

GENERAL ORDER 20-03

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

COURT OPERATIONS UNDER EXIGENT CIRCUMSTANCES

CREATED BY THE COVID-19 PANDEMIC

This General Order is in response to the recent outbreak of a novel coronavirus in the United States and the State of Texas. The World Health Organization has declared the disease it causes, "coronavirus disease 2019" (COVID-19), a global pandemic, having spread across more than 120 countries with a rising toll of thousands of confirmed cases. The United States District Court for the Eastern District of Texas (EDTX) is closely monitoring the outbreak of COVID-19, in conjunction with the developing guidance from the Centers for Disease Control and Prevention (CDC). The CDC has described the outbreak in the United States as a "rapidly evolving situation" and is providing continuously updated guidance as to the appropriate community response to COVID-19 as conditions worsen. The CDC's guidance includes multiple types of mitigation strategies generally aimed at reducing or avoiding exposure to infected individuals.

As of the date of this Order, there have been several confirmed cases of COVID-19 within the Eastern District of Texas. The CDC and other public health entities have recommended social distancing to limit further community spread of COVID-19. The Court is concerned with the health and safety of the public, Court employees, staff of other entities with whom Court personnel interact, litigants, counsel, interpreters, law enforcement officials, and jurors, who must work in close quarters to hear evidence and to deliberate.

Therefore, given the severity of risk to the persons by the spread of COVID-19 in EDTX, and taking into consideration matters of public health, while reducing the size of public gatherings and the need for travel, the Court orders as follows:

1. All jury trials (criminal and civil) scheduled to begin on any date from this date through May 1, 2020, are continued, to a date to be reset by each presiding judge. Those

continuances do not continue any pending deadlines other than the trial dates. Attorneys should contact the presiding judges in their impacted cases if they seek to modify such other deadlines.

2. Due to the Court's reduced ability to obtain an adequate spectrum of jurors and due to the reduced availability of attorneys and Court staff to be present in courtrooms because of the public health considerations described above, the time period of the continuances implemented by this Order are excluded under the Speedy Trial Act, 18 U.S.C § 316(h)(7)(A). The Court finds that the ends of justice served by ordering these continuances outweigh the best interests of the public and each defendant's right to a speedy trial. In fact, the best interests of the public are served by these continuances.

3. The currently scheduled session of the EDTX Grand Jury to be held in Tyler, Texas on Wednesday, March 18th, 2020, shall proceed as scheduled and shall conclude prior to the end of Thursday, March 19th, 2020. All other grand jury proceedings within EDTX through May 1, 2020, are continued. All related deadlines are suspended and tolled for all purposes, including the statute of limitations, from this date through May 1, 2020.

4. Individual judges may continue to hold bench trials, in-person hearings, sentencing proceedings, scheduling conferences and other court proceedings as they deem appropriate, on a case by case basis. Counsel may seek relief from those matters by appropriate motions. The use of telephonic or video proceedings are welcomed where such are deemed appropriate by the presiding judge. This Order does not impact any court's continuing discretion to consider and decide particular matters on the papers alone. This order is intended to afford each presiding judge with maximum discretion to handle their respective dockets (aside from jury trials addressed above) as they deem best considering the totality of the circumstances. Individual corporate and law firm policies on travel and related matters may be raised by counsel via motion practice, but such shall not be binding or controlling on the Court in any respect.

5. Magistrate Judges will continue to preside over criminal matters, such initial appearances, arraignments, detention hearings and the issuance of warrants.

6. Any events involving the court that are not case-specific, including, but not limited to, continuing legal education courses, public tours, administration of oaths to attorneys, and naturalization ceremonies conducted by the Court which are scheduled to occur between this date and May 1, 2020, are hereby canceled, to be subsequently rescheduled as appropriate.

7. All courthouses in the Eastern District of Texas, including the Clerk's Offices, Bankruptcy Court and Clerk's Offices, and Probation Offices, will remain open for business. No courthouse facility will be closed without a subsequent specific order issued by the Chief Judge of EDTX. Notwithstanding such, certain court employees, including some of chambers staff, may be teleworking between this date and May 1, 2020, but any employees teleworking will be accessible by phone or email. Electronic filings shall continue to be made through the CM/ECF system.

8. Any delivery directed to chambers shall be delivered instead to the Clerk's Offices in each courthouse.

9. Unless extended, this Order will remain in effect through May 1, 2020, and will expire on May 2, 2020, without further order or action.

10. Judges, unit executives, and supervisors should demonstrate flexibility in balancing the staffing needs of the court and court units with the individual needs of our employees; this to be done without forgetting our continuing constitutional mandate to carry on, as practical and prudent, the work of the court and the pursuit of justice.

FOR THE COURT:

SO ORDERED and SIGNED this 16th day of March, 2020.



