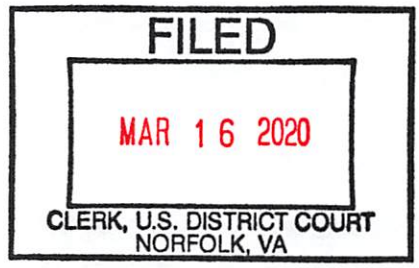
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA



In re:

COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY THE OUTBREAK OF CORONAVIRUS DISEASE 2019 (COVID-19): TEMPORARY CONTINUANCE OF COURT PROCEEDINGS AND RESTRICTIONS ON VISITORS TO COURTHOUSES

General Order No. 2020-03

The United States District Court for the Eastern District of Virginia has been closely monitoring the outbreak of Coronavirus Disease 2019 (COVID-19), as well as the developing guidance from the Centers for Disease Control and Prevention ("CDC").[1] The CDC has described the outbreak as a "rapidly evolving situation" and, as conditions worsen, is providing continuously updated guidance regarding the appropriate community response. Most recently, the CDC has recommended: (1) that in-person events consisting of fifty or more people should be canceled or postponed for the next eight weeks; and (2) that events of any size should be conducted only if it is possible to proceed in a manner that protects vulnerable populations. The President of the United States subsequently recommended that all Americans avoid gathering in groups of more than ten people.

Consistent with the evolving CDC advisories, this Court has implemented a staged response to the ongoing public health

[1] See https://www.cdc.gov/coronavirus/2019-nCoV/index.html.

emergency, and has done so with the input from multiple stakeholders and in conformity with this Court's Continuity of Operations Plan. The first stage involved suspending non-case related outside events, tours, and other gatherings in our Courthouses, as well as postponing naturalization ceremonies for the remainder of March 2020. The second stage of our response occurred on March 12, 2020, when this Court issued a General Order postponing and continuing to a future date the misdemeanor, traffic, and petty offense dockets scheduled District-wide through April 30, 2020. Gen. Order 2020-01. The third stage of our response occurred on March 13, 2020, when this Court issued a General Order postponing and continuing to a future date all civil and criminal jury empanelments, jury trials, and grand jury proceedings scheduled to commence from **March 16, 2020** through **April 17, 2020** before any district or magistrate judge in any U.S. Courthouse in the Eastern District of Virginia, with an exception permitting Alexandria grand juries to meet. Gen. Order 2020-02.

The rapidly evolving community, state, and federal response to the spread of COVID-19 has seen significant developments over the last week.[2] Given these developments, as well as the growing

[2] The President of the United States declared a national emergency, the Governor of the Commonwealth of Virginia declared a state of emergency, multiple federal courts have suspended jury proceedings, and classes at Virginia state universities, as well as K-12 public schools within Virginia, have been canceled or temporarily suspended. Additionally, today, on March 16, 2020, the Supreme Court of Virginia declared a "judicial emergency,"

number of confirmed COVID-19 cases within this District,[3] the Commonwealth of Virginia, and the surrounding states, and the rising number of U.S. and worldwide fatalities, additional preventive measures are appropriate at this time. It is therefore **ORDERED** that:

(1) All civil and criminal proceedings in the U.S. District Court for the Eastern District of Virginia, including court appearances, trials, hearings, and settlement conferences, scheduled to occur from **Tuesday, March 17, 2020**, through **Tuesday, March 31, 2020**, are **POSTPONED** and **CONTINUED**, and will be rescheduled at a later date, unless the presiding judge in an individual case issues an order after the filing of this General Order directing that a particular proceeding will be held on or before March 31, 2020. The above two-week postponement expressly applies to proceedings before the previously excepted Alexandria grand jury, unless directed otherwise by further order of this Court. While the grand jury is not meeting formally, the United States is permitted to seek documents and testimony for return dates after **March 31, 2020**. Moreover, due to the temporary unavailability of

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thereby suspending all non-essential, non-emergency state court proceedings in Virginia's district and circuit courts through April 6, 2020.

