

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI**

IN RE:

COURT OPERATIONS UNDER THE EXIGENT
CIRCUMSTANCES CREATED BY THE OUTBREAK
OF CORONAVIRUS DISEASE (COVID-19)

GENERAL ORDER

This General Order is being issued in response to the recent outbreak of Coronavirus Disease (COVID-19) throughout the United States and supersedes the Court's General Order dated March 24, 2020. The United States District Court for the Western District of Missouri continues to closely monitor the outbreak of COVID-19, including guidance from the Centers for Disease Control and Prevention ("CDC"). The CDC's guidance includes multiple types of mitigation strategies for communities with local COVID-19 transmission, with such strategies generally aimed at reducing or avoiding exposure to infected individuals.

In consideration of the pandemic resulting from the COVID-19 virus and to reduce the congregation of large numbers of people in courthouses, all in-person proceedings scheduled between today and May 17, 2020 are continued and all jury trials scheduled between today and July 6, 2020 are continued. It is further hereby ORDERED that:

1. Effective immediately, all civil jury trials scheduled to commence before any district or magistrate judge in the Western District of Missouri between today and July 6, 2020 are hereby CONTINUED;
2. All cases set on the June 1, 2020 Joint Criminal Jury Trial Docket, where no motion for continuance has been filed, are hereby CONTINUED to the Joint Criminal Jury Trial Docket of July 6, 2020. In granting this continuance, the Court finds that health concerns related to COVID-19 dictate that gatherings of people be limited, which counsels against summoning jurors for jury service. Moreover, prospective jurors may be reluctant to jeopardize their health and appear under these circumstances, which will hamper the Court's ability to ensure that a fair cross

section of the community is summoned. These realities negatively impact the fair administration of justice and the rights of defendants; those interests and concerns, coupled with the public health interests at stake, outweigh the interests of each defendant's right to and the public's interest in a speedy trial. Accordingly, pursuant to 18 U.S.C. § 3161(h)(7)(A), the time period of continuances through July 17, 2020 shall be excluded when computing the time within which trial must commence.

3. All grand jury proceedings in the Western District of Missouri are hereby CONTINUED through July 6, 2020, and the time for returning an indictment specified in 18 U.S.C. § 3161(b) is extended to July 10, 2020. In granting these extensions, the Court concludes that the ends of justice and best interests of the public outweigh the interests of defendants in a timely indictment. Health concerns related to COVID-19 dictate that gatherings of people must be limited, which counsels against convening a grand jury. Similarly, grand jurors may be reluctant to appear under these circumstances, which will hamper the Court's ability to ensure that a fair cross section of the community participates in the grand jury proceeding and will negatively impact the fair administration of justice. Accordingly, pursuant to 18 U.S.C. § 3161(h)(7)(A), the time period of this extension shall be excluded when computing the time within which an indictment must be filed.
4. All non-emergency criminal and civil hearings scheduled between today and May 17, 2020 are CONTINUED. However, criminal matters before magistrate judges, such as initial appearances, arraignments, detention hearings, and the issuance of warrants, will continue to take place;
5. Individual judges may continue to hold such hearings, conferences, and bench trials in the exercise of their discretion as may be necessary and appropriate to ensure the fairness of the proceedings and to preserve the rights of the parties;
6. This Order does not impact any case-specific deadlines in civil cases; individual judges may continue case-specific deadlines in civil cases in the exercise of their discretion;
7. This Order does not affect the Court's consideration of criminal or civil motions

that can be resolved without oral argument;

8. All bankruptcy hearings and trials scheduled through May 17, 2020, will be conducted by telephone or continued based on the circumstances and in the discretion of the judge;
9. All courthouses and offices in the Western District of Missouri will remain open for business. However, the public counters at all locations are closed to the public through May 17, 2020. The building lobbies are open Monday-Friday, 8:00 a.m. to 4:30 p.m. These hours are subject to change without notice. Drop boxes are available in each courthouse for public filings. Any filing deposited in a drop box will be collected and dated/filed on Mondays and Thursdays. Electronic filings may still be made through CM/ECF. For current information on Court operation, please consult the Court's website at <https://www.mow.uscourts.gov/>; and
10. This General Order is effective immediately.

IT IS SO ORDERED.

DATE: April 20, 2020

/s/ Beth Phillips
BETH PHILLIPS, CHIEF JUDGE
UNITED STATES DISTRICT COURT