

Sep 18, 2020

SEAN F. McAVOY, CLERK

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2
3 UNITED STATES DISTRICT COURT
4 EASTERN DISTRICT OF WASHINGTON

5 In Re:

6 IMPLEMENTATION OF THE
7 CARES ACT, H.R. 748, AS
8 AUTHORIZED BY THE JUDICIAL
CONFERENCE OF THE UNITED
STATES

GENERAL ORDER NO. 20-101-3
EXTENDED

9 WHEREAS Congress passed legislation authorizing the use of video and
10 telephone conferencing, under certain circumstances and with the consent of the
11 defendant, or the juvenile, after consultation with counsel, for various criminal and
12 delinquency case events during the course of the COVID-19 emergency. CARES
13 Act, Pub. L. No. 116-136 (H.R. 748) (eff. March 27, 2020).

14 WHEREAS, on March 29, 2020, the Judicial Conference of the United States
15 made the appropriate findings for implementation of the CARES Act and found that
16 emergency conditions due to the national emergency declared by the President have
17 affected and will materially affect the functioning of the federal courts generally.

18
19 WHEREAS, on March 30, 2020, pursuant to the authority delegated to the
20 Chief Judge of the United States District Courts, my predecessor as Chief United

1 States District Judge for the Eastern District of Washington entered, sua sponte,
2 General Order 20-101-3, Implementation of the CARES Act, which, effectuated,
3 inter alia, the use of video conferencing, or telephone conferencing if video
4 conferencing is not reasonably available, for certain criminal proceedings and
5 events. On June 26, 2020, he reviewed the extension authority under §
6 15002(b)(3)(B) and determined that extension was appropriate for an additional 90
7 days, and as such, entered General Order 20-101-3 Extended.

8 According to the CARES Act, the chief judge must “review the extension of
9 authority not less frequently than once every 90 days until the earlier of—(i) the
10 date on which the chief judge (or other judge or justice) determines the authorization
11 is no longer warranted; or (ii) the date on which the emergency authority is
12 terminated under paragraph (5).” § 15002(b)(3)(B).

13
14 Having assumed fully the position of Chief United States District Judge for
15 the Eastern District of Washington, I have conducted such review and find that an
16 extension is once again warranted.

17 **ACCORDINGLY, IT IS HEREBY ORDERED** that General Order 20-
18 101-3 is **EXTENDED** for another 90 days from today.

- 19
20 1. Pursuant to § 15002(b)(3) of the CARES Act, this extended authorization
will remain in effect for 90 days unless terminated earlier. If emergency

1 conditions continue to exist 90 days from the entry of this order, this
2 authorization will be reviewed and a determination made whether to
3 extend it further.

- 4 2. Notwithstanding the foregoing, pursuant to the provisions of the CARES
5 Act, this authority shall terminate on the last day of the “covered
6 emergency period” (as defined at § 15002(a)) or the date on which the
7 Judicial Conference of the United States finds that emergency conditions
8 due to the national emergency declared by the President under the
9 National Emergencies Act with respect to the COVID-19 virus outbreak
10 no longer materially affect the functioning of either the Federal courts
11 generally or the courts within this district.

12
13 The District Court Executive is directed to post this Extended General Order
14 to the Court’s website and distribute a copy to each attorney registered in the
15 CM/ECF system.

16 **DATED** this 18th day of September, 2020.

17 

18 STANLEY A. BASTIAN
19 Chief United States District Judge