

Sep 23, 2020

SEAN F. McAVOY, CLERK

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2  
3 UNITED STATES DISTRICT COURT  
4 EASTERN DISTRICT OF WASHINGTON

5 In Re:

GENERAL ORDER NO. 20-101-10

6 COURT OPERATIONS UNDER  
7 THE EXIGENT CIRCUMSTANCES  
8 CREATED BY THE  
CORONAVIRUS (COVID-19)

9 This General Order is being issued pursuant to 28 U.S.C. § 2071(e) and in  
10 response to the evolving public health crisis caused by the outbreak of the  
11 Coronavirus Disease (COVID-19). Paralleling the mandates issued by Washington  
12 State Governor Inslee, the Court finds it necessary in the interest of justice to take  
13 proactive measures to slow the spread of the virus and ensure the safety of litigants,  
14 counsel, Court staff, grand jurors, petit jurors, witnesses, and the public.

15 This Order amends and extends some aspects of General Order Nos. 20-101-  
16 4 through 20-101-9. Accordingly, **IT IS HEREBY ORDERED** that, effective  
17 immediately:

- 18 1. All Yakima grand jury sessions through **October 31, 2020**, are  
19 VACATED;

1           **2.**     As to pending criminal cases (District Court and Magistrate Court), the  
2           Court finds that using video conferencing or telephone conferencing when  
3           necessary would result in minimizing undue risk to defendants, counsel, law  
4           enforcement, Court staff, witnesses, and the public at large. Accordingly,  
5           the Court will continue to encourage and use these tools for those hearings  
6           allowed by General Orders 20-101-3, 20-101-3 Extended, and the CARES  
7           Act, Pub. L. No. 116-136, when ordered by the presiding judge. The live  
8           audio content of these hearings will be available in real-time to members of  
9           the public and press, via a dedicated teleconference line. Dial-in information  
10          will be available on the PACER system in the docket of each scheduled case  
11          that is not held in open court. Hearing content provided in such manner  
12          must NOT be recorded or rebroadcast;

13          **3.**     The Court also finds current public health advisories reduce the  
14          Court's ability to obtain an adequate spectrum of jurors and curtails the  
15          availability of counsel and Court staff to be present in the courtroom.  
16          Therefore, the Court finds, based on the risks posed by COVID-19 and  
17          absent extraordinary circumstances, that the ends of justice served by  
18          resetting jury trials in all pending criminal cases during this period outweigh  
19          the best interest of the public and each affected defendant in speedy trials,  
20          and the period between the date of entry of this Order and **October 31, 2020**,

1 may be excluded from Speedy Trial Act calculations. *See* 18 U.S.C.  
2 § 3161(h)(7)(A). Findings of excludable delay will be contemporaneously  
3 entered by the presiding judge in each individual case, when a jury trial is  
4 continued. Absent extraordinary circumstances, civil jury trials are  
5 suspended during this time as well;

6 **4.** Effective **June 1, 2020**, the Clerk's Office in Spokane has been open  
7 and physically accessible to the public. Through **October 31, 2020**, the  
8 Clerk's Offices in Yakima and Richland, Washington will not be physically  
9 accessible to the public, but will remain open. Staff will be available by  
10 telephone, mail will be received, and new filings will be processed. Those  
11 seeking to make in-person filings or payments are directed to leave such  
12 materials in designated drop-boxes at the Court Security Officer locations  
13 (guard stations) in the entryway of each courthouse. The Court encourages  
14 electronic filings made through the CM/ECF filing system, use of the  
15 electronic payment system, and use of mail and delivery services. The  
16 Clerk's Office is not closed, it is operational, and you may contact the office  
17 by telephone during business hours;

18 **5.** Effective **June 1, 2020**, the Probation and Pretrial Services Office in  
19 Spokane has been open and physically accessible to the public. Through  
20 **October 31, 2020**, the United States Probation and Pretrial Service Office

1 in Yakima and Richland, Washington will be closed to the general public.  
2 Staff will be available by telephone; drug testing and supervision will  
3 continue as directed by Probation and Pretrial Service officers;

4 **6.** STEP Court participants will be advised separately when they are to  
5 appear for proceedings;

6 **7.** Naturalization Ceremonies are CANCELLED through **October 31,**  
7 **2020.** The Citizen and Immigration Service (CIS) is authorized to  
8 administer the oath of Citizenship during this period of time;

9 **8.** Attendees of in-court proceedings and those seeking services at the  
10 Clerk's Office and Probation Office are required to: wear masks according  
11 to State Health directives, social distance, and follow public health  
12 advisories; and

13 **9.** This Order does not pertain to Bankruptcy proceedings. Please consult  
14 or contact the Bankruptcy Court for information and specific directions.

15 The public is encouraged to use online Court resources, contact the  
16 Court/Clerk's Office by telephone, and continue utilizing Court services while  
17 following all applicable public health guidelines.

18 The District Court Executive is directed to post this General Order to the  
19 Court's website and distribute a copy to each attorney registered in the CM/ECF  
20 system and each pro se litigant with a case pending before this Court.

1           This Order is subject to public comment by directing all concerns to the  
2 District Court Executive.

3           **DATED** this 23rd day of September 2020.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive style and is positioned to the right of the court seal.

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Stanley A. Bastian  
Chief United States District Judge