

1
2
3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON

6 In Re:

7 NEW MODIFIED COURT
8 OPERATIONS UNDER THE EXIGENT
9 CIRCUMSTANCES CREATED BY
10 COVID-19 AND RELATED
CORONAVIRUS

GENERAL ORDER NO. 18-20

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

18 On April 13, 2020, the Court continued the procedures established by General Orders 02-
19 20 and 03-20 for 30 days. Further continuances were issued on May 13, July 30, September 4,
20 and most recently October 2, 2020.
21

22 In the last three months, the daily number of positive cases, hospitalizations, and deaths
23 have significantly increased in the Western District of Washington. This has foreclosed the
24 possibility of further increasing the number and type of in-court proceedings. A statewide
25 vaccination effort has begun, with the first doses going to “Phase 1A” groups, which include
26 frontline health workers and long-term care residents and staff. The distribution of the vaccine
27 to other members of the general public is anticipated to proceed in phases through the coming
28

1 months. At this time, it appears likely that the majority of individuals with business in the
2 Courthouses, including potential jurors, will not be fully vaccinated before March 31, 2021.
3 Limiting the size and frequency of gatherings remain critical to preventing serious injury and
4 death from COVID-19.

5 Accordingly, the Court ORDERS that the procedures established by General Order 15-
6 20 will be continued until **March 31, 2021**. All District Court civil and criminal in-person
7 hearings and trials in these Courthouses scheduled to occur before March 31, 2021, are continued
8 pending a future general order from this Court or the order of an individual judge consistent with
9 the procedures set forth in General Order 15-20.
10

11 Courthouse lobbies will remain open for the public to use drop boxes to deposit
12 documents for filing and payments for the District Clerk's Office. Individuals may enter the
13 courthouses to conduct official business provided they have scheduled appointments or
14 notifications to do so. Members of the public who wish to view a criminal proceeding or trial
15 will be directed to the Court's website to access video streaming of those proceedings.
16

17 The Court further ORDERS the continuation of the following procedural changes:
18

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

- 23 a. Financial affidavits (28 U.S.C. 1746);
- 24 b. CJA Appointments;
- 25 c. Consents to proceed before a magistrate judge;
- 26 d. Waiver of in-person hearings in criminal matters;
- 27
- 28

- e. Appearance bonds/Orders of release;
- f. Plea agreements;
- g. Jury verdicts; and
- h. Judgments.

2. Local Civil Rule 32 continues to include among the definitions of “Unavailable Witness” in FRCP 32(4)(C) the following: “concern about personal health risks from exposure to the COVID-19 virus.”

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

Dated this 30th day of December, 2020.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE