

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE: UPDATED GUIDANCE TO COURT OPERATIONS
UNDER THE EXIGENT CIRCUMSTANCES CREATED BY
COVID-19

GENERAL ORDER
No. 20

WHEREAS, the Court has issued a series of General Orders re: Court Operations Under the Exigent Circumstances Created by COVID-19, which are available on the Court's website at www.mnd.uscourts.gov;

WHEREAS, the President of the United States of America has declared a national emergency in response to COVID-19;

WHEREAS, the Governor of the State of Minnesota declared a peacetime emergency to coordinate Minnesota's strategy to protect Minnesotans from COVID-19 and extended the COVID-19 peacetime emergency through November 12, 2020;

WHEREAS, the Governor of the State of Minnesota has issued Emergency Executive Order 20-74, Continuing to Safely Reopen Minnesota's Economy and Ensure Safe Non-Work Activities during the COVID-19 Peacetime Emergency, which continues to place several restrictions on Minnesota residents;

WHEREAS, the Emergency Executive Order 20-74, does not limit, prohibit, or restrict in any way the operations of the federal government, or the movement of federal officials in Minnesota while acting in their official capacity, including federal judicial staff and personnel;

WHEREAS, local detention facilities continue to implement several COVID-19 related restrictions that impact the ability of pretrial detainees to consult with legal counsel and appear in-person at a U.S. Courthouse; and the Bureau of Prisons has implemented modified operations, affecting inmate movement;

WHEREAS, the Court developed a protocol for jury trials to ensure the health and safety of all participants and resumed limited jury trials in September 2020.

FILED *November 4, 2020*
KATE M. FOGARTY
JUDGMENT ENTD
DEPUTY CLERK *MSP*

WHEREAS, Minnesota continues to experience high COVID-19 infection rates across the entire state, with active COVID-19 cases at record highs.

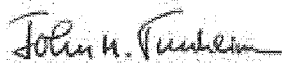
WHEREAS, the Judges of the United States District Court, District of Minnesota, have considered and extensively discussed the various interests implicated by the COVID-19 outbreak and any court response to the outbreak, including: the health of jurors, witnesses, parties, attorneys, the public, court staff, and judges; the constitutional rights of criminal defendants and other parties, and the ability to conduct certain criminal proceedings via videoconference or telephone conference under the CARES Act; and the public's interest in, and the court's duty to ensure, the effective and expeditious administration of justice;

NOW THEREFORE, to continue to protect public health, reduce the size of public gatherings, reduce unnecessary travel, and respond to the COVID-19 outbreak, **IT IS HEREBY ORDERED**, that:

1. All criminal trials that have not already commenced as of the date of this order, are continued through December 31, 2020.
 - a. If the criminal jury trial must be continued, the Court finds that the time of the continuances implemented by this order will be excluded under the Speedy Trial Act, as the Court specifically finds that the ends of justice are served by ordering the continuances and outweigh the best interests of the public and of the criminal defendants under 18 U.S.C. § 3161(h)(7)(A). Absent further order of the Court or any individual judge, the period of exclusion shall be from March 17, 2020, to the date that the criminal jury trial commences.
 - b. Where appropriate, the presiding judge will enter orders in individual cases to extend deadlines and exclude time under the Speedy Trial Act.
 - c. All trial-specific deadlines in criminal cases are continued through December 31, 2020, or as ordered by the presiding judge.
2. All civil trials are continued through December 31, 2020.
 - a. All civil jury trial-specific deadlines are continued through December 31, 2020, or as ordered by the presiding judge.
3. Exceptions to this order may be approved by the Chief Judge or the presiding judge if special circumstances so require.

4. This order updates General Order No. 18 concerning jury trials; all other provisions in General Order No. 18 remain in effect. Further, General Orders Nos. 7-8, 10-13, 15, and 19 remain in effect.
5. The Court will vacate or amend this order no later than December 31, 2020.

Dated in Minneapolis, Minnesota, November 4, 2020 at 5:00 p.m.



JOHN R. TUNHEIM
Chief Judge
United States District Court