

FILED

NOV 25 2020

Mark C. McCarit, Clerk
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

In re:)
COURT OPERATIONS UNDER THE)
EXIGENT CIRCUMSTANCES)
CREATED BY THE NOVEL)
CORONAVIRUS AND ASSOCIATED)
DISEASE (COVID-19))

GENERAL ORDER 20-42

This General Order amends and supersedes General Order 20-35. This General Order is being issued in response to the continuing outbreak of Coronavirus Disease 2019 (COVID-19). The Court incorporates here its prior findings regarding COVID-19 and the state of emergency declarations and public health guidelines as set forth in those prior General Orders.

Therefore, it is hereby ORDERED that the following procedures will be in effect from December 1, 2020 through December 31, 2020.

- 1) **CIVIL HEARINGS AND TRIALS.** All civil hearings and trials before any district or magistrate judge scheduled on or before December 31, 2020, are CONTINUED pending further order of the Court. However, all other scheduling order deadlines, including discovery cut-off and all motion, response, and reply deadlines, shall remain in effect. Telephonic or video hearings may be scheduled at the discretion of the judge. On-site hearings or jury trials may be held at the discretion of the Judge if the interests of justice outweigh the safety risks.
- 2) **CRIMINAL HEARINGS AND TRIALS.** All criminal hearings and trials before any district judge scheduled on or before December 31, 2020, are CONTINUED pending further order of the Court with the following exceptions. At the discretion of the judge in each case, felony sentencing and change of plea hearings may be held on-site or by video for defendants on pretrial release, and by video for detained defendants, with the consent of the defendant if by video regardless of release status. If the defendant consents to a hearing by video, counsel should contact the courtroom deputy of the assigned judge. Magistrate judges will continue to conduct preliminary criminal proceedings. Magistrate judges will exercise discretion as to the timing, frequency, and manner of conducting such proceedings, which may be

conducted in a manner consistent with General Order 20-29. All other scheduling order deadlines, including all motion and response deadlines, shall remain in effect. Due to the Court's reduced ability to obtain an adequate spectrum of jurors, and the effect of the public health recommendations on the availability of counsel and Court staff to be present in the courtroom, the time period of December 1, 2020, inclusive, through the scheduled January trial docket starting January 19, 2021, inclusive, will be excluded under the Speedy Trial Act, as the Court specifically finds that the ends of justice served by ordering the continuances outweigh the best interests of the public and any defendant's right to a speedy trial, pursuant to 18 U.S.C. § 3161 (h)(7)(A). Telephonic or video hearings may be scheduled at the discretion of the judge, which may be conducted in a manner consistent with General Order 20-29. On-site hearings or jury trials may be held at the discretion of the judge if the interests of justice outweigh the safety risks.

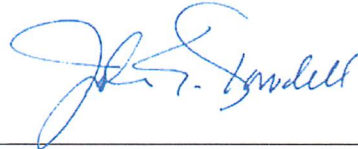
- 3) **SETTLEMENT CONFERENCES.** Scheduled Settlement Conferences will proceed as scheduled. However, until further notice, the Court will not Order parties or attorneys to attend an in-person settlement conference. Settlement Conferences will take place by video or telephonic means. However, if all parties, counsel and the Settlement Judge agree, a Settlement Conference may proceed by other agreed procedures, including personal appearance by some or all willing participants.
- 4) **GRAND JURY PROCEEDINGS.** Grand jury proceedings in this District will continue to be held.
- 5) **NATURALIZATION.** Naturalization ceremonies will be held, but limited to no more than 10 new citizens per ceremony with no spectators.
- 6) **ON-SITE SAFETY PRECAUTIONS.** All visitors will be required to wear masks while on the 3rd or 4th floor of the Page Belcher Building. Visitors who do not have a mask will be provided one. Each court employee will be required to wear a mask when away from their personal office or workstation. Social distancing guidelines requesting all visitors and court staff to remain 6 feet apart will be in effect. Courtrooms will be arranged to allow for social distancing. No more than two people shall be on an elevator at one time, and everyone will be required to wear a mask while using an elevator. All visitors will have their temperature taken at the

building entrance. Anyone having a temperature above 100.4 will be denied entrance unless approved by the court.

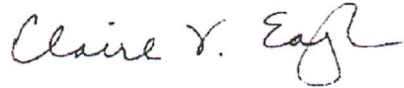
The courthouse remains open. Staff in the Clerk's office will be available by telephone, mail will be received, and intake desks remain open for filing. Electronic filings may still be made through the CM/ECF system. The public is encouraged to continue utilizing court services while following all applicable health guidelines.

The Court will vacate or amend this General Order no later than December 31, 2020.

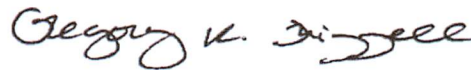
IT IS SO ORDERED THIS 25th day of November, 2020.



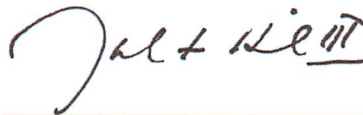
JOHN E. DOWDELL
CHIEF UNITED STATES DISTRICT JUDGE



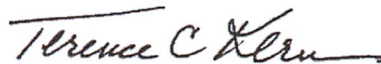
CLAIRE V. EAGAN
UNITED STATES DISTRICT JUDGE



GREGORY K. FRIZZELL
UNITED STATES DISTRICT JUDGE



JOHN F HEIL, III
UNITED STATES DISTRICT JUDGE



TERENCE C. KERN
UNITED STATES DISTRICT JUDGE