

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GENERAL ORDER No. 72-5

IN RE: Coronavirus Disease Public Health Emergency

WHEREAS, the COVID-19 (Coronavirus Disease) outbreak remains a national public health emergency;

WHEREAS, the Judges of the United States District Court for the Northern District of California continue to balance the various interests implicated by the COVID-19 public health emergency; and

WHEREAS, the Judges of the United States District Court for the Northern District of California have determined that, due to a recent increase in COVID-19 cases and in light of the current guidance of public health agencies, the public safety will be best served by limiting the permissible in-court criminal proceedings to ten people, which necessarily precludes jury trials;

NOW THEREFORE, the United States District Court, Northern District of California, hereby issues the following Order, effective immediately:

Civil Cases:

1. No new jury trial will be conducted through September 30, 2020. Any jury trial currently scheduled to commence before October 1, 2020, will be postponed or vacated. However, individual judges may offer bench trials by videoconference in lieu of postponement.
2. Through September 30, 2020, all civil matters will be decided on the papers, or if the assigned judge believes a hearing is necessary, the hearing will be by telephone or videoconference. This applies to motion hearings, case management conferences, pretrial conferences, settlement conferences, Alternative Dispute Resolution (“ADR”) proceedings, and bench trials. For specific instructions on telephone or video appearances, see the docket on PACER, the assigned judge’s schedule of upcoming proceedings (located on each judge’s web page at cand.uscourts.gov/judges), or the [ADR webpage](#).

Criminal Cases:

1. No new jury trial will be conducted through September 30, 2020. Any jury trial currently scheduled to commence before October 1, 2020, will be postponed or vacated.
2. Initial appearances and other proceedings before the magistrate judges will be conducted by telephone or by videoconference. New arrestees shall be booked at Santa Rita Jail and produced for court appearance the following day instead of being presented for booking at the U.S. Marshals Service lockup.
3. Other court appearances may be waived or postponed, or may be conducted by telephone or videoconference. See [General Order 74](#) for procedures pursuant to the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). A limited number of in-court proceedings are permitted, with a limit of 10 people present in the courtroom at one time.
4. To the extent possible, after lodging/filing an application to enter an open guilty plea or a plea agreement, guilty pleas and sentencing shall be consolidated for a date after the presentence

report has been prepared.

Other:

1. All local rules requiring that a courtesy copy be provided to the chambers of the assigned judge are suspended pending further notice, unless a judge orders otherwise in a specific case.
2. The requirement under Civil Local Rule 5-1(b) that a pro se party must request permission from the assigned judge to use the court's Electronic Case Filing (ECF) system is suspended pending further notice.
3. Pending further notice, the courthouses and law libraries are closed for public events, tours, and visits.
4. Effective immediately, this General Order supersedes General Order 72-4.

ADOPTED: July 23, 2020

FOR THE COURT:

A handwritten signature in black ink, appearing to read 'Phyllis J. Hamilton', is written over a horizontal line.

Phyllis J. Hamilton
Chief Judge