

Oct 26, 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. 20-101-11

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 20-101-10, and clearly identifies those items/paragraphs changed from
17 General Order 20-101-10 as AMENDED. Accordingly, **IT IS HEREBY**
18 **ORDERED** that, effective immediately:

- 19 1. **AMENDED** - All Yakima grand jury sessions through November 30,
20 2020, are VACATED;

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

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

1 entry of this Order and **November 30, 2020**, may be excluded from Speedy
2 Trial Act calculations. *See* 18 U.S.C. § 3161(h)(7)(A). Findings of
3 excludable delay will be contemporaneously entered by the presiding judge
4 in each individual case when a jury trial is continued. Civil jury trials are
5 suspended during this time, as well;

6 **4. AMENDED** - Effective **November 2, 2020**, the Clerk's Office in
7 Spokane, Richland, and Yakima shall be open and physically accessible to
8 the public;

9 **5. AMENDED** - Effective **November 2, 2020**, the Probation and Pretrial
10 Services Office in Spokane, Richland and Yakima shall be open and
11 physically accessible to the public;

12 **6. AFFIRMED** - STEP Court participants will be advised separately
13 when they are to appear for proceedings;

14 **7. AMENDED** - Naturalization Ceremonies are CANCELLED through
15 **November 30, 2020**. The Citizen and Immigration Service (CIS) is
16 authorized to administer the oath of Citizenship during this period of time;

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

1 **9.** *AFFIRMED* - This Order does not pertain to Bankruptcy proceedings.

2 Please consult or contact the Bankruptcy Court for information and specific
3 directions.

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

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

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

12 **DATED** this 26th day of October 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 above a solid horizontal line.

17 Stanley A. Bastian
18 Chief United States District Judge
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