

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GENERAL ORDER NO. 77

IN RE: PROVISIONAL MODIFICATIONS TO JURY PLAN DUE TO
COVID-19 PUBLIC HEALTH EMERGENCY

In light of the presently-known risks to public health caused by the novel coronavirus disease (COVID-19) pandemic and the recommendations of local, state and national public health officials to maintain physical distancing and to avoid holding large indoor gatherings, particularly for higher-risk populations, in order to prevent exposure to and transmission of the disease, the court temporarily modifies the provisions of the Jury Plan under General Order No. 6 in two respects: (1) to lower the minimum age at which persons of that age group may request to be excused from jury service from 75 years to 70 years of age, and (2) to extend the period of time that a person may, upon request, defer or postpone jury service from six months to 12 months.

Accordingly, Section XII of General Order No. 6 now provides as follows, with the provisional modifications underlined below:

XII. EXCUSES ON INDIVIDUAL REQUEST

The court finds that jury service by the groups of persons or occupational classes listed below would entail undue hardship or extreme inconvenience to the members thereof and excuse of the members thereof would not be inconsistent with 28 U.S.C. §§ 1861 and 1862. The Clerk will excuse, upon individual request, members of the following groups:

- Persons over 70 years of age;
- Persons who within the last year have served on one or more petit or grand juries in any state court, or who have reported in person to the courthouse in response to a jury summons; persons who serve without compensation as firefighters or members of a rescue squad or ambulance crew for a public agency.

The court, or the Clerk as authorized by the court, may excuse a person summoned for jury service upon a showing of undue hardship or extreme inconvenience if required to serve.

Upon request, the Clerk may defer for up to six months the service of a person summoned.

Extended deferral period during COVID-19 public health emergency: for the duration of the period that this court's General Order No. 72-3 (or a subsequent amended or superseding order) remains in effect, if a person summoned has already used his or her full six-month deferral of service, the Clerk may temporarily extend the deferral period from six months to twelve months.

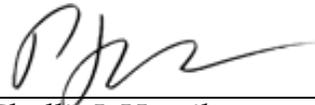
In any one-year period, no person may be required to (1) serve or attend court more than once or be on standby for prospective service as a petit juror for a total of more than two weeks, except when necessary to complete service in a particular case, or (2) serve on more than one grand jury, or (3) serve as both a grand and petit juror.

These provisional modifications to the Jury Plan will remain in effect until expressly abrogated either by General Order or by approval and adoption of a superseding Jury Plan.

IT IS SO ORDERED.

ADOPTED: June 9, 2020

FOR THE COURT:



Phyllis J. Hamilton
Chief Judge