

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

IN RE: *
COURT OPERATIONS UNDER THE EXIGENT * MISC. NO. 00-308
CIRCUMSTANCES CREATED BY COVID-19 *

STANDING ORDER 2020-11

In response to the emerging COVID-19 pandemic, on March 14, 2020, the Court issued its Second Amended Standing Order 2020-03, which postponed and continued all civil and criminal petit jury selections and trials through April 24, 2020, and postponed all non-emergency civil, criminal, and bankruptcy proceedings through March 27, 2020. On March 20, 2020, the Court issued its Standing Order 2020-05, extending the postponements through April 24, 2020. On April 10, 2020, the Court issued Standing Order 2020-07, extending again the postponements through June 5, 2020.

The Court continues to face significant challenges related to the ongoing COVID-19 pandemic. Public health orders and recommendations reduce the Court's ability to obtain an adequate spectrum of jurors, and counsel against the presence of attorneys, litigants, and Court staff in physical courtrooms. The Court has developed a phased reconstitution strategy to begin to resume normal operations, but remains in the earliest stages of that process. The Court will continue to closely monitor the relevant data, and the guidance of our local health officials, to determine when it is appropriate to proceed further down the path towards a complete spectrum of in-court proceedings. Nevertheless, given the Court's increased ability to operate remotely and to conduct many court proceedings by audio or video conferencing, the Court no longer finds it necessary to issue general orders postponing and continuing all non-emergency proceedings and extending all filing deadlines. Instead, current dates and deadlines set in

individual cases, as modified by Standing Order 2020-07, will be presumed effective, unless otherwise ordered by the presiding judge. Accordingly, it is hereby

ORDERED by the United States District Court for the District of Maryland that, effective immediately, all civil and criminal petit jury selections and jury trials scheduled to commence through June 30, 2020, before any district or magistrate judge in any courthouse in the District of Maryland are POSTPONED and CONTINUED. Although the Court is cognizant of the urgent need to proceed with criminal trials, particularly for those defendants detained pre-trial, the need to enact adequate protections to allow social distancing for jurors will permit certain civil trials to resume more quickly, because civil proceedings involve a smaller number of jurors. Accordingly, some civil jury trials may commence on or after July 1, 2020, and some criminal jury trials may commence on or after August 1, 2020, in the discretion of individual judges of this Court, after consultation with court staff regarding juror and participant safety and limited court capacity; and it is further

ORDERED that with the exception of the jury trials identified above, all civil and criminal hearings, trials, and proceedings in the U.S. District Court for the District of Maryland shall continue as presently scheduled, unless otherwise ordered by the presiding judge. Chambers will be in contact with the parties regarding the scheduling of particular proceedings, which may need to be changed to account for the factors referenced above. To the extent the parties jointly believe an existing schedule needs to be adjusted, they should submit their proposal to the presiding judge in writing; and it is further

ORDERED that with regard to criminal trials, due to the Court's reduced ability to obtain an adequate spectrum of jurors and the effect of the above public health recommendations on the availability of counsel and Court staff to be present in the courtroom, the time period between

March 16, 2020 and July 31, 2020 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 each defendant in a speedy trial, pursuant to 18 U.S.C.

§ 3161(h)(7)(A); and it is further

ORDERED that due to the unavailability of a grand jury in this District, the 30-day time period for filing an indictment or an information is TOLLED as to each defendant during the time period March 16, 2020 through July 31, 2020, in alignment with 18 U.S.C. § 3161(b); and it is further

ORDERED that all bankruptcy hearings, trials, and proceedings in the U.S. Bankruptcy Court for the District of Maryland currently scheduled to commence after June 5, 2020, shall continue as presently scheduled, unless otherwise ordered or rescheduled by the presiding judge. To the extent the parties jointly believe an existing schedule needs to be adjusted, they should submit their proposal to the presiding judge in writing; and it is further

ORDERED that the provision of Standing Order 2020-07, extending all filing deadlines originally set to fall between March 16, 2020, and June 5, 2020, by eighty-four (84) days, remains in effect without further extension, unless otherwise ordered by the presiding judge in an individual case or by administrative order of the Bankruptcy Court. In other words, unless the presiding judge entered a subsequent order setting a different deadline, or an administrative order established a different deadline, the filing deadline will be the originally scheduled date, plus eighty-four days. If counsel is unable to meet a filing deadline while remaining in full compliance with orders and public health guidance relating to COVID-19, counsel should seek an extension of time from the presiding judge. Existing discovery deadlines falling after June 5,

2020 will be enforced, unless otherwise extended by the presiding judge. In the District Court, civil discovery deadlines and procedures are addressed by separate order; and it is further

ORDERED that, although physical access to the Courthouses presently remains restricted, the Court remains open for all filings and for proceedings that may occur by audio and/or video teleconference; and it is further

ORDERED that the scheduling of naturalization and admission ceremonies and Central Violations Bureau proceedings (misdemeanor, traffic, and petty offense dockets) will be addressed by separate order; and it is further

ORDERED that this Order does not toll any applicable statute of limitations. Electronic filing through CM/ECF remains available, and self-represented litigants may deposit and date-stamp papers in drop boxes at each courthouse between 9:00 a.m. and 4:00 p.m., Monday through Friday. For emergency criminal matters, please contact the assigned duty magistrate judge. For emergency civil matters, please contact the Clerk's Office at (410) 962-3625 or (301) 802-6170. For emergency bankruptcy matters, please contact the Bankruptcy Court Clerk's Office at (410) 962-2688 for Baltimore and (301) 344-8018 for Greenbelt; and it is further

ORDERED that further Orders addressing COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 will be entered as circumstances warrant; and it is further

ORDERED that Standing Order 2020-07 is SUPERSEDED, effective June 6, 2020.

Date: May 22, 2020

/s/ JAMES K. BREDAR
James K. Bredar, Chief Judge
United States District Court