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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
9 COVID-19 AND RELATED
10 CORONAVIRUS

11 GENERAL ORDER NO. 10-21

12 This General Order will address a change in Court policies given the significant reduction
13 in the number of Coronavirus Disease 2019 (COVID-19) cases in this District. On March 17 and
14 25, 2020, the Court entered General Orders 02-20 and 03-20 addressing, among other things, the
15 closing of the Seattle and Tacoma Courthouses for at least 30 days and the procedures for
16 conducting civil and criminal matters remotely. The Court incorporates here its prior findings
17 regarding COVID-19 and the emergency declarations and public health guidelines as set forth in
18 those prior General Orders.

19 On April 13, 2020, the Court continued the procedures established by General Orders 02-
20 20 and 03-20 for 30 days. Further continuances were issued on May 13, July 30, September 4,
21 October 2, December 30, 2020, and March 19, 2021.

22 In the last three months, the daily number of COVID-19 positive cases, hospitalizations,
23 and deaths have significantly decreased in the Western District of Washington. State records
24 show that a significant majority of adults in this district have now been fully vaccinated against
25 the novel Coronavirus. All available research indicates that widely available vaccines provide
26 significant protection against this disease. The Governor of the State of Washington has stated
27 that the State will “reopen” after June 30, 2021.
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1 Given all of this, the Court ORDERS that the procedures of General Order 18-20 will no
2 longer be continued. All civil, criminal, and bankruptcy in-person hearings and trials may
3 proceed as scheduled. The courthouses are open to the public.

4 Serious health risks remain for unvaccinated individuals. The Court is particularly
5 concerned by the rising numbers of “Delta variant” cases of the novel Coronavirus, which
6 research shows to be more contagious. This variant has been cited as a reason for lockdowns and
7 renewed masking requirements in Los Angeles County and other locations. To protect
8 unvaccinated individuals and to avoid contributing to the spread of the virus, the Court will
9 continue to implement certain health and safety procedures.
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11 All individuals are encouraged to wear a face mask in the public and common areas of
12 the courthouses.
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14 Face masks will no longer be required for fully vaccinated individuals. Fully vaccinated
15 individuals are those who have completed the course of their vaccination as set forth by the CDC.
16 The Court will not ask for proof of vaccination. Such individuals may choose to continue to wear
17 a mask based on preference or health concerns, but may be asked by the judge to remove their
18 mask in the courtroom if they are participating in court proceedings.
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20 All individuals who have not been fully vaccinated for whatever reason must continue to
21 wear masks covering their nose and mouth and observe social distancing in the courthouses and
22 courtrooms except as authorized by individual judges in courtroom proceedings. Children under
23 the age of two are not required to wear face masks. Individuals who cannot wear a face mask for
24 health reasons may wear a face shield.
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26 COVID-19 Conditions of Entry signs will be posted at the entrances to the Seattle and
27 Tacoma Courthouses. Most individuals who review the information will understand when it is
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1 wise, from a public health standpoint, to voluntarily not enter the building. However, Court
2 Security Officers are authorized to ask if an individual has read the Conditions of Entry sign, and
3 to deny entry to persons who confirm that they are currently diagnosed with COVID-19 or have
4 experienced COVID-19 symptoms in the last 10 days, and who therefore pose a significant risk
5 of spreading the Coronavirus to the public.

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7 Individual judges may continue trial based on unique health considerations raised in those
8 cases.

9 Civil bench and jury trials may be conducted remotely over Zoom.gov if good cause is
10 established for such a procedure on a case-by-case basis, at the discretion of individual judges.

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

- 15 a. Financial affidavits (28 U.S.C. 1746);
 - 16 b. CJA Appointments;
 - 17 c. Consents to proceed before a magistrate judge;
 - 18 d. Waiver of in-person hearings in criminal matters;
 - 19 e. Appearance bonds/Orders of release;
 - 20 f. Plea agreements;
 - 21 g. Jury verdicts; and
 - 22 h. Judgments.
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1 Local Civil Rule 32 continues to include among the definitions of “Unavailable Witness”
2 in FRCP 32(4)(C) the following: “concern about personal health risks from exposure to the
3 COVID-19 virus.”

4 The Court will revisit these procedures prior to October 1, 2021.

5 DATED this 30th day of June, 2021.
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10 RICARDO S. MARTINEZ
11 CHIEF UNITED STATES DISTRICT JUDGE
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