

May 11, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

In Re:

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

GENERAL ORDER NO. 20-101-5

This General Order is being issued pursuant to 28 U.S.C. § 2071(e) and in response to the evolving public health crisis caused by the outbreak of the Coronavirus Disease (COVID-19). Washington State Governor Inslee has extended the “Stay Home-Stay Healthy” proclamation through May 31, 2020, with limited exceptions and a phased “Safe Start” approach to reopening. The Court finds it necessary in the interest of justice to take proactive measures to slow the spread of the virus and ensure the safety of litigants, counsel, Court staff, grand jurors, petit jurors, witnesses, and the public.

This Order amends and extends some aspects of General Order No. 20-101-4. Accordingly, **IT IS HEREBY ORDERED** that, effective immediately:

1. All grand jury sessions through **May 31, 2020** are VACATED.

Determinations of excludable delay for the time period in which to file an

1 Indictment will be made in each individual case according to 18 U.S.C.  
2 § 3161(b) and (h);

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

15       3. The Court also finds current public health advisories reduce the  
16 Court's ability to obtain an adequate spectrum of jurors and curtails the  
17 availability of counsel and Court staff to be present in the courtroom.  
18 Therefore, the Court finds, based on the widespread nature of the risks posed  
19 by COVID-19, that the ends of justice served by resetting jury trials in all  
20 pending criminal cases during this period outweigh the best interest of the

1 public and each affected defendant in speedy trials, and the period between  
2 the date of entry of this Order and **May 31, 2020**, may be excluded from  
3 Speedy Trial Act calculations. *See* 18 U.S.C. § 3161(h)(7)(A). Findings of  
4 excludable delay will be contemporaneously entered by the presiding judge  
5 in each individual case, when a jury trial is continued;

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

16 5. Through **May 31, 2020**, the United States Probation and Pretrial  
17 Service Office in each of the three court locations will be closed to the  
18 general public. Staff will be available by telephone; drug testing and  
19 supervision will continue as directed by Probation and Pretrial Service  
20 officers;

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

**7. Naturalization Ceremonies are CANCELLED through May 31, 2020.**

The Citizen and Immigration Service (CIS) is authorized to administer the oath of Citizenship during this period of time;

8. Attendees of in-court proceedings are encouraged to wear masks, social distance, and follow public health advisories; and

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

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

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

This Order is subject to public comment by directing all concerns to the District Court Executive. **DATED** this 11th day of May 2020.



Thomas O'Riordan

THOMAS O. RICE  
Chief United States District Judge  
on behalf of the full Court