

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS

IN RE: COURT OPERATIONS DURING THE COVID-19 PANDEMIC.

ADMINISTRATIVE ORDER NO. 2021-1

This Administrative Order is being issued in response to the continued surge of the Coronavirus Disease 2019 (COVID-19) in the Western District of Arkansas. Considering the severity of risk posed to potential jurors, witnesses, parties, attorneys, the public, court staff, judges and other court agencies, the following order will be implemented within all divisions in the Western District of Arkansas:

1) All civil and criminal trials (bench and jury) currently scheduled to begin before April 5, 2021 are continued pending further order of the Court. The postponement of these and other cases will be assessed by the Court in mid to late March to determine whether further postponements are appropriate.

2) As to criminal trials, the time between the date of this administrative order and the new trial date shall be excluded from consideration of the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), as the Court specifically finds that the ends of justice served by ordering these continuances outweigh the best interests of the public and any defendant's right to a speedy trial.

3) All grand jury proceedings are continued until March 22, 2021. Due to the unavailability of the grand jury, the 30-day time period for filing an indictment or an information is tolled as to any defendant during the time period of the continuances occasioned by this Administrative Order, pursuant to 18 U.S.C. § 3161(b).

4) As to the grand jury, the Court also finds that the ends of justice served by ordering this continuance outweigh the best interest of the public and any defendant's right to a speedy trial. Therefore, the time period of the continuance occasioned by this Administrative Order is excluded from consideration of the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), and will not be considered in determining if an Indictment or Information is filed within the time limits set forth in 18 U.S.C. § 3161(b).

5) Criminal matters before a Magistrate Judge, such as initial appearances, arraignments, detention hearings, and the issuance of search warrants shall continue to take place either by video conference or in person, as scheduled by the presiding judge.

6) Change of plea and sentencing hearings shall continue to take place either by video conference or in person, as scheduled by the presiding judge.

7) All civil hearings and other court proceedings, including settlement conferences, shall take place either by video conference or in person, as scheduled by the presiding judge.

8) All petty offense (CVB) proceedings are continued until April 5, 2021.

9) The naturalization ceremonies scheduled for February 12, 2021, in Fayetteville, Arkansas and March 26, 2021, in Fort Smith, Arkansas are cancelled and will be rescheduled at a later date.

10) All courthouses within the Western District of Arkansas will remain open to the public.

11) The Court will vacate, extend or amend this order no later than April 2, 2021.

IT IS SO ORDERED, this 15th day of January 2021.


SUSAN O. HICKEY
CHIEF UNITED STATES DISTRICT JUDGE