[3] The number of confirmed cases within this District has increased each day, as have the number of reports from recent visitors to our Courthouses indicating that they are concerned that they may have been exposed to COVID-19 and are now under self-quarantine.

a grand jury in this District, the time period from **March 17, 2020** through **March 31, 2020** is excluded from the thirty day time period for filing an indictment or information, pursuant to 18 U.S.C. § 3161(b) and (h)(7).

(2) All filing deadlines now set to fall **between March 17, 2020,** and **March 31, 2020,** are **EXTENDED** by fourteen days, unless the presiding judge in an individual case sets a different date by an order issued after the filing of this General Order.

(3) The Court will remain open for critical or emergency criminal and civil matters related to public safety, public health and welfare, and individual liberty, to include initial appearances, preliminary hearings, arraignments, detention hearings, and the issuance of warrants, as well as those proceedings ordered by any presiding judge after the filing of this General Order.

(4) This Order does not toll any applicable statute of limitations. Electronic filing through CM/ECF will remain available, and self-represented litigants may submit filings at each U.S. Courthouse during that Court's regular business hours. For emergency criminal matters, please contact the Clerk's Office at the appropriate Courthouse or the assigned

duty magistrate judge. For emergency civil matters, please contact the Clerk's Office at the appropriate Courthouse.[4]

Although Court proceedings are continued through **March 31, 2020**, the Courthouses and Clerks' Offices of the Eastern District of Virginia remain open at this time to receive filings and handle critical or emergency matters. As noted above, individual judges may take action to hold hearings or other proceedings on a case-by-case basis if such proceeding can be conducted in a manner that minimizes person-to-person contact and protects vulnerable individuals.

While our Courthouses will remain open at this time, it is hereby **ORDERED** that the following persons shall not enter any U.S. Courthouse or U.S. Probation Office in the Eastern District of Virginia without prior permission from the Chief Judge:

(1) any persons who have been diagnosed with COVID-19;

(2) any persons who have come into contact with any individual who has been diagnosed with COVID-19;

(3) any persons who have been instructed to self-quarantine by any doctor, hospital, health practitioner, or health agency;

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[4] The relevant contact information for each Courthouse is available at the links below:
Alexandria Courthouse - http://www.vaed.uscourts.gov/locations/ale.htm
Newport News Courthouse - http://www.vaed.uscourts.gov/locations/npn.htm
Norfolk Courthouse - http://www.vaed.uscourts.gov/locations/nor.htm
Richmond Courthouse - http://www.vaed.uscourts.gov/locations/ric.htm
Court of Appeals matters - http://www.ca4.uscourts.gov/contact

(4) any persons who reside with, or have had close contact with, any individual who has been instructed to self-quarantine by any doctor, hospital, health practitioner, or health agency;

(5) any persons who have, within the last fourteen days, been in any of the following U.S. regions or any of the countries for which the CDC has issued Level Two or Level Three travel health notices, including, as of the date of this order, the below listed countries:

U.S. REGIONS
- NEW ROCHELLE, NEW YORK
- STATE OF WASHINGTON

COUNTRIES
- CHINA
- IRAN
- SOUTH KOREA
- EUROPE (SCHENGEN AREA): AUSTRIA, BELGIUM, CZECH REPUBLIC, DENMARK, ESTONIA, FINLAND, FRANCE, GERMANY, GREECE, HUNGARY, ICELAND, ITALY, LATVIA, LIECHTENSTEIN, LITHUANIA, LUXEMBOURG, MALTA, NETHERLANDS, NORWAY, POLAND, PORTUGAL, SLOVAKIA, SLOVENIA, SPAIN, SWEDEN, SWITZERLAND, MONACO, SAN MARINO, AND VATICAN CITY
- UNITED KINGDOM AND IRELAND: ENGLAND, SCOTLAND, WALES, NORTHERN IRELAND, REPUBLIC OF IRELAND
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(6) any persons who reside with, or have had close contact with, any individual who, within the last fourteen days, has been in one of the countries or regions listed above.[5]

[5] As dictated by the ever-changing circumstances and the anticipated increase in community spread of COVID-19, the Court may issue further staged responses

In order to ensure compliance with the above restrictions designed to limit the spread of COVID-19, it is further **ORDERED** that the United States Marshal and his Deputies are authorized to deny entry to anyone attempting to enter a U.S. Courthouse or Probation Office within this District in violation of this General Order. Additionally, the attached Public Notices shall be posted outside of each respective U.S. Courthouse in the District.

