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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. 04-21

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.  
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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 October 2, and December 30, 2020.  
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22 In the last two months, the daily number of positive cases, hospitalizations, and deaths  
23 have significantly decreased in the Western District of Washington. A significant percentage of  
24 the public in this district has been vaccinated against the novel coronavirus. The vaccine has  
25 been available to those most vulnerable to serious complications from the virus and is now  
26 available to the Court's staff. The distribution of vaccines to other members of the general public  
27 is anticipated to proceed in phases through the next two months. At this time, it appears likely  
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1 that the majority of individuals with business in the Courthouses will have access to the vaccine  
2 by June. Until the majority of the public has received the vaccine and been fully vaccinated,  
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 **June 30, 2021**, except as stated below.

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8 All District Court civil and criminal in-person hearings and trials in these Courthouses  
9 scheduled to occur before June 30, 2021, are continued pending a future general order from this  
10 Court, unless the individual judge in each case has issued or will issue an order consistent with  
11 the procedures set forth in General Order 15-20. Civil bench and jury trials conducted remotely  
12 over Zoom.gov are not continued and may proceed.

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14 The number of criminal proceedings that can occur in the Courthouses will begin to  
15 increase starting May 3, 2021. The Court will be strictly limiting the number of people that can  
16 physically attend these proceedings.

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18 In-person criminal trials will be scheduled starting May 17, 2021. These trials will  
19 proceed one-at-a-time in each Courthouse; there will not be simultaneous in-person trials.

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

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26 The Court further ORDERS the continuation of the following procedural changes:  
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1           1. In order to limit the physical exchange of documents, signatures on documents in civil  
2           and criminal proceedings conducted remotely will not be required. Instead, the Court  
3           will make a record that the document has been reviewed and authorized by the  
4           signatory and is fully binding. Such documents include, but are not limited to:

- 5           a. Financial affidavits (28 U.S.C. 1746);
- 6           b. CJA Appointments;
- 7           c. Consents to proceed before a magistrate judge;
- 8           d. Waiver of in-person hearings in criminal matters;
- 9           e. Appearance bonds/Orders of release;
- 10          f. Plea agreements;
- 11          g. Jury verdicts; and
- 12          h. Judgments.

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

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

18           Dated this 19<sup>th</sup> day of March, 2021.

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25           RICARDO S. MARTINEZ  
26           CHIEF UNITED STATES DISTRICT JUDGE