving While Suspended Re-Licensing Program, and to assist in the orderly administration of justice throughout the Court.
4. Preparatory to the establishment of an Interlocal Agreement authorizing action between this Court and municipal courts in King County, this Court adopted GAO 02-77 which authorized Judicial Officers of any division of the King County District Court to address any outstanding warrant issued by any division of this Court.

GENERAL ADMINISTRATIVE ORDER

IT IS HEREBY ORDERED that any Judicial Officer acting on behalf of the King County District Court shall have the discretion to hear and take cognizance, approve bail, and arraign any defendant held within its jurisdiction on any warrant issued by any division of the King County District Court in accordance with the rules and procedures set forth herein and in other adopted policies and orders. GAO 02-77 is hereby rescinded upon the adoption of this GAO.

1. BENCH WARRANT HEARING

In any case in which a Judicial Officer exercises discretion to review an outstanding warrant issued out of any division of the King County District Court, the Judicial Officer may entertain a motion to quash the outstanding warrant, and, as part of such motion, may:

- a. Quash the outstanding warrant and release the defendant on his/her personal recognizance (PR) and promise to appear at the issuing court on a date set by the clerk of the court. Written notice of the next hearing shall be given to the defendant at the bench warrant hearing. A Judicial Officer's PR release may be made on such terms and conditions as the Judicial Officer hearing the motion deems appropriate. It is understood that the clerk of the Court handling such motion will update the defendant's address into the Judicial Information System (JIS) and complete the necessary procedures to recall the outstanding warrant.
- b. Take the defendant into custody and set the amount of the bail or bond required to be posted in order to secure release from custody, and allow the clerk of the Court to collect such bail or bond and record the receipt of the bail or bond into JIS and the Court's records. As part of that process, the clerk of the Court shall complete the necessary procedures to recall the outstanding warrant. The Court that issued the bench warrant shall be notified immediately that the defendant has been taken into custody on its outstanding warrant so further proceedings can be scheduled at the appropriate court without delay.
- c. The Judicial Officer quashing the bench warrant or ordering the defendant be taken into custody shall also address and, if appropriate, exonerate any bail or bond that was previously ordered forfeited.

2. ARRAIGNMENT, PLEA AND SENTENCING

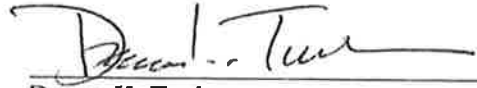
In any case where a Judicial Officer of the King County District Court exercises discretion to review an outstanding warrant, the Judicial Officer may entertain a motion to arraign the defendant, and, as part of such arraignment, may:

- a. Enter a plea of not guilty or guilty as indicated by the defendant;
- b. In the event a plea of not guilty" is entered, the Judicial Officer shall order the defendant to appear at the next hearing date set by the clerk of the Court, and may impose such terms and conditions of release as the Judicial Officer deems appropriate.

- c. In the event a plea of guilty is entered, the Judicial Officer may either accept the written plea of guilty and impose a written sentence in the case, or direct the defendant to appear for the appropriate hearing on a date as set by the clerk of the Court, and impose such terms and conditions of release as the Judicial Officer deems appropriate.

- d. In the event the Judicial Officer elects to enter sentence immediately, such sentence may include jail, fines, conditions of probation (E.g., ignition interlock, substance abuse treatment, no contact order), and supervised probation. The clerk of the Judicial Officer in the sentencing Court shall enter the written guilty plea and sentencing order into JIS and the Court's file. The warrant-issuing Court shall be advised of the outcome of the proceeding.

DATED THIS 6th day of September 2016.



Donna K. Tucker
Chief Presiding Judge