

FILED

MAR 18 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
20-SO-5

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY  DEP CLK

IN RE:)
COURT OPERATIONS UNDER THE)
EXIGENT CIRCUMSTANCES CREATED)
BY THE COVID-19 PANDEMIC)

STANDING ORDER

This Order is being issued in response to the recent outbreak of novel coronavirus in the United States and the State of North Carolina. The World Health Organization has declared that Covid-19 qualifies as a global pandemic, having spread across more than 120 countries with more than 7,000 confirmed cases in the United States. The United States District Court for the Eastern District North Carolina has been closely monitoring the outbreak of novel coronavirus (which causes the disease designated as COVID-19), including careful monitoring of the developing guidance from the Centers for Disease Control and Prevention (“CDC”). The CDC has described the outbreak in the United States as a “rapidly evolving situation” and is providing continuously updated guidance as to the appropriate community response to COVID-19 as conditions worsen. The CDC’s guidance includes multiple types of mitigation strategies generally aimed at reducing or avoiding exposure to infected individuals. In response to this guidance, this Court issued 20-SO-4, In re: Restrictions on Visitors to Courthouses, which remains in full effect.

The conditions continue to evolve. As of the date of this Order, there have been over sixty confirmed cases of coronavirus within the State of North Carolina. On March 10, 2020, Governor Roy Cooper declared a state of emergency in response to the outbreak. The CDC and other public health entities have recommended social distancing as a means to limit further community spread of COVID-19. The Court is concerned for the health and safety of the public,

Court employees, staff of other entities with whom Court personnel interact, litigants, counsel, interpreters, law enforcement officials, and jurors, who must work in close quarters to hear evidence and to deliberate.

Therefore, given the severity of the risk to the persons listed above by the spread of COVID-19 in the Eastern District of North Carolina, and taking into consideration matters of public health, in order to reduce the size of public gatherings and the need for travel, the Court ORDERS as follows:

1. All United States Courthouses in the Eastern District of North Carolina will remain open for business, subject to certain limitations outlined in this order or as otherwise directed by a presiding judge in a United States Courthouse.
2. All civil and criminal **jury trials** scheduled to begin on any date from now through May 1, 2020, are continued, to a date to be reset by each presiding judge. All other hearings, conferences, and/or proceedings are subject to the discretion of the individual judge presiding over the proceeding.
3. Due to the Court's reduced ability to obtain an adequate spectrum of jurors and due to the reduced availability of attorneys and Court staff to be present in courtrooms because of the public health considerations described above, the time period of the continuances implemented by this Order are excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The Court finds that the ends of justice served by ordering these continuances outweigh the best interests of the public and each defendant's right to a speedy trial. In fact, the best interests of the public are served by these continuances. Any motion by a criminal defendant seeking an exception to this Order

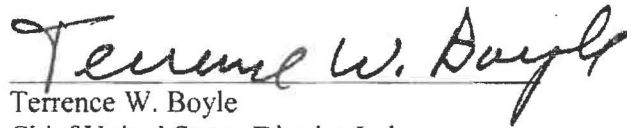
in order to exercise the right to a speedy trial must be directed to the district judge presiding over the defendant's case.

4. Due to the large criminal caseload in the Eastern District of North Carolina, the U.S. Attorney's Office has expressed the need to continue conducting grand jury proceedings in ordinary course. Therefore, grand jury matters will proceed pending further order of the Court.
5. Individual judges may continue to hold in-person hearings and proceedings, but counsel may seek relief from those matters by appropriate motions. The parties are encouraged to seek to participate in hearings and proceedings by telephone or video as appropriate. This Order does not impact any judge's consideration of particular matters on the papers alone.
6. Magistrate judges will continue to preside over criminal matters, such as initial appearances, arraignments, detention hearings, and the issuance of warrants. Wherever feasible, Magistrate Judges should consider the use of video conferencing for initial appearances and other hearings as appropriate.
7. Any events involving the Court that are not case-specific, including, but not limited to, continuing legal education courses, public tours, and public administration of oaths to attorneys which are scheduled to occur between March 18, 2020, and May 1, 2020, are hereby cancelled and will be rescheduled as appropriate.
8. All United States Probation Offices will remain open for business.
9. Many employees, including some of chambers staff, will be teleworking, but they are accessible by phone. Electronic filings may continue to be made through the CM/ECF system. Intake counters remain open for paper filing, pending further order

of the Court or as otherwise directed by a presiding judge in a United States Courthouse.

10. Unless extended, this Order will remain in effect through May 1, 2020, and will then expire.

SO ORDERED. This the 18 day of March, 2020.

A handwritten signature in black ink that reads "Terrence W. Boyle". The signature is written in a cursive style with a horizontal line underneath the name.

Terrence W. Boyle
Chief United States District Judge