

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

**IN RE:** :  
: **STANDING ORDER**  
**EXTENSION OF ADJUSTMENTS TO** :  
**COURT OPERATIONS DUE TO THE** :  
**EXIGENT CIRCUMSTANCES** :  
**CREATED BY COVID-19** :

In the interest of public health and safety, the Court has taken significant steps to limit operations due to the exigent circumstances created by the ongoing coronavirus disease 2019 (COVID-19) pandemic. The Court has issued a series of Standing Orders that continue all civil and criminal jury trials and certain other court proceedings and events; restrict access to courthouses, Court locations, and Court offices in the Eastern District of Pennsylvania; and make adjustments to the operations of the Clerk’s Office and the use of the Case Management/Electronic Case Filing (CM/ECF) system through April 13, 2020. Given the current circumstances with respect to COVID-19 in this district, it is necessary and appropriate to extend these measures through May 31, 2020, to protect public health and safety, including the safety of Court personnel and all persons entering courthouses, Court locations, and Court offices in this district.

Since the first Standing Order was issued on March 13, 2020, the number of confirmed cases of COVID-19 in this district has increased substantially to more than 12,000. Additional measures have been implemented at the Federal, State, and local levels to slow the spread of COVID-19 by minimizing person-to-person contacts. The President of the United States has declared that the COVID-19 outbreak constitutes a national emergency under the National Emergencies Act, 50 U.S.C. § 1601 et seq., and has issued guidelines recommending that people not gather in groups of more than ten. The Governor of the Commonwealth of Pennsylvania and the Secretary of Health for the Commonwealth have ordered all individuals residing in the

Commonwealth to stay at home, except as needed to access, support, or provide life sustaining business, emergency, or government services, through April 30, 2020, and all Pennsylvania schools have been closed through the end of the current academic year. A similar stay-at-home order is in place indefinitely in the City of Philadelphia, where the Mayor and the Health Commissioner have also prohibited all public and private gatherings of any number of people occurring outside a single household or living unit. The Centers for Disease Control and Prevention (CDC) and State and local public health authorities have issued guidance recommending that people stay at home as much as possible, refrain from gathering in groups, limit close contact with individuals outside their households, avoid using any kind of public transportation, ridesharing, or taxis, and refrain from non-essential travel. Public health authorities continue to stress the importance of social or physical distancing (i.e., keeping space between oneself and others) for all people, especially those at higher risk for severe illness from COVID-19, including older adults and people of any age who have serious underlying medical conditions.

In light of the ongoing COVID-19 outbreak in this district and the circumstances described above and in this Court's prior Standing Orders, it is ORDERED as follows:

1. The United States District Court for the Eastern District of Pennsylvania will remain open for business in all Court locations (Philadelphia, Allentown, Reading, and Easton), subject to the following limitations.

**Continuance of Jury Trials and Certain Other Court Proceedings and Events**

2. All civil and criminal jury selections and jury trials scheduled to begin on or before May 31, 2020, before any district or magistrate judge in any courthouse or Court location in the Eastern District of Pennsylvania are CONTINUED pending further Court order. All jury

selections and trials impacted by this Standing Order will be rescheduled by the presiding judicial officer.

3. No grand jury selections will occur on or before May 31, 2020, and impaneled grand juries will not meet during this time. All existing grand juries shall remain in session, and any subpoenas for ongoing and new investigations are enforceable.

4. Aside from ordering a jury trial, individual judges presiding over criminal proceedings may take such actions consistent with this Standing Order as may be lawful and appropriate to ensure the fairness of the proceedings and preserve the rights of the parties.

5. With respect to criminal trials continued by this Standing Order, the Court is cognizant of the right of criminal defendants to a speedy and public trial under the Sixth Amendment and the particular application of that right in cases involving defendants who are detained pending trial. In light of the developments regarding the COVID-19 outbreak in this district outlined above and in the Standing Orders issued on March 13, 2020, and March 18, 2020, the Court finds the ends of justice served by granting a continuance outweigh the best interest of the public and each defendant in a speedy trial. The developments with regard to the COVID-19 outbreak in this district continue to impede the Court's ability to obtain an adequate complement of trial jurors and impact the ability of Court personnel, counsel, and other participants to be present during trial. It is not possible for the Court to proceed with jury selections and jury trials at this time consistent with the guidance that people not gather in groups of more than ten and the other restrictions and public health guidance described above. In these circumstances and given the seriousness of the ongoing COVID-19 outbreak in this district, failure to postpone jury trials through May 31, 2020, would be likely to make the continuation of such trials impossible or result in a miscarriage of justice. Accordingly, the time period from March 13, 2020, through May 31,

2020, shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), for all criminal cases impacted by this trial continuance. The Court may extend the period of exclusion by further order as circumstances may warrant, and the presiding judge in any criminal case for which trial is continued under this Standing Order may make any additional findings and exclude additional time, as necessary and appropriate, regarding the scheduling of any new date for trial. Any motion by a criminal defendant seeking an exception to this Standing Order for the purpose of exercising the defendant's speedy trial rights shall be referred to the Chief Judge.

6. The developments regarding the COVID-19 outbreak in this district outlined above and in the Standing Orders issued on March 13, 2020, and March 18, 2020, also prevent the continued operation of grand juries at this time. In light of these developments, grand juries have not met in this district since March 17, 2020, and will not meet through May 31, 2020, in the interest of public health and safety. Due to the unavailability of a grand jury in this district during this period, the deadlines for filing an indictment or information under 18 U.S.C. § 3161(b) and (d)(1), which were previously continued in the March 18 Standing Order, shall remain continued through May 31, 2020. The Court finds the ends of justice served by granting a continuance outweigh the best interest of the public and each defendant in a speedy trial. Because of the temporary unavailability of a grand jury in this district due to ongoing COVID-19 public health emergency, it is unreasonable to expect return and filing of an indictment within the period specified under § 3161(b). *See* 18 U.S.C. § 3161(h)(7)(B)(iii). In computing the time within which an indictment or information must be filed under 18 U.S.C. § 3161(b) or (d)(1), the period of time from March 18, 2020, through May 31, 2020, shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), in all cases in this district. The Court may extend the period of exclusion as circumstances warrant. Any motion by a criminal defendant seeking an exception to

this Standing Order for the purpose of exercising the defendant's speedy trial rights shall be referred to the Chief Judge.

7. All Central Violations Bureau proceedings scheduled to occur on or before May 31, 2020, are CONTINUED pending further Court order.

8. All arbitration hearings pursuant to Local Civil Rule 53.2 scheduled to occur on or before May 31, 2020, are CONTINUED pending further Court order.

9. All public gatherings, other than court proceedings, are SUSPENDED at all courthouses and Court locations within the Eastern District of Pennsylvania through May 31, 2020. This includes, but is not limited to, group tours and visits, moot courts and mock trials, bar group meetings, seminars, naturalization ceremonies, and attorney admission ceremonies. Attorneys seeking admission to practice in the Eastern District of Pennsylvania pursuant to Local Civil Rule 83.5(a) may be admitted upon completion and submission of the application and fee, subject to review by the Court. Attorneys seeking admission pursuant to Local Civil Rule 83.5(f) will be notified of a hearing date at an appropriate time.

**Access to Courthouses, Court Locations, and Court Offices**

10. The restrictions on access to courthouses, Court locations, and Court offices in the Eastern District of Pennsylvania set forth in the Standing Order issued on March 17, 2020, and the Supplemental Standing Order issued on March 20, 2020, shall remain in effect:

a. Access to courthouses and other Court locations in this district is limited to judges, Court personnel, and persons attending court proceedings or having other official business with the Court.

b. Persons otherwise authorized to enter are, nonetheless, prohibited from entering if: (1) because of exposure to COVID-19 or travel to a country or region with an

outbreak of COVID-19, they have been advised to self-quarantine by any doctor, hospital, or health agency; (2) they reside with or have had close contact with someone who has been advised to self-quarantine by any doctor, hospital, or health agency; (3) they have been diagnosed with, or have had known contact with anyone who has been diagnosed with, COVID-19; or (4) they are experiencing symptoms of respiratory illness such as fever, severe cough, or shortness of breath.

### **Clerk's Office Operations and Electronic Filing**

11. The Clerk's Office in the Edward N. Cahn U.S. Courthouse in Allentown will be closed until further notice. No paper filings will be accepted at the Cahn Courthouse.

12. The Clerk's Office in the James A. Byrne U.S. Courthouse in Philadelphia will remain open and operational, but public access to the Clerk's Office will be restricted.

13. All registered users of the CM/ECF system are required to electronically file any case-related documents that can be filed electronically through the CM/ECF system, including complaints, amended complaints, and third-party complaints in civil cases; notices of removal; and petitions for writs of habeas corpus. The restrictions set forth in Local Civil Rule 5.2, subsection 2(b), stating that initial papers in civil cases cannot be electronically filed by counsel shall remain suspended.

14. Any document that cannot be electronically filed should be emailed in PDF format to the following address: PAED\_DOCUMENTS@PAED.USCOURTS.GOV, indicating the case number and the title of the document or pleading in the subject line.

15. Pro se litigants with pending cases or matters in the Eastern District of Pennsylvania are encouraged to provide their current email address, which will appear on the public docket of record, to PAED\_DOCUMENTS@PAED.USCOURTS.GOV. The email address that is provided

will be used to serve copies of orders on the pro se litigant. Pro se litigants who provide their email address should be sure to include in the email (1) their name exactly as it appears on the docket(s); (2) the case number(s) for the case(s) in which they are a party; and (3) their current email address. Pro se litigants are also encouraged to use the same court email address, PAED\_DOCUMENTS@PAED.USCOURTS.GOV, to submit any documents for filing. Documents submitted by email should be in PDF format. Procedural rules concerning the form and content of filings are still in effect, and litigants are encouraged to review the Pro Se Notice of Guidelines on the Court website, <http://www.paed.uscourts.gov/documents2/forms/forms-pro-se>, for more information.

16. Paper filings are strongly discouraged at this time. See ¶ 14 above. When necessary, paper filings, including sealed filings, should be left in the drop box in the lobby of the James A. Byrne U.S. Courthouse in Philadelphia. Sealed filings should be clearly marked as such. All payments should also be left in the drop box in the lobby of the Byrne Courthouse. Payments must be by check payable to “Clerk, USDC.” No cash will be accepted.

17. Filers with an emergency matter should inform the Clerk’s Office by emailing PAED\_DOCUMENTS@PAED.USCOURTS.GOV and by calling one of these numbers: (215) 597-0374, (800) 525-5726, or (877) 437-7411. In the email, filers should (1) indicate in the subject line the type of pleading and nature of relief sought; (2) include all relevant telephone and email contact information; and (3) attach a PDF version of the filing to the email. Filers who send their pleading via email should NOT place a paper copy of the filing in the drop box unless their individual circumstances require the time stamp. Filers who believe they need to use the time stamp and the drop box should note in their email that a paper copy of the filing was placed in the drop box. Filers who are unable to provide their emergency pleading as a PDF via email should

use the time stamp and the drop box and notify the Clerk's Office by calling one of the phone numbers listed above.

18. Clerk's Office staff will be working mostly remotely but will be retrieving voicemail and responding to messages. When leaving a voicemail message, please supply an email address when possible. Mail and other deliveries will be received and processed on a limited schedule. However, paper filings and payments will not be accepted in person in the Clerk's Office until further notice. For a directory of Clerk's Office employees, please see the Court's website: <http://www.paed.uscourts.gov/documents/directry/directry.pdf>.

19. This Standing Order will expire no later than May 31, 2020, unless extended by further Court order.

/s/ Juan R. Sánchez  
Juan R. Sánchez  
Chief Judge

Date: April 10, 2020