RODNEY GILSTRAP
Chief Judge

**UNITED STATES DISTRICT COURT
IN AND FOR
THE EASTERN DISTRICT OF TEXAS**

IN RE:

GENERAL ORDER

TARGETED VISITOR RESTRICTIONS

NO. 20-04

ORDER

In response to Centers for Disease Control advisements to take precautions regarding the COVID-19 virus (coronavirus) outbreak by limiting exposure to the virus, while also being mindful that the court facilities within the United States District Court for the Eastern District of Texas (EDTX) are public buildings in which the public is welcomed, EDTX will enforce the following targeted visitor restrictions effectively immediately and through May 1, 2020.

IT IS ORDERED, effective immediately, that the following persons shall not enter any United States Courthouse or Bankruptcy Court within EDTX:

- Persons who have traveled to any of the following countries within the preceding 14 days: People's Republic of China, South Korea, Japan, Iran, or Western Europe.
- Persons who reside or have had close contact with someone who has traveled to one of the countries listed above within the preceding 14 days.

- Persons who a medical doctor, doctor of osteopathy, hospital or public health agency has directed to self-quarantine, during such period of self-quarantining.
- Persons who have been diagnosed with COVID-19 and who have not obtained express medical verification as now being non-communicative/non-contagious from a medical doctor, doctor of osteopathy, hospital or public health agency.
- Persons who present for entry to any such court facility and exhibit fever, cough or shortness of breath.

IT IS ORDERED that all Court Security Officers acting within EDTX (CSOs), following substantive guidance from this Order and administrative guidance from the United States Marshal for EDTX, shall deny entry to anyone attempting to enter any such court facility in violation of these protocols. In the event of any uncertainty as to a person's ability to gain entrance to a court facility hereunder, the CSOs shall immediately contact the U. S. Marshal for EDTX or his designated Deputy Marshal for a determination, which shall control.


If you are scheduled or required to appear in district court, magistrate court or bankruptcy court during the period of this order and you are unable to gain entry because of these targeted visitor restrictions, you should proceed as follows:

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

- If you are an attorney scheduled to appear in court before a judge, please contact the respective Chambers directly by telephone. Telephone contact information for the District Court is available at: <http://www.txed.uscourts.gov/>. Telephone contact information for the Bankruptcy Court is available at: <https://www.txeb.uscourts.gov/>.
- If you are scheduled to meet with a probation or pretrial services officer, please contact the Probation and Pretrial Services Office directly for guidance and instructions.
- For any other District Court matters, please contact the EDTX Clerk of Court at (903) 590.1111 in Tyler, Texas or the Deputy Clerk in Charge within the applicable division.
- For any other Bankruptcy Court matters, please contact the Clerk of Court at (903) 590.3200.

IT IS ORDERED that, unless extended by subsequent order, these restrictions shall remain in place until May 1, 2020, when they shall automatically expire. The U. S. Marshal for EDTX shall promptly secure the prominent posting of this order at the main entrance to all court facilities within EDTX.

FOR THE COURT this 18th day of March, 2020.



RODNEY GILSTRAP
Chief Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

DIVISIONAL STANDING ORDER

REGARDING PLANO COURTHOUSE CLOSURE UNTIL APRIL 2, 2020

This Divisional Standing Order responds to recent information that an individual with a presumptive positive diagnosis for the COVID-19 coronavirus visited the Plano Courthouse on Wednesday, March 18, 2020, at approximately 10:00 a.m. As a precautionary measure, and to protect the health and safety of court employees, parties having business with the court, and the public, **the Plano Courthouse for the United States District Court for the Eastern District of Texas - located at 7940 Preston Road in Plano, Texas, is hereby ORDERED CLOSED** effective Wednesday, March 18, 2020, through Wednesday, April 1, 2020.

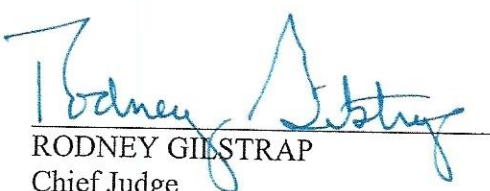
All civil and criminal matters scheduled for an in-Court appearance before any district or magistrate judge in the Plano Courthouse, including any associated deadlines, are CONTINUED until further notification.

The United States District Clerk's Office and the Courthouse in Sherman, Texas, remain open, in addition to the Clerk's Offices and Courthouses in Beaumont, Lufkin, Marshall, Texarkana and Tyler, Texas, all subject to the limitations described in the Court's General Orders 20-03 and 20-04. Electronic filing in the CM/ECF system remains available.

Plano Courthouse staff will practice self-isolation for the next 14 days and telework. Plano Courthouse visitors who were present at the Courthouse at 10:00 a.m. or thereafter on March 18, 2020, are recommended to practice self-isolation, monitor for symptoms and seek medical attention as a precaution, as directed by their healthcare provider.

FOR THE COURT:

SO ORDERED and SIGNED this 18th day of March, 2020.


RODNEY GILSTRAP
Chief Judge