

1
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. 16-21

9
10 This General Order will address a temporary change in Court policies given the arrival of
11 the Omicron variant and a significant increase in the number of Coronavirus Disease 2019
12 (COVID-19) cases. On March 17 and 25, 2020, the Court entered General Orders 02-20 and 03-
13 20 addressing the risks of COVID-19; updated information was contained in General Order 10-
14 21, issued June 30, 2021. The Court incorporates its prior findings regarding COVID-19 and the
15 emergency declarations and public health guidelines as set forth in those prior General Orders.
16

17 In the last month, the average daily number of individuals testing positive for COVID-19
18 has increased exponentially in the Western District of Washington. COVID-19 hospitalizations
19 have doubled in King County. This surge was predicted by local public health officials and
20 attributed to the arrival of the Omicron variant. The Court believes this surge will be temporary
21 given early indicators from the first regions to encounter this variant.
22

23 To immediately protect unvaccinated individuals and to avoid contributing to the spread
24 of the virus, the Court ORDERS that the procedures of General Order 10-21 will be temporarily
25 modified as follows:
26
27
28

- 1 • All civil trials scheduled to occur in the next five weeks are suspended until at least
2 February 7, 2022. These trials may be conducted virtually via Zoom.gov with the consent
3 of the parties.
- 4 • In-person civil hearings and other uses of the courtroom for civil matters are also
5 continued unless explicitly permitted by the presiding judge for good cause.
- 6 • Criminal trials and other criminal matters before District Judges may proceed as
7 scheduled, although the Court encourages parties to consider a continuance or holding
8 such proceedings using audio and video conference technology.
- 9 • Criminal proceedings before Magistrate Judges, such as initial appearances, detention
10 hearings, and arraignments, shall be conducted using audio and video conference
11 technology until February 7, 2022, unless the Magistrate Judge decides that the
12 proceedings must be conducted in person at the courthouse.
- 13 • The courthouses are open to the public only for attending court proceedings. However,
14 gallery capacity for any proceeding is now limited to eight individuals unless otherwise
15 permitted by the presiding judge for good cause. All Court proceedings will be accessible
16 remotely as detailed on the Court's website. Courthouses remain closed for public events
17 and tours.
- 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 30th day of December, 2021.

21
22
23
24
25
26 

27 RICARDO S. MARTINEZ
28 CHIEF UNITED STATES DISTRICT JUDGE