If you are scheduled to appear at a U.S. Courthouse or Probation Office in this District and are unable to do so because of the restrictions in this Order, you are directed to proceed as follows:

- If you are represented by an attorney, please contact your attorney;
- If you are an attorney and are scheduled to appear in court before a judge, please contact that chambers directly;
- If you are scheduled to meet with a Pretrial Services Officer, please contact the office of Pretrial Services;
- If you are scheduled to meet with a Probation officer, please contact the Probation Office;
- If you are a juror, please contact the Jury Department;

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as the situation evolves, including possible expansions of the list of countries and regions set forth in the instant Order.

- For Bankruptcy matters, please contact the Bankruptcy Court Clerk's Office;
- For District Court matters, please contact the District Court Clerk's Office;
- For U.S. Court of Appeals matters, please contact Patricia S. Connor, Clerk of Court.[6]

The temporary restrictions regarding visitors set forth in this General Order shall remain in place until it is determined that it is appropriate to remove them. This Court shall continue to update these restrictions by further Order as dictated by changing circumstances and as additional guidance is received.

It is so ORDERED.

/s/ MSD

Mark S. Davis
CHIEF UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
March 16, 2020

[6] The relevant contact information for each Courthouse is listed above in footnote 4.

PUBLIC NOTICES - VISITOR RESTRICTIONS

Attached Notices:

- Alexandria Courthouse
- Newport News Courthouse
- Norfolk Courthouse
- Richmond Courthouse

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

Public Notice - Alexandria
Visitor Restrictions

In light of the Coronavirus Disease 2019 (COVID-19) outbreak and in accordance with the guidance issued by the Centers for Disease Control ("CDC"), the United States District Court for the Eastern District of Virginia hereby announces the following restrictions on entry to the courthouse and probation offices:

The following persons shall not enter any U.S. Courthouse or U.S. Probation Office in the Eastern District of Virginia without prior permission from the Chief Judge:

(1) any persons who have been diagnosed with COVID-19;

(2) any persons who have come into contact with any individual who has been diagnosed with COVID-19;

(3) any persons who have been instructed to self-quarantine by any doctor, hospital, health practitioner, or health agency;

(4) any persons who reside with, or have had close contact with, any individual who has been instructed to self-quarantine by any doctor, hospital, health practitioner, or health agency;

(5) any persons who have, within the last fourteen days, been in any of the following U.S. regions or any of the

countries for which the CDC has issued Level Two or Level Three travel health notices, including, as of the date of this order, the below listed countries:

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- SOUTH KOREA
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- UNITED KINGDOM AND IRELAND: ENGLAND, SCOTLAND, WALES, NORTHERN IRELAND, REPUBLIC OF IRELAND
- JAPAN

(6) any persons who reside with, or have had close contact with, any individual who, within the last fourteen days, has been in one of the countries or regions listed above.

Anyone attempting to enter in violation of these protocols will be denied entry. If you are scheduled to appear at a U.S. Courthouse or Probation Office in this District and are unable to do so because of the restrictions in this Order, you are directed to proceed as follows:

- If you are represented by an attorney, please contact your attorney;

- If you are an attorney and are scheduled to appear in court before a judge, please contact that chambers directly;
- If you are scheduled to meet with a Pretrial Services Officer, please contact the office of Pretrial Services at (703) 299-2250;
- If you are scheduled to meet with a Probation officer, please contact the Probation Office at (703) 299-2300;
- If you are a juror, please contact the Jury Department at (703) 299-2104;
- For Bankruptcy matters, please contact the Bankruptcy Court Clerk's Office at (703) 258-1200;
- For District Court matters, please contact the District Court Clerk's Office at (703) 299-2100; and
- For U.S. Court of Appeals matters, please contact Patricia S. Connor, Clerk of Court at (804) 916-2700.

