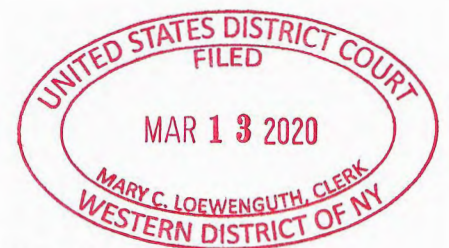


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



COURT OPERATIONS UNDER THE EXIGENT
CIRCUMSTANCES CREATED BY COVID-19

GENERAL ORDER

WHEREAS, the Centers for Disease Control (“CDC”) has advised people to take precautions considering the Coronavirus Disease 2019 (“COVID-19”) outbreak and noted that the best way to prevent illness is to avoid being exposed to this virus;

WHEREAS, on March 7, 2020, the Governor of the State of New York declared a disaster emergency in the State of New York in response to COVID-19;

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to COVID-19;

WHEREAS, as of the date of this Order, there have been over 135,000 cases of COVID-19 worldwide, 1,900 confirmed cases of COVID-19 in the United States, and over 300 cases of COVID-19 in the State of New York. Although for many this disease appears to cause only flu-like symptoms, for others it can pose a serious risk. Over 4,000 people have died worldwide, and 41 people have died in the United States;

WHEREAS, in February of this year, the CDC issued “Interim Guidance” recommending that all employers consider how best to decrease the spread of COVID-19, including the review of guidance from state and local health officials. Employers were advised to maximize telecommuting, promote social distancing, and avoid bringing large groups of people together.¹ On March 12, 2020, the CDC issued a recommendation that individuals at a higher risk (*e.g.*, older

¹ *Interim Guidance for Businesses and Employers*, Centers for Disease Control and Prevention, <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html> (last updated Feb. 26, 2020).

individuals, those with underlying health conditions, and those who are pregnant) stay at home and away from large groups of people.²

IT IS HEREBY ORDERED that given the significant number of identified and projected cases of COVID-19 in the State of New York and the severity of risk posed to the public, and given the above public health recommendations from public health authorities, effective March 16, 2020:

- 1) All civil jury trials in this District are CONTINUED for a period of sixty (60) days;
- 2) All grand jury selections in this District are CONTINUED for a period of sixty (60) days;
- 3) With regard to all other proceedings (criminal and civil), judges are encouraged to reduce personal appearances as much as practicable. If a judge finds it appropriate, after making specific findings, criminal proceedings may be adjourned for a period of sixty (60) days. The time period of the adjournment will be excluded under the Speedy Trial Act if the Court determines that the ends of justice will be served by ordering the continuances and that outweighs the best interests of the public and any defendant's right to a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(A). Each judge shall make a determination based upon the facts and circumstances of each case;
- 4) This Order does not affect the Court's consideration of civil or criminal motions that can be resolved without oral argument or personal appearances;

² *People at Risk for Serious Illness from COVID-19*, Centers for Disease Control and Prevention, <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications.html> (last updated Mar. 12, 2020).

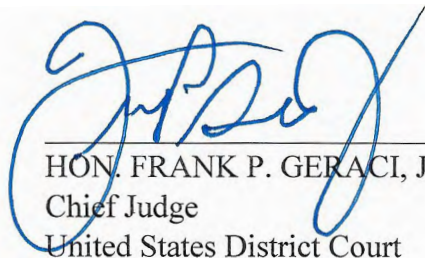
- 5) No naturalization proceedings will be conducted in the Courthouses of the Western District of New York or by a judge of this District in any location for the next sixty (60) days;
- 6) The Court hereby grants the office of the United States Citizenship and Immigration Services the authority to perform administrative naturalization ceremonies under 8 U.S.C. § 1421 for the next sixty (60) days, subject to further order of the Court;
- 7) If possible, the Court will conduct attorney admissions via video conference.

IT IS FURTHER ORDERED that the Rochester and Buffalo Courthouses remain open, subject to the above limitations. Staff in the Clerk's Office will be available by telephone, mail will be received, and intake desks remain open for filings. Electronic filings may still be made through the CM/ECF system. The public is encouraged to continue utilizing Court services while following all applicable public health guidelines.

IT IS FURTHER ORDERED that this Order shall remain in effect until May 13, 2020, unless otherwise ordered by the Court. The Court reserves the right to amend, modify, terminate, or extend this Order at any time.

IT IS SO ORDERED.

Dated: March 13, 2020
Rochester, New York



HON. FRANK P. GERACI, JR.
Chief Judge
United States District Court