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RICHARD W. NAGEL
CLERK OF COURT

2020 AUG 20 PM 3: 25

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

In Re:

FURTHER ORDER REGARDING :
COURT OPERATIONS UNDER THE : **GENERAL ORDER 20-25**
ONGOING EXIGENT CIRCUMSTANCES :
CREATED BY COVID-19 :

**Further Adjustment to the Reconstitution Plan with
Respect to Suspension of Jury Trials, In-Court
Proceedings, Naturalizations, and Grand Jury**

In General Order 20-17, the Court adopted a Reconstitution Plan for reopening the Courthouses in this District as of June 1, 2020. The Reconstitution Plan was attached to and incorporated in General Order 20-17. In General Order 20-23 on July 23, 2020, the Court adjusted that Plan based on recent increases in the number of diagnosed COVID-19 cases in the Southern District of Ohio as a whole and in each of the counties in which one of the District's courthouses is located. Based on sustained high levels of COVID-19 infections in the District, as well as the August 18, 2020, report of its Ad Hoc Committee on Gating Criteria, the Court finds it necessary to further adjust the Reconstitution Plan as set forth herein:

1. All civil and criminal jury trials scheduled between the date of this Order and September 30, 2020, are continued until a future date to be set by the assigned judge, except that, for criminal defendants in custody, a jury trial prior to September 30, 2020, may proceed if the assigned judge deems that, in the interests of justice, it is absolutely necessary that the trial go forward. Such proceedings will take place only in one of the six courtrooms (two at each location of Court) that has been outfitted with plexiglass shielding.

In connection with any criminal jury trial continued pursuant to this General Order, the order re-setting the date for the continued trial shall include requisite findings under the Speedy Trial Act.

2. Naturalizations as scheduled with Department of Homeland Security personnel to occur off-site (i.e., not in a courthouse) may resume as of September 1, 2020.

3. No grand jury proceedings shall be conducted between the date of this General Order and September 30, 2020, except thirty-day cases and ongoing historical cases requiring the testimony of civilian witnesses.

4. Other in-court proceedings, whether in civil or criminal matters, that are scheduled between the date of this General Order and September 30, 2020, shall occur in person only upon a determination by the assigned judge that the interests of justice require that the proceedings be conducted in that manner. Such proceedings should take place in a courtroom that has been outfitted with plexiglass shielding if one is available.

5. This General Order does not prevent any proceedings from occurring through use of video- or audio-conferencing capabilities during that time insofar as the same are authorized by law. The fact that, absent a sealing order by the presiding judge, these will be public proceedings, does not authorize their broadcasting by anyone. S. D. Ohio Civ. R. 83.2 applies to these proceedings.

This General Order does not change any of the preventive measures specified in the Reconstitution Plan including, without limitation:

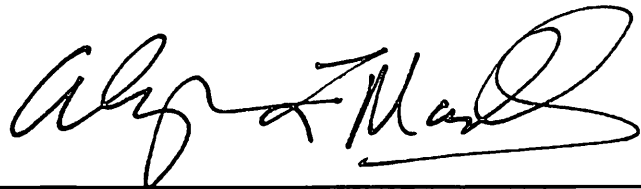
- Screening all visitors to the courthouses for indications of COVID-19 infection;
- Requiring all Court personnel and visitors to wear face masks in specified locations in the courthouses;

- Requiring all persons in the courthouses to maintain a physical distance of at least six feet from other persons (“social distancing”); and
- Responding to any reported COVID-19 infection in one of the courthouses according to the detailed protocol provided in the Reconstitution Plan.

The Court has adopted this General Order in accordance with current determinations by the Ohio Department of Health and the Governor of the State Ohio, the Center for Disease Control (CDC) guidelines, the Administrative Office of the United States Courts (AO) guidelines (the Federal Judiciary COVID-19 Recovery Guidelines and the COVID-19 Judicial Task Force Jury Subgroup Report), and the recommendations of its Ad Hoc Gating Criteria Committee about appropriate measures to be taken to prevent the further spread of COVID-19 in Ohio.

IT IS SO ORDERED.

DATED: August 20, 2020



**ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE**