

IN THE UNITED STATES DISTRICT AND BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

In Re:

**Court Operations in Response to
Coronavirus (COVID-19)**

GENERAL ORDER NO. 362

This General Order is being issued in response to the Governor of Idaho’s March 25, 2020 Order to Self-Isolate. This Order supersedes General Order 360. The President of the United States has declared a national public health emergency, and the Governor of Idaho has declared a public health state of emergency in the State of Idaho, caused by the threat of the worldwide 2019 novel coronavirus pandemic.

The Centers for Disease Control and Prevention (“CDC”) and other health authorities have advised people to take precautions to reduce the exposure to COVID-19 and to slow the spread of the disease. One important recommendation by these health authorities is that people avoid groups whenever possible and that people participate in social distancing. To that end, the CDC strongly recommends that employers minimize exposure between employees and the public, and to consider the public health and safety when scheduling group or public events. In addition, Governor Little has declared that all citizens and residents of Idaho “stay-in-place” for 21 days.

The daily function of a federal courthouse involves regular interaction between large and small groups of people, all of which need to be managed and limited in a sensible and

appropriate manner so that recommended precautions against the spread of COVID-19 can be implemented for the protection of court employees and members of the public. Accordingly,

IT IS HEREBY ORDERED: The consolidated United States District Court and Bankruptcy Court for the District of Idaho shall be closed until April 15, 2020, subject to the following conditions:

1. The fourth, fifth and sixth floors of the James A. McClure Federal Building and United States Courthouse in Boise, Idaho, which are the floors occupied by the federal courts are closed except for essential hearings. The Coeur d'Alene and Pocatello courthouses are closed except for essential hearings.
2. The determination of which hearings are essential will be left to the presiding judge. Any hearing deemed essential will be conducted with the least number of persons as possible in the actual courtroom, as determined by the presiding judge. Video and telephonic means will be utilized to the extent possible. Those persons in the courtroom will maintain a distance from each other of six feet in accordance with social distancing and no more than ten people will be physically present in the courtroom. Only persons specifically permitted by the presiding judge, and then only if directly connected to the hearing may be present in the courtroom. Persons who are not permitted to enter but who are interested in following the hearing may listen to the proceeding by using a call-in telephone number that will be listed on the judge's calendar docket, accessible on the court website at <https://id.uscourts.gov>.
3. This Order does not affect the Court's consideration of bankruptcy, civil or criminal motions that can be decided without oral argument or in-court presentation of evidence.

4. The staff of the Clerk's Office and the Probation and Pretrial Services Office shall telework, mail will be collected from the U.S. Post Office at least weekly, and electronic filing in CM/ECF remains mandatory for all filers excepting only pro se litigants. Pro se litigants may file by emailing their filings to these email addresses: Idaho_dist_filings for district court filings and Idaho_BK_filings for bankruptcy filings. Essential staff will need to process incoming and outgoing mail and make deposits on a weekly basis. This will necessitate the need for CSO coverage one day per week, the Clerk of the Court is to make arrangements with the United States Marshal's Service to accommodate this need. In lieu of over-the-counter payments for Bankruptcy cases, parties should mail payments to:

United States District Courts
550 W. Fort Street
Suite 400
Boise, ID 83724.

5. The Court will post signs at the entrance of its three courthouses listing the website where a copy of this order can be obtained, and the email address for pro se litigants to use.
6. All grand jury proceedings scheduled to commence before May 11, 2020 are suspended unless otherwise ordered by the Chief District Judge. If, because of the suspension of grand jury proceedings in the District of Idaho, an individual charged with a felony in the District of Idaho but as to whom no information or indictment charging such individual with the commission of such offense is filed within 30 days from the date on which the individual was arrested or served with a summons in connection with such charges

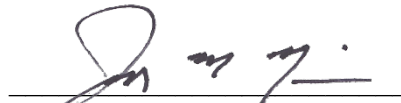
because of the suspension of the grand jury proceedings, the period of time for filing of the indictment shall be extended an additional 30 days pursuant to 18 U.S.C. 3161(b);

7. The COVID-19 pandemic and the measures being undertaken to control the spread of the illness collectively make it unfeasible and inadvisable to summons potential jurors for jury trial proceedings. Therefore, all jury trials scheduled to begin on or before May 11, 2020 are continued until further order of the Court. All time delay caused by the continuation of any such trial in a criminal case is deemed excludable time under the Speedy Trial Act, 18 U.S.C. 3161(h)(7)(A) because the ends of justice served by ordering these continuances outweigh the best interest of the public and each defendant's right to speedy trial. Each trial will be reset individually in separate orders;
8. All in-person meetings involving members of the public or the Bar scheduled to occur on or before May 11, 2020, at one of the Idaho federal courthouses, such as local rules committee meetings, shall be rescheduled or conducted by video conference or teleconference.

DATED this 27th day of March, 2020



David C. Nye
Chief District Judge



Joseph M. Meier
Chief Bankruptcy Judge