UNITED STATES DISTRICT COURTS

NORTHERN DISTRICT OF CALIFORNIA
AND
WESTERN DISTRICT OF WASHINGTON

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In re Temporary Assignment of Magistrate to the Northern District of California

ND of CA No.

WD of WASH No.

JOINT ORDER

In accordance with Title 28 United States Code § 636(f) the Chief Judges of the Northern District of California and of the Western District of Washington jointly find and order as follows:

(1) A state of emergency has arisen in the Northern District of California which requires the temporary assistance of a Magistrate from another District. Factors contributing to this emergency are as follows:

(a) The arrest, during demonstrations at the Federal Building in San Francisco during May 1985, of approximately 700 persons, many of whom have demanded court trials before Magistrates.

(b) The continuing vacancy in the position of part-time Magistrate assigned to Monterey/Fort Ord, Northern District of California. The part-time Magistrate there called the calendar two days each week until his retirement June 30, 1985, and must be replaced temporarily by one of the five full-time San Francisco Magistrates or by a visiting Magistrate.

(c) Two District Judges of the Northern District of California are now permanently assigned to the San Jose Branch of the Court, but have no Magistrate assistance in

their civil duties there. A request for a full-time Magistrate position in San Jose is being processed, but meanwhile one of the five full-time San Francisco Magistrates is needed on a full-time basis in San Jose.

(2) The duration of the temporary assignment of Magistrate Phillip K. Sweigert, Western District of Washington to the Northern District of California will be from October 15, 1985 until October 25, 1985.

(3) Magistrate Sweigert will perform duties pursuant to Title 28 United States Code § 636(a) and (b), specifically

(a) Conducting court trials upon consent in petty offense matters.

(b) Calling the petty offense and misdemeanor calendar in Monterey/Fort Ord and conducting court trials there.

(c) Conducting settlement conferences in civil cases as assigned by District Judges in the Northern District of California.

Now, therefore, it is hereby ordered that Magistrate Phillip K. Sweigert, Western District of Washington, be and hereby is temporarily assigned to perform the above-mentioned duties in the Northern District of California from October 15, 1985 until October 25, 1985, pursuant to Title 28 United States Code § 636(f). The Administrative Office shall reimburse Magistrate Sweigert for actual and necessary expenses incurred in the performance of these duties.

The Northern District of California shall provide Magistrate Sweigert with quarters and staff to assist him.

IT IS SO ORDERED.

Dated: Sept. 9, 1985

WALTER T. McGOVERN
Chief Judge
Western District of Washington

Dated: Sept 24, 1985

ROBERT F. PECKHAM
Chief Judge
Northern District of California