

**UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

IN RE: COURT OPERATIONS UNDER THE)
EXIGENT CIRCUMSTANCES CREATED BY)
COVID-19 AND RELATED CORONAVIRUS)

GENERAL ORDER

This General Order supersedes all previous General Orders issued in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) in the United States of America, and specifically within the Southern District of Indiana. The Court continues to consider guidance from a variety of sources including the Centers for Disease Control and Prevention, as well as federal, state and local public health authorities.

Based on the information available to date, including the rapidly increasing number of persons infected with COVID-19 and the vast number of persons expected to be infected in the immediate future, the Court makes the following findings:

- 1) Current Court operations present substantial health risks to the public;
- 2) It is not possible to summon a pool of potential jurors and conduct a jury trial in a manner that does not expose potential jurors, counsel, court staff and litigants to substantial and unacceptable health risks, specifically, the danger of becoming infected with COVID-19;
- 3) Such risks may be significantly mitigated by temporarily modifying Court operations; and
- 4) Good cause exists to implement temporary changes to Court operations.

I. Court Proceedings

It is hereby ORDERED that, effective March 13, 2020, through and including at least May 1, 2020, in all of the Court's divisions:

- 1) All jury trials are **continued**.
- 2) For criminal trials, delay caused by the continuances implemented by this

General Order will be excluded under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(7)(A). The period of delay from March 13, 2020, through and including the next trial setting is excludable under 18 U.S.C. § 3161, *et seq.* The terms of this General Order do not obviate the need for any party to file a motion in each case setting forth the particularized circumstances that support a finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

- 3) Unless otherwise ordered by the assigned District or Magistrate Judge, all other criminal court proceedings will proceed as scheduled. To the extent criminal proceedings may be conducted via phone or videoconference, conversion of in-person proceedings to telephonic or videoconference proceedings will be at the discretion of the assigned District or Magistrate Judge.
- 4) Unless otherwise ordered by the assigned District or Magistrate Judge, all other civil court proceedings will proceed as scheduled. Conversion of in-person proceedings to telephonic or videoconference proceedings will be at the discretion of the assigned District or Magistrate Judge.
- 5) All naturalization ceremonies are **cancelled**. If an individual meets the criteria set forth in 8 U.S.C. § 1448(c) as qualifying for an expedited judicial oath administration ceremony, and if that individual is seeking a name change pursuant to 8 U.S.C. § 1448(e), the Court will arrange for naturalization of that individual by a judicial officer.
- 6) The Court will continue to conduct all necessary hearings and other proceedings as it deems proper, and will allow necessary witnesses to participate meaningfully upon written notice from counsel filed with the Court.

II. Courthouse Closures

It is hereby ORDERED that the following divisional locations of the United States District Court for the Southern District of Indiana, including the United States Bankruptcy Court and the United States Probation Office for the Southern District of Indiana, are CLOSED TO THE PUBLIC effective March 18, 2020:

- Indianapolis Division, 46 East Ohio Street, Indianapolis, Indiana 46204
- Terre Haute Division, 921 Ohio Street, Terre Haute, Indiana 46807
- Evansville Division, 101 Northwest Martin Luther King Jr., Blvd., Evansville, Indiana 47708
- New Albany Division, 121 West Spring Street, New Albany, Indiana 47150
- Satellite Probation Offices in Bloomington and Noblesville are also closed to the public

Court interpreters are not subject to this Order and may continue to enter Court locations for scheduled proceedings.

Commercial package couriers with appropriate identification will be allowed to enter courthouses within the Southern District of Indiana, including but not limited to: United States Postal Service, UPS, and FedEx.

Clerk's Office staff throughout the Southern District of Indiana will be available by telephone and mail will be received and processed. Electronic filings may still be made by registered users through the CM/ECF system, and these filings will be processed by the Clerk's Office and Judicial Chambers, as appropriate. The public is encouraged to continue utilizing court services while following all applicable public health guidelines.

For those persons without access to the Court's electronic filing system, publicly accessible "drop boxes" have been made available at each of the Court's divisional locations. Filings for both the United States District and Bankruptcy Courts for the Southern District of Indiana will be accepted. All documents will be screened prior to being opened. Individuals submitting documents for filing will not be able to obtain file-marked copies. Each drop box location has specific instructions that must be followed. The Indianapolis Division drop box is located at the courthouse entrance near the intersection of Pennsylvania and New York Streets.

III. Security Screening

Notwithstanding the foregoing, United States Marshal Service ("USMS") law enforcement personnel and USMS-Deputized Court Security Officers shall deny building access to individuals who may be infected with COVID-19 or otherwise appear to pose a public health risk. All persons seeking to enter courthouses within the

Southern District of Indiana will be required to answer the following questions:

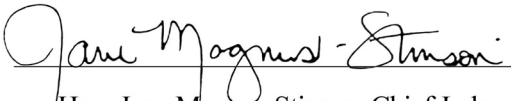
- Are you experiencing symptoms of fever, cough, or shortness of breath?
- Have you been in close contact with someone confirmed or who is being evaluated for COVID-19?
- Have you recently visited an area that is subject to quarantine because of COVID-19 infection?

Persons who answer “yes” to any of the above questions will be denied courthouse access. Persons who exhibit symptoms of illness potentially indicating COVID-19 infection will be denied courthouse access. USMS law enforcement personnel and USMS-Deputized Court Security Officers have the authority to deny courthouse access to persons who otherwise reasonably appear to present a health risk. Those denied access will be provided information regarding the appropriate individual or entity to contact. Signs bearing this information will be posted at all courthouse entrances.

IV. Probation

The United States Probation Office will continue to investigate and supervise individuals as ordered by the Court.

Date: 3/20/2020


Hon. Jane Magnus-Stinson, Chief Judge
United States District Court
Southern District of Indiana