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SEPTEMBER 17, 2021

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

THE EXTENSION OF
THE CARES ACT AUTHORIZATION AND
MISCELLANEOUS COURT OPERATIONS
IN THE DISTRICT OF ARIZONA UNDER
THE EXIGENT CIRCUMSTANCES
CREATED BY CORONAVIRUS DISEASE
(COVID-19)

SUPERSEDES GENERAL ORDER 21-17

GENERAL ORDER 21-18

WHEREAS (1) The Chief Judge of this Court is required by the CARES Act to “review the authorization [to conduct various proceedings by video and audio conferencing] and determine whether to extend the authorization,” CARES Act § 15002(b)(3)(A); (2) 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; and (3) Nevertheless, the COVID-19 (novel coronavirus) outbreak remains both a global and a national public health emergency.

In light of the above, the U.S. District Court for the District of Arizona has concluded the following temporary steps to continue protecting the health and the safety of the public are necessary to maintain and enable the resumption of all Court operations.

NOW THEREFORE it is ordered extending the authorization to conduct various proceedings by video and audio conferencing authorized by the CARES Act through

1 December 16, 2021. It is further ordered as follows:

2 **Flagstaff Courthouse**

3 1. Civil jury trials and criminal bench trials may resume in compliance with
4 CDC guidelines.

5 2. VTC and telephonic proceedings are authorized to occur in the Flagstaff
6 Courthouse to the full extent authorized by the CARES Act upon the required findings of
7 the designated district judge or the Chief Judge or his designee.

8 3. The number of individuals admitted to the courtroom for such proceedings
9 must comply with CDC guidelines. Family members and friends of those involved in
10 necessary proceedings are encouraged to convey support by sending e-mails to counsel
11 which will be communicated to the Court.

12 4. Central Violations Bureau cases in Flagstaff, Kingman, Page, and the Grand
13 Canyon may proceed if the number of persons involved in such matters is reduced to
14 comply with CDC guidelines.

15 **Yuma Courthouse**

16 1. Operation Streamline remains canceled until further notice. Other Court
17 proceedings in Yuma may resume in compliance with CDC guidelines.

18 2. VTC and telephonic proceedings are authorized to occur in the Yuma
19 Courthouse to the full extent authorized by the CARES Act upon the required findings of
20 the designated district judge or the Chief Judge or his designee.

21 3. Central Violations Bureau cases may proceed if the number of persons
22 involved in such matters is reduced to comply with CDC guidelines.

23 **Tucson and Phoenix Courthouses**

24 1. Initial Appearances, preliminary hearings, detention hearings, changes of
25 plea and sentencings and all other matters involving detained persons shall continue to
26 occur from CoreCivic by video-teleconference or teleconference, to the extent possible, as
27 authorized by the CARES Act.

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1 2. VTC proceedings in criminal cases will be given priority over requests for
2 VTC access in civil cases should capacity limits be approached.

3 3. Operation streamline remains canceled until further notice.

4 4. Central Violations Bureau cases may proceed if the number of persons
5 involved in such matters is reduced to comply with CDC guidelines.

6 5. Evidentiary hearings and change of plea hearings for out-of-custody
7 defendants may proceed if the hearings can be held in compliance with CDC guidelines.

8 **Requirements for Occupants of Courthouses Within the District of Arizona**

9 1. The District Court is authorized to conduct limited naturalization ceremonies
10 to the extent required for those candidates seeking name changes or for other necessary
11 reasons. Naturalization ceremonies that are conducted in a courthouse must be conducted
12 using appropriate social distancing and in accord with CDC guidelines and the other
13 requirements for courthouse entry set forth in this General Order. Aside from necessary
14 court staff and USCIS officers which shall be limited to the greatest extent possible, the
15 candidates for citizenship, and interpreters if required, shall be the only persons attending
16 such ceremonies. The numbers of such participants per ceremony shall be limited to
17 comply with the above guidelines.

18 2. Small attorney admission ceremonies held in compliance with CDC
19 guidelines may be scheduled with the Court.

20 3. All non-case related activities scheduled in the Sandra Day O'Connor U.S.
21 Courthouse in Phoenix, Evo A. DeConcini Courthouse in Tucson, and the John M. Roll
22 Courthouse in Yuma, remain canceled until further notice. This includes mock trials, CLE
23 events, school tours, and all other non-case related gatherings.

24 4. No person who is subject to isolation or quarantine is authorized to enter the
25 courthouse.

26 5. No person who has a fever, cough, sore throat, shortness of breath, unusual
27 muscle pain, recent loss of taste or smell, nasal congestion or a runny nose (unless due to
28 known allergies) is authorized to enter the courthouse.

1 6. No person shall be admitted to or remain within the courthouse without a
2 mask, which shall entirely cover the mouth and nose, and be worn at all times while in the
3 public areas of the courthouse. Cloth masks are acceptable. Repeat visitors to the Court,
4 including attorneys, will be expected to provide their own masks. Masks shall be provided
5 to potential jurors and other one-time visitors to the Court who have not brought their own
6 masks. Other tenants of the courthouse or those coming to interact with such tenants shall
7 provide their own masks.

8 7. All persons shall maintain a distance of at least six feet between themselves
9 and other persons.

10 8. No more than four persons shall be on an elevator at any one time.

11 **Protocols for Hearings and Jury Trials**

12 The following protocols apply to all hearings and trials unless otherwise addressed
13 in this General Order.

14 1. All persons attending hearings or trials shall wear masks. During in-court
15 proceedings, a judge may authorize removal of masks or face coverings for purposes of
16 witness testimony, defendant identification, making an appropriate record or other reasons
17 as deemed necessary by the judge provided that appropriate social distancing or other
18 protective measures are followed.

19 2. Except in multi-defendant cases, no more than one attorney and one client or
20 client representative shall sit at counsel table at any one time. They shall be appropriately
21 socially distanced.

22 3. Public seating areas in courtrooms will be marked with a blue dot on the
23 bench to designate places in which persons may sit. Persons may not sit closer than such
24 designations.

25 4. Stanchions will be set up within the courtroom to maintain adequate social
26 distancing between the bench, the jury box, and that section of the public seating area that
27 must be converted to a jury box to accommodate social distancing within the jury.

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5. Criminal and civil jury trials in Phoenix and Tucson have resumed as of March 1, 2021.

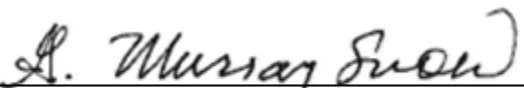
6. During trial the jury shall use both jury rooms adjacent to the courtroom in assembling and during breaks to promote social distancing. Each juror shall be assigned to one of the two jury rooms.

7. At the end of the trial, the Court shall close the courtroom and the jury shall conduct its deliberation in the courtroom.

8. The United States Attorney's Office has implemented the necessary measures to ensure grand jurors are able to maintain adequate social distancing and follow all other CDC safety protocols. Therefore, all Grand Jury proceedings in Phoenix and Tucson have resumed as of the week of March 22, 2021.

The Court reserves the right to amend or rescind this General Order at any time due to changing public health statistics and circumstances.

Dated this 17th day of September, 2021.



G. Murray Snow
Chief United States District Judge