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NOVEMBER 05, 2020

CLERK US DISTRICT COURT
DISTRICT OF ARIZONA

BY s/ M. Everette DEPUTY

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

In the matter of

CONTINUING COURT OPERATIONS IN
THE DISTRICT OF ARIZONA UNDER
THE EXIGENT CIRCUMSTANCES
CREATED BY CORONAVIRUS
DISEASE (COVID-19)

GENERAL ORDER 20-39

WHEREAS (1) This Court has promulgated and followed certain procedures, including but not limited to mandatory masking, social distancing, limiting the number of procedures on any given day, and promoting air circulation and renewal, so as to permit a variety of court functions to proceed during the pandemic. These renewed procedures include the resumption of grand jury proceedings and necessary criminal and civil jury trials; (2) Nevertheless, the COVID-19 (novel coronavirus) outbreak remains both a global and a national public health emergency; (3) A new spike of coronavirus cases beginning during the month of October both worldwide and nationwide is numerically more pronounced in many locations than previous spikes including Arizona’s neighboring states of New Mexico and Utah; (4) Transmission rates remain high in Mexico which borders Arizona on the south; (5) Epidemiologists anticipate that autumn and winter weather will cause serious increases in the transmission of the virus as more time is spent indoors; (6) The number of new cases in Arizona and its constituent counties have been again rising during the month of October; (7) The positivity rate for Coronavirus tests in Arizona has more than doubled from the last week of September to a current rate of 11.73 percent; and

1 (8) The number of hospitalization and ICU admissions have risen during the month of
2 October.

3 In light of the above, the United States District Court for the District of Arizona has
4 concluded that additional temporary steps to protect the health and the safety of the public
5 are necessary.

6 NOW THEREFORE, the United States District Court for the District of Arizona,
7 orders the following effective immediately:

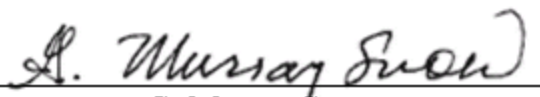
- 8 1. The provisions for the operations of and admission to the Flagstaff and Yuma
9 Courthouses set forth in General Order 20-26 and renewed in General Order 20-36
10 remain in place and/or are extended until further notice.
- 11 2. Except as set forth in the numbered paragraphs three through six below, the
12 provisions for the operations of and the admission to the Tucson and Phoenix
13 Courthouses set forth in General Order 20-26 and renewed in General Order 20-36
14 remain in place and/or are extended until further notice.
- 15 3. All jury trials now in progress may be completed.
- 16 4. All civil jury trials not presently begun but scheduled either for the month of
17 November or December shall be postponed until further notice unless authorized to
18 proceed by both the assigned trial judge and the Chief Judge. The following cases
19 are currently authorized to proceed: 1) CV-12-8193/CV-15-8095; 2) CV-15-87; 3)
20 CV-15-8189.
- 21 5. Only criminal jury trials that must proceed shall continue as scheduled. In
22 evaluating whether a criminal case must proceed the trial court shall consider among
23 other appropriate factors: whether the trial would require trial participants, jurors
24 and others to expose themselves to high risks of COVID-19 transmission through
25 necessary travel, lodging and eating arrangements. All other criminal jury trials
26 shall be postponed until further notice.
- 27 6. Grand Jury proceedings scheduled for the first week of November shall be
28 completed and thereafter the compliance of the grand juries with the health

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directives ordered by the Court, as well as the existing public health situation shall be reviewed to determine whether grand juries shall continue without interruption.

- 7. Limited naturalization ceremonies as set forth in General Order 20-36 ¶ 6 may continue as therein described.
- 8. Limited attorney admission ceremonies as set forth in General Order 20-26 page 3 ¶ 1 may continue as therein described.

Dated this 5th day of November, 2020.



G. Murray Snow
Chief United States District Judge