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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON

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9 In Re:

10 SECOND EXTENSION OF MODIFIED  
11 COURT OPERATIONS UNDER THE  
12 EXIGENT CIRCUMSTANCES  
13 CREATED BY COVID-19 AND  
14 RELATED CORONAVIRUS

GENERAL ORDER NO. 08-20

15 This General Order is being issued in response to the continuing outbreak of Coronavirus  
16 Disease 2019 (COVID-19). On March 17 and 25, 2020, the Court entered General Orders 02-20  
17 and 03-20 addressing, among other things, the closing of the Seattle and Tacoma Courthouses  
18 for at least 30 days and the procedures for conducting civil and criminal matters remotely. The  
19 Court incorporates here its prior findings regarding COVID-19 and the state of emergency  
20 declarations and public health guidelines as set forth in those prior General Orders.

21 On April 13, 2020, the Court continued the procedures established by General Orders 02-  
22 20 and 03-20 for 30 days.

23 The Court finds that the guidance of local and national public health officials requires the  
24 Courthouses to remain closed. The majority of the State of Washington, including King and  
25 Pierce Counties, remains in Phase 1 of the Governor of Washington's new Safe Start Order.  
26 Phase 1 permits small gatherings and mainly outdoor activities. Indoor business and government  
27 operations remain largely prohibited except for essential services. The Court finds that its  
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1 operations are not compatible with existing social distancing and other public health restrictions.

2 The Court further finds that, given state and national forecasts of this pandemic, conditions may  
3 be appropriate for limited in-person operations to resume Monday, August 3, 2020. This date  
4 may change if there are new outbreaks of COVID-19 in the District.

5 Accordingly, the Court ORDERS that the procedures established by General Orders 02-  
6 20 and 03-20 will be continued until July 31, 2020. All grand jury proceedings, as well as civil  
7 and criminal in-person hearings and trial dates in these Courthouses scheduled to occur before  
8 August 3, 2020, are continued pending further order of the Court.

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10 The Court continues to find that, due to the current inability to obtain an adequate  
11 spectrum of jurors and the effect of the above public health situation on the availability of  
12 witnesses, counsel and Court staff to be present in the courtroom, the time period of the  
13 continuances implemented by this General Order will be excluded under the Speedy Trial Act,  
14 as the Court finds that the ends of justice served by ordering the continuances outweigh the best  
15 interests of the public and any defendant's right to a speedy trial, pursuant to 18 U.S.C.  
16 §3161(h)(7)(A). For the same reasons, the Court finds under 18 U.S.C. § 3060(C) extraordinary  
17 circumstances exist, and justice requires delay of all criminal preliminary hearings during the  
18 time period of these continuances.  
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21 The Court further ORDERS the following procedural changes:

- 22 1. In order to limit the physical exchange of documents, signatures on documents in  
23 criminal proceedings conducted remotely will not be required. Instead, the Court will  
24 make a record that the document has been reviewed and authorized by the signatory  
25 and is fully binding. Such documents include, but are not limited to the following:

- 26 a. Financial affidavits. 28 U.S.C. 1746;  
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- b. CJA Appointments;
- c. Consents to proceed before a magistrate judge;
- d. Appearance bonds/Orders of release;
- e. Pleas agreements;
- f. Judgments.

2. Effective immediately, all persons over two years of age seeking entry to, or occupying, the Seattle and Tacoma Courthouses are required to wear a face covering or mask at all times unless otherwise directed by the Court or a Courthouse official. The face covering must completely conceal the wearer's nose and mouth at all times. If the wearer is a court employee who is alone in a private office or workspace, which permits at least six feet of physical distance from other persons, the wearer may temporarily remove the face covering. Any visitor seeking entry to the Courthouse without a face covering or mask will be provided a mask by the Court. If the Court is unable to provide a mask for any reason, the visitor will be asked to contact by telephone the office to be visited to explore alternatives to entering the Courthouse. The Court Security Officers shall enforce this Order and deny entry to those individuals not wearing a face covering or mask.

Other General Orders addressing particular COVID-19 issues have not expired and need not be modified at this time.

Dated this 13<sup>th</sup> day of May, 2020.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE