

FILED

MAR 16 2020

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES COURTS
FOR THE DISTRICT OF MONTANA

IN RE: CORONAVIRUS COVID-19
PUBLIC EMERGENCY

ADMINISTRATIVE ORDER 20-14

The President of the United States and the Governor of that State of Montana having respectively declared national and statewide public health emergencies in response to the spread of a novel coronavirus and the disease it causes, known as COVID-19; and the Centers for Disease Control and Prevention (CDC) and other public health authorities having advised precautions to reduce the possibility of exposure to the virus and slow the spread of the disease,

IT IS HEREBY ORDERED that the United States Courts for the District of Montana will adopt the following measures effective immediately:

1. The United States Courthouses in Billings, Butte, Great Falls, Helena, and Missoula will remain open for business, subject to the following limitations.
2. All jury trials (criminal and civil) and associated final pretrial conferences currently scheduled to begin on or before May 1, 2020, are vacated, to be reset by order of the presiding judge. This order does not vacate any pending deadlines other than the trial dates and final pretrial conferences. Attorneys seeking to modify any other deadlines should file a motion before the presiding judge.

3. All grand jury proceedings scheduled through May 1, 2020 are vacated, unless otherwise ordered by the chief judge. The chief judge retains the discretion to convene a grand jury under exigent circumstances upon the motion of the United States Attorney.
4. Given the high likelihood that public health considerations will place severe constraints on the pool of the potential jurors and the availability of counsel and court staff, presiding judges in criminal cases are encouraged to evaluate whether any delay occasioned by this order should be excluded under the Speedy Trial Act, 18 U.S.C. § 316(h)(7)(A), based on a finding that the ends of justice served by such a delay outweigh the interests of the public and the defendant in a speedy trial.
5. Individual judges may continue to hold non-jury proceedings such as bench trials, in-person hearings, settlement conferences, sentencing hearings, and other court matters as they deem appropriate, on a case-by-case basis. Counsel may seek to continue such matters or request leave to appear remotely by appropriate motions. The use of telephonic or video proceeding is welcome where deemed appropriate by the presiding judge. This order does not limit any judge's discretion to consider and decide a pending matter without oral argument.
6. Magistrate judges will continue to preside over preliminary criminal matters,

such as initial appearances, arraignments, detention hearings, and the issuance of warrants. These proceedings shall be conducted by telephonic or video means to the greatest extent possible.

7. The Bankruptcy Court will provide additional information specific to Bankruptcy proceedings by separate order.
8. The following non-case-specific hearings and events are cancelled through May 1, 2020, to be subsequently rescheduled as appropriate:
 - Group tours or visits
 - Naturalization ceremonies
 - Attorney admission ceremonies.
9. The Clerk of Court and Chief United States Probation Officer may support court proceedings remotely by assigning court reporters, courtroom deputies, or probation officers to participate from another courthouse location where practicable.
10. The Clerk's Office and Probation and Pretrial Services Office shall remain open, but may limit staff on-site and authorize mobile work at the discretion of the Clerk of Court and Chief Probation Officer.
11. The United States Courts for the District of Montana shall remain open for all other business. Staff in the Clerk's Offices are available by telephone, accepting mail, and processing payments and other transactions at the public

counter. 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 guidance. The Clerk of Court shall provide notice to visitors of required practices to minimize the risk of transmission of coronavirus at courthouse locations. The Chief Probation Officer shall take all reasonable measures to minimize the risk of exposure to novel coronavirus for officers in the field.

12. The Court will continue to assess the public health situation during the pendency of this order. The Court may vacate or amend this administrative order as circumstances require.

DATED this 16th day of March, 2020.



Brian Morris, Acting Chief Judge
United States District Court