

FILED
Clerk
District Court

MAY 15 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. 20-00007

This General Order supersedes General Order No. 20-00005, which closed the courthouse to the public effective March 23, 2020 until May 15, 2020. This order is being issued in response to the status of the outbreak of COVID-19 in the Commonwealth of the Northern Mariana Islands (CNMI). Earlier today, Governor Ralph DLG Torres issued Executive Order No. 2020-10, which renews the Declaration of the State of Public Health Emergency and Continued Declaration of State of Significant Emergency Establishing Response, Quarantine, and Preventive Containment Measures Concerning Corona Virus Disease 2019 (COVID-19). CNMI Executive Order No. 2020-10 warns that COVID-19 continues to pose a threat to the health of the residents of the CNMI. While a threat continues to exist, it appears that the movement restrictions, home isolation and social distancing measures implemented across the CNMI have minimized the spread of the disease. With the availability of community testing, more than 3,325 persons have been tested to date. There have been 19 confirmed COVID-19 cases with two deaths. Due to the successful prevention of the large scale spread of the disease, the Governor has initiated the reopening of government offices starting May 18, 2020. Passenger travel to the

islands is slowly resuming with strict testing and quarantine measures in place for travelers to minimize exposure and reduce the spread of COVID-19.

Having weighed the right of public access to the court against the need to protect the health and safety of the public, and recognizing the continued need to take precautions to prevent the spread of COVID-19, the Court will take a phased approach to reopening the courthouse to the public. The Court accordingly orders as follows:

I. Access to the Court

Effective May 18, 2020, access to the courthouse (Horiguchi Building) will be limited to court employees, tenants of the building and individuals appearing for scheduled in-person court proceedings or for confirmed appointments with judges, the Office of Pretrial and Probation or other tenants of the building. The building will be open from 8:00 a.m. until 12:00 p.m. Monday through Friday, except on legal holidays.

Public access to the court proceedings 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 remain available by telephone and email from 8:00 a.m. until 5:00 p.m. Monday through Friday, other than legal holidays.

II. Limited Court Proceedings

1. All civil and criminal jury selections and jury trials scheduled before **June 8, 2020** are continued pending further order of the Court.
2. All regularly scheduled grand jury proceedings are continued to **June 15, 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. Sentencing and revocation hearings may be scheduled for in-person appearances at the courthouse at the discretion of the presiding judge.
5. To the extent possible, criminal matters, such as initial appearances, arraignments and detention hearings will be conducted by videoconference with the defendant's consent pursuant to General Order No. 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 so as 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. 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. 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 Entry into Courthouse

Anyone entering the building must wear a face mask, sanitize hands upon entering and exercise social distancing (stay 6 feet apart from others).

Court Security will deny entry to:

1. Anyone who is not wearing a facemask;

2. Anyone who has been diagnosed with an active case of COVID-19 or has had contact with anyone who has been diagnosed with an active case of COVID-19 within the last 14 days;
3. Anyone who has been asked to self-quarantine or self-isolate by any doctor, hospital or health agency in the last 14 days;
4. Anyone who has experienced any of the symptoms below in the last 14 days:
 - Cough
 - Shortness of breath or difficulty breathing
 - Fever
 - Chills
 - Muscle pain
 - Sore throat
 - New loss of taste or smell
5. Anyone currently experiencing any of the symptoms listed above.

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 building. 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 phone 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 Certain Documents Remotely

Signatures required from any party including, but not limited to, consents to telephonic or video conferencing, financial affidavits, waivers 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

U.S. Probation is authorized to email the pretrial services report to assigned counsel in each case to facilitate video conferencing 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.

SO ORDERED this 15th day of May, 2020.



RAMONA V. MANGLONA
Chief Judge