

1 UNITED STATES DISTRICT COURTS
2 NORTHERN DISTRICT OF CALIFORNIA
3 AND
4 WESTERN DISTRICT OF WASHINGTON

FILED
CLERK
SEP 9 1985
DISTRICT OF WASHINGTON
CLERK

5 In re Temporary Assignment
6 of Magistrate to the
7 Northern District of
8 California

ND of CA No.

WD of WASH No.

9 JOINT ORDER

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

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

18 (a) The arrest, during demonstrations at the Federal
19 Building in San Francisco during May 1985, of approximately
20 700 persons, many of whom have demanded court trials before
21 Magistrates.

22 (b) The continuing vacancy in the position of
23 part-time Magistrate assigned to Monterey/Port Ord, Northern
24 District of California. The part-time Magistrate there
25 called the calendar two days each week until his retirement
26 June 30, 1985, and must be replaced temporarily by one of
27 the five full-time San Francisco Magistrates or by a
28 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

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

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

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

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

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

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

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

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

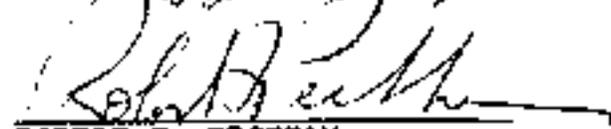
IT IS SO ORDERED.

Dated: Sept. 9, 1985



WALTER T. MCGOVERN
Chief Judge
Western District of
Washington

Dated: Sept 30, 1985



ROBERT F. PECKHAM
Chief Judge
Northern District of
California