These restrictions will remain in place temporarily until it is determined to be safe to remove them. **Any person who thinks that they may have been exposed to COVID-19 should contact their healthcare provider immediately.**

/s/

Mark S. Davis
CHIEF UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
March 16, 2020

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

Public Notice - Newport News
Visitor Restrictions

In light of the Coronavirus Disease 2019 (COVID-19) virus outbreak and in accordance with the guidance issued by the Centers for Disease Control ("CDC"), the United States District Court for the Eastern District of Virginia hereby announces the following restrictions on entry to the courthouse and probation offices:

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(2) any persons who have come into contact with any individual who has been diagnosed with COVID-19;

(3) any persons who have been instructed to self-quarantine by any doctor, hospital, health practitioner, or health agency;

(4) any persons who reside with, or have had close contact with, any individual who has been instructed to self-quarantine by any doctor, hospital, health practitioner, or health agency;

(5) any persons who have, within the last fourteen days, been in any of the following U.S. regions or any of the

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- If you are represented by an attorney, please contact your attorney;

- If you are an attorney and are scheduled to appear in court before a judge, please contact that chambers directly;
- If you are scheduled to meet with a Pretrial Services Officer, please contact the office of Pretrial Services at (757) 223-4640;
- If you are scheduled to meet with a Probation officer, please contact the Probation Office at (757) 223-4640;
- If you are a juror, please contact the Jury Department at (757) 222-7200;
- For Bankruptcy matters, please contact the Bankruptcy Court Clerk's Office at (757) 244-3678;
- For District Court matters, please contact the District Court Clerk's Office at (757) 247-0784; and
- For U.S. Court of Appeals matters, please contact Patricia S. Connor, Clerk of Court at (804) 916-2700.

These restrictions will remain in place temporarily until it is determined to be safe to remove them. **Any person who thinks that they may have been exposed to COVID-19 should contact their healthcare provider immediately.**

/s/

Mark S. Davis
CHIEF UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
March 16, 2020

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

Public Notice - Norfolk
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- If you are an attorney and are scheduled to appear in court before a judge, please contact that chambers directly;
- If you are scheduled to meet with a Pretrial Services Officer, please contact the office of Pretrial Services at (757) 222-7400;
- If you are scheduled to meet with a Probation officer, please contact the Probation Office at (757) 222-7300;
- If you are a juror, please contact the Jury Department at (757) 222-7200;
- For Bankruptcy matters, please contact the Bankruptcy Court Clerk's Office at (757) 222-7500;
- For District Court matters, please contact the District Court Clerk's Office at (757) 222-7201 for civil matters and at (757) 222-7202 for criminal matters; and
- For U.S. Court of Appeals matters, please contact Patricia S. Connor, Clerk of Court at (804) 916-2700.

These restrictions will remain in place temporarily until it is determined to be safe to remove them. **Any person who thinks that they may have been exposed to COVID-19 should contact their healthcare provider immediately.**

/s/

Mark S. Davis
CHIEF UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
March 16, 2020

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

Public Notice - Richmond
Visitor Restrictions

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- If you are represented by an attorney, please contact your attorney;

- If you are an attorney and are scheduled to appear in court before a judge, please contact that chambers directly;
- If you are scheduled to meet with a Pretrial Services Officer, please contact the office of Pretrial Services at (804) 916-2800;
- If you are scheduled to meet with a Probation officer, please contact the Probation Office at (804) 916-2500;
- If you are a juror, please contact the Jury Department at (804) 916-2212;
- For Bankruptcy matters, please contact the Bankruptcy Court Clerk's Office at (804) 916-2400;
- For District Court matters, please contact the District Court Clerk's Office at (804) 946-2220 for civil matters and at (804) 916-2230 for criminal matters; and
- For U.S. Court of Appeals matters, please contact Patricia S. Connor, Clerk of Court at (804) 916-2700.

These restrictions will remain in place temporarily until it is determined to be safe to remove them. **Any person who thinks that they may have been exposed to COVID-19 should contact their healthcare provider immediately.**

/s/

Mark S. Davis
CHIEF UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
March 16, 2020