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2  
3 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

4 In Re:

5  
6 NEW MODIFIED COURT  
7 OPERATIONS UNDER THE EXIGENT  
8 CIRCUMSTANCES CREATED BY  
CORONAVIRUS

GENERAL ORDER NO. 01-22

9  
10 This General Order amends General Order 16-21 to clarify that virtual trials over  
11 Zoom.gov may proceed at the discretion of individual judges. The Court incorporates its prior  
12 findings regarding COVID-19 and the emergency declarations and public health guidelines as  
13 set forth in those prior General Orders.

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15 In the last month, the average daily number of individuals testing positive for COVID-19  
16 has increased exponentially in the Western District of Washington. COVID-19 hospitalizations  
17 have doubled in King County. This surge was predicted by local public health officials and  
18 attributed to the arrival of the Omicron variant. The Court believes this surge will be temporary  
19 given early indicators from the first regions to encounter this variant.

20  
21 To immediately protect unvaccinated individuals and to avoid contributing to the spread  
22 of the virus, the Court ORDERS that the procedures of General Order 10-21 will be temporarily  
23 modified as follows:

- 24
- 25 • All in-person civil trials scheduled to occur in the next four weeks are suspended until at  
26 least February 7, 2022. Civil trials may be conducted virtually via Zoom.gov if good  
27 cause is established for such a procedure on a case-by-case basis, at the discretion of the  
28 presiding judge. Trials already scheduled to proceed virtually are not suspended.

- 1 • In-person civil hearings and other uses of the courtroom for civil matters are continued  
2 unless explicitly permitted by the presiding judge for good cause.
- 3 • Criminal trials and other criminal matters before District Judges may proceed as  
4 scheduled, although the Court encourages parties to consider a continuance or holding  
5 such proceedings using audio and video conference technology.
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- 7 • Criminal proceedings before Magistrate Judges, such as initial appearances, detention  
8 hearings, and arraignments, shall be conducted using audio and video conference  
9 technology until February 7, 2022, unless the Magistrate Judge decides that the  
10 proceedings must be conducted in person at the courthouse.
- 11
- 12 • The courthouses are open to the public only for attending court proceedings. However,  
13 gallery capacity for any proceeding is now limited to eight individuals unless otherwise  
14 permitted by the presiding judge for good cause. All Court proceedings will be accessible  
15 remotely as detailed on the Court’s website. Courthouses remain closed for public events  
16 and tours.
- 17
- 18 • All other procedures of General Orders 10-21 and 11-21 remain in place.

19 The Court will revisit these procedures prior to February 7, 2022.

20 DATED this 7<sup>th</sup> day of January, 2022.

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24 RICARDO S. MARTINEZ  
25 CHIEF UNITED STATES DISTRICT JUDGE  
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