

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

IN RE: )  
 )  
EXTENDING TEMPORARY )  
RESTRICTIONS ON COURTHOUSE )  
ACCESS AND IN COURT HEARINGS )  
\_\_\_\_\_ )

GENERAL ORDER NO. 617

WHEREAS, the court previously has issued General Orders addressing the national, regional and local public health emergency posed by the coronavirus (COVID-19) outbreak by continuing all trials and closing its courthouses to the public until May 1, 2020;

WHEREAS, since the issuance of the court’s prior orders circumstances related to the outbreak have continued to evolve, with state and local public agencies instituting still further enhanced measures to manage the spread of the virus and limit the potential for the illness and death it can cause;

WHEREAS, this week the President of the United States has announced federal guidelines for reopening the economy, while at the same time deferring to governors to determine when states will resume normal operations;

WHEREAS, this week the Governor of California has outlined six steps for reopening public and private sector operations and lifting restrictions in place throughout the state, without providing a definite date by which restrictions will be lifted;

AND WHEREAS, the Judges of the United States District Court for the Eastern District of California, in consultation with the Clerk of Court, continue to closely monitor developments and balance the various interests implicated by the COVID-19 outbreak and the court’s response

to the outbreak, including: the health of jurors, witnesses, parties, attorneys, the public whom it is our privilege to serve, Clerk's Office and all court staff, Probation and Pretrial Services staff, chambers staff and judges; the constitutional rights of criminal defendants and other parties; and the public's interest in, and the court's duty to ensure, the effective and expeditious administration of justice;

NOW THEREFORE, in light of the best information available to the Judges of the Eastern District of California at this time, effective immediately through June 1, 2020, I hereby issue the following Order on behalf of the Court to supplement the prior orders issued on March 12, 17, 18 and 30, 2020, with the findings relied on in those orders incorporated in full herein:

1. In light of the current coronavirus (COVID-19) outbreak, all courthouses of the United States District Court for the Eastern District of California shall remain closed to the public. Only persons having official court business as authorized by a Judge of the District Court or the Bankruptcy Court, or a healthy building tenant having official business on behalf of a tenant agency, may enter courthouse property. This order applies to the following divisional locations:

- (1) The Robert T. Matsui United States Courthouse, 501 I Street, Sacramento;
- (2) The Robert E. Coyle United States Courthouse, 2500 Tulare Street, Fresno;
- (3) The Redding Federal Courthouse, 2986 Bechelli Lane, Redding;
- (4) The Bakersfield Federal Courthouse, 510 19th Street, Bakersfield;
- (5) The Yosemite Federal Courthouse, 9004 Castle Cliff Court, Yosemite; and
- (6) The Modesto U.S. Bankruptcy Court, 1200 I Street, Second Floor, Modesto.

2. The court will not call in jurors for service in civil or criminal jury trials until June 15, 2020, at the earliest, if courthouses reopen to the public on June 1, 2020. All civil and criminal jury trials in the Eastern District of California scheduled to begin before June 15, 2020 are further continued pending further order of the court.

3. All of the court's civil matters will be decided on the papers, or if the assigned Judge believes a hearing is necessary, the hearing will be by telephone or videoconference. This applies

to all matters including motion hearings, case management conferences, pretrial conferences and settlement conferences.

4. In civil matters and bankruptcy matters in which parties represent themselves (pro se litigants), those parties continue to be strongly encouraged to file documents by mail. For those unable to file by mail the court is providing drop boxes for filing inside the entrances to the Sacramento, Fresno and Modesto courthouses, that otherwise previously have accepted hand-delivered pro se filings in the Clerk's Offices for those courts.

5. In the court's criminal matters, all initial appearances, arraignments and other essential proceedings will continue to be held before the duty Magistrate Judges, unless the parties agree to continue them; to the full extent possible matters that are maintained on calendar shall be conducted by telephone or videoconference as provided by General Order 614.


6. In criminal cases before the District Judges, the assigned District Judge may continue matters to a date after June 1, 2020, excluding time under the Speedy Trial Act with reference to the court's prior General Order 611 issued on March 17, 2020, the court's subsequent declaration of a judicial emergency based on 18 U.S.C. § 3174, and the Ninth Circuit Judicial Council's Order of April 16, 2020 continuing this court's judicial emergency for an additional one-year period and suspending the time limits of 18 U.S.C. § 3161(c) until May 2, 2021, with additional findings to support the exclusion in the Judge's discretion; if any criminal matters are maintained on calendar, to the full extent possible they shall be conducted by telephone or videoconference, also as provided by General Order 614.

7. Any Judge may order case-by-case exceptions to any of the above numbered provisions for non-jury court matters at the discretion of that Judge or upon the request of counsel, after consultation with counsel.

IT IS SO ORDERED.

DATED: April 17, 2020.

FOR THE COURT:

  
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KIMBERLY J. MUELLER  
CHIEF UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF CALIFORNIA