

FILED  
Clerk  
District Court

APR 03 2020

for the Northern Mariana Islands  
By \_\_\_\_\_

(Deputy Clerk)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS**

IN THE MATTER OF  
COURTHOUSE OPERATIONS IN  
RESPONSE TO THE CORONAVIRUS  
(COVID-19) OUTBREAK

GENERAL ORDER No. 20-00005

This General Order amends and supersedes General Order No. 20-00003. The amendments of Sections I-IV and new sections V-VII are designated in bold type. This order is being issued in response to the developing outbreak of COVID-19, including recent confirmed cases on Saipan. Recognizing that the Centers for Disease Control and Prevention and other public health authorities have advised taking precautions to help stop the spread of the virus; and that the President of United States has declared a national public health emergency, the Court issues this order restricting access to the courthouse (Horiguchi building) and limiting proceedings for the time period stated herein. In issuing this order, the Court has weighed the right of public access to the court against the need to protect the health and safety of the public.

I. Court Closure

Physical access to the District Court, including the Clerk's Office and the Office of Pretrial and Probation, will be temporarily closed to the public from March 23, 2020 **through May 15, 2020** unless otherwise stated below.

Access to the Court will remain available in accordance with the procedures set forth below. Statutes of limitations, statutory deadlines and other required deadlines will not be tolled or excluded during this period unless specifically ordered by the Court. Court employees will be available by telephone and email from 8:00 a.m. until 5:00 p.m. on Monday through Friday, other than legal holidays, while they are teleworking during this courthouse closure.

II. Limited Court Proceedings

1. All civil and criminal jury selections and jury trials scheduled before **May 15, 2020** are continued pending further order of the Court.
2. All regularly scheduled grand jury proceedings are continued to **May 18, 2020**. However, the U.S. Attorney may schedule grand jury proceedings for emergency or essential matters after consultation with the Chief Judge.
3. To the extent possible, all civil, criminal and bankruptcy hearings will be conducted by telephone or videoconference as determined by the presiding judge.
4. **All sentencing and revocation hearings scheduled to be heard on or before May 15, 2020 will be conducted in conformance with General Order No. 20-00004 (In re Coronavirus Aid, Relief, and Economic Security Act (“CARES ACT”) Authorization for Video and Audio Conferencing in Certain Criminal Proceedings). In cases where a defendant does not consent to proceeding via videoconferencing, these sentencing and revocation hearings are hereby continued until further order of the Court. In addition, any previously ordered Presentence Report deadlines in these continued cases during this period are vacated and will be rescheduled.**
5. **To the extent possible, criminal matters, such as initial appearances, arraignments and detention hearings will be conducted by videoconference with defendant’s consent pursuant to General Order 20-00004.**
6. Due to the Court's reduced ability to empanel jurors during this public health response, the time period of the continuances implemented by this order will be excluded from the running of the speedy trial clock. 18 U.S.C. § 3161(h)(7)(A). The Court will issue findings in individual cases.

7. The Court is cognizant of the right of criminal defendants to a speedy trial under the Sixth Amendment, and the application of that right in cases involving defendants who are detained pending trial. Any motion by a criminal defendant seeking an exception to this order in order to exercise that right should be directed to the judge assigned to the matter.
8. All naturalization ceremonies, attorney admissions and other non-case related proceedings are postponed.
9. To the extent possible, the review and execution of warrants and complaints will be conducted remotely as arranged with the individual judge.

**III. Filings and Payments**

1. All business with the Clerk's Office should be conducted by telephone and email from 8:00 **a.m.** to 5:00 p.m. on Monday through Friday, except legal holidays.
2. All requests for court documents, including summons, subpoenas and federal records clearances, must be made by email to qcclerks@nmid.uscourts.gov, or by calling the deputy clerk on duty at 670-237-1200.
3. **Cash/Currency payments will NOT be accepted during this period of exigent circumstances. Only Checks or Money Orders will be accepted.** Criminal debts, miscellaneous fees, or any other payments must be made out to "Clerk, U.S. District Court." Payments should be mailed to:

United States District Court  
for the Northern Mariana Islands  
P.O. Box 500687  
Saipan, MP 96950

4. Filings will continue to be processed in all cases via the CM/ECF electronic system, except for case openings and sealed matters.
5. Email filings will continue to be accepted in accordance with LR 5.3.
6. Those who must make in-person filings or payments may call the deputy clerk on

duty at 670-237-1200 and will be instructed to leave materials at the drop box at the courthouse. In-person filings and payments will only be available from 8:00 a.m. to 12:00 p.m. on Monday through Friday, except for legal holidays.

7. All dropped off materials must be placed in a sealed envelope and will be received after screening by security. On the outside of the envelope, state the name of the person making the payment or filing, the case number (if applicable), and a contact phone number in case of any questions.
8. Mailed and dropped off materials may not be processed until three business days after receipt by the Court. For any filings that require immediate attention, please contact the deputy clerk on duty at 670-237-1200. Documents for filing or receipting will have the effective date of receipt by the Court, not when processed.

#### **IV. Criteria for Exclusion from Courthouse**

**The following entry restrictions will remain in effect until otherwise ordered. Court Security will deny entry into the courthouse:**

- 1. If you have been asked to self-quarantine or self-isolate by any doctor, hospital or health agency in the last 14 days;**
- 2. If you have been diagnosed with, or have had contact with, anyone who has been diagnosed with COVID-19 within the last 14 days;**
- 3. If you have had a fever, dry cough, shortness of breath or flu symptoms within the last 72 hours; or**
- 4. If you are currently showing symptoms of a fever, dry cough, shortness of breath or flu.**

**This entry protocol applies to the public as well as all tenants and employees working in the Horiguchi building and notice will be posted at the entrance door of the courthouse. Individuals prevented from entering the building will be provided contact information for the Court and all tenants of the courthouse so that they may attempt to conduct their business by phone or other remote means.**

**V. Public Access to Remotely Conducted Proceedings**

**Members of the public may call in to listen to any scheduled public hearing on the phone number provided for each hearing. This number will be published on the court's website at <http://www.nmid.uscourts.gov/calendar.php>. Recording or broadcasting any hearing in any manner is strictly prohibited. Violators of this prohibition may be found in contempt of court.**

**VI. Signing and Filing of Certain Documents Remotely**

**Signatures required from any party including, but not limited to, consents to telephonic or videoconferencing, financial affidavits, waiver of preliminary hearings, pretrial and probation reports, and appearance bonds/orders for release will be performed electronically with the /s/ [name] format. Defense counsel may sign on behalf of the defendant, after receiving the defendant's consent, and file the document electronically. Parties will confirm e-signatures during a hearing.**

**VII. Pretrial Services Reports**

**Pretrial Services is authorized to email the pretrial services report to assigned counsel in each case to facilitate videoconferencing or the telephonic hearings. Counsel may use the**

**pretrial services report solely for the purposes of bail determination or pretrial release. Upon completion of the hearing, counsel must permanently delete the emailed pretrial services report and promptly shred any hard copies. No record of the pretrial services report may be kept or redisclosed by the recipient under any circumstances.**

**This order may be modified, expanded or superseded at any time to account for the developing nature of the COVID-19 public health emergency.**

IT IS SO ORDERED this 3rd day of April 2020.

  
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RAMONA V. MANGLONA  
Chief Judge