

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY

In Re:

**COURT OPERATIONS RELATED
TO COVID-19**

GENERAL ORDER

No. 20-03

*** **

In further response to the COVID-19 pandemic referenced in General Order No. 20-02 and consistent with actions taken by numerous federal, state, and local entities, it is hereby **ORDERED** as follows:

1. The continuation of all civil and criminal trials set forth in Paragraph 1 of General Order 20-02 shall be extended to all civil and criminal trials scheduled to begin through May 1, 2020.

2. All currently scheduled hearings in criminal cases through May 1, 2020, including all motion hearings, change of plea hearings, and sentencings are **CONTINUED** generally, subject to further orders of the assigned judge who may exercise discretion to proceed with affected hearings at the scheduled time or otherwise by telephone, video conference, or other means that do not require personal appearance at the Courthouse.

3. Initial appearances on indictments and complaints, as well as alleged violations of pretrial or supervised release or probation, and detention hearings will proceed as usual, with utilization of remote attendance to the full extent practicable. However, appearances in any such matters ordered by summons will be continued to a date after May 1, 2020.

4. Subject to the exception below for temporary restraining orders and other emergency matters, all in-person hearings in civil cases scheduled through May 1, 2020, are

VACATED. The assigned judge in each case may exercise discretion to proceed with the hearing at the scheduled time or otherwise by telephone, video conference, or other means that do not require personal appearance at the Courthouse.

5. Absent exceptional and unavoidable circumstances, all hearings in emergency matters, including on applications for temporary restraining orders, shall be conducted by telephone, video conference, or other means that do not require in-person attendance of parties, counsel, and witnesses.

6. If a jail informs the United States Marshals Service (“USMS”) that an inmate is sick, that inmate should not be brought to court that day, and the USMS should inform the magistrate judge on duty.

7. All naturalization ceremonies scheduled through May 1, 2020, are **POSTPONED** and will be rescheduled.

8. All settlement conferences scheduled through May 1, 2020, are **VACATED**. Questions concerning rescheduling settlement conferences should be directed to the judge assigned to conduct the settlement conference.

9. All misdemeanor, traffic and petty offense dockets scheduled in this Court through May 1, 2020, are hereby **CONTINUED**. New dates for the cases scheduled on such dockets shall be reset without the need to file any motions with the Court.

10. For all complaints filed pursuant to the False Claims Act, 31 U.S.C. § 3729 *et seq.*, which remain under seal, the Court finds that pursuant to 31 U.S.C. § 3730(b)(3) good cause exists to grant the United States an extension of time in which to intervene in said actions due to the COVID-19 pandemic and the logistical constraints it has created. For all sealed *qui tam* cases filed pursuant to 31 U.S.C. § 3729 *et seq.*, the United States shall have an additional 60

days from the current intervention deadline in which to intervene in said action or to notify the Court if it declines to do so. Nothing in this General Order shall be construed to limit the United States from seeking additional extension of time in said cases.

11. The Courthouses shall remain open for mission-critical functions of the judiciary, but the public and members of the bar are directed to come to the Courthouses only as necessary for official court-related activities, including case filings that cannot be submitted electronically, attendance for in-person criminal hearings described above, and the like. Further, effective through May 1, 2020, the Courthouses will be open Monday through Friday from 10:00 AM local time to 2:00 PM local time.

12. It is further ordered that the following persons shall not enter any United States Courthouse in the Western District of Kentucky:

- a. any person who has been in China, South Korea, Japan, Iran, or Europe within 14 days prior to the date of entry of this General Order or the date on which such person is seeking entry to the Courthouse;
- b. any person who resides or has been in contact with someone who has been in one of the countries listed above within the past 14 days;
- c. any person who has been asked to self-quarantine by any doctor, hospital, health agency; or other healthcare provider;
- d. any person who has been diagnosed with or has had contact with anyone who has been diagnosed with COVID-19; or
- e. any person experiencing fever, cough, or shortness of breath.

To ensure the implementation of this provision, the USMS and the Court Security Officers are accordingly **DIRECTED** to appropriately screen any visitors entering the United States

Courthouses in the Western District of Kentucky consistent with these visitor restrictions and shall deny entry to anyone attempting to enter in violation of this General Order.

13. Except to the extent amended by this General Order, all other provisions of General Order 20-02 remain in effect.

14. As dictated by the ever-changing circumstances and the anticipated increase in community spread of COVID-19, the Court may issue further responses as the situation evolves, including possible extensions of the timeframes set forth in this General Order.

Dated: March 20, 2020



Greg N. Stivers, Chief Judge
United States District Court

ENTERED
VANESSA L. ARMSTRONG, CLERK

MAR 20 2020

U.S. DISTRICT COURT
WEST'N DIST. KENTUCKY

