

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

*In the matter of*

RESUMPTION OF CIVIL AND  
CRIMINAL JURY TRIALS EFFECTIVE  
MARCH 1, 2022

**MISCELLANEOUS GENERAL  
ORDER 22-06**

**This Miscellaneous General Order reinitiates civil and criminal jury trials effective March 1, 2022.** The Court enters this order due to the significant decrease in COVID-19 cases in the District of Alaska in recent weeks.<sup>1</sup> The Court has also considered the State of Alaska Department of Corrections’ ongoing restrictions to access by defense counsel<sup>2</sup> and the most current guidance from the Centers for Disease Control and Prevention.<sup>3</sup>

The COVID-19 pandemic is still considered a national emergency pursuant to the National Emergencies Act, 50 U.S.C. § 1601, *et seq.* The finding made by the Judicial Conference of the United States that “emergency conditions due to the national emergency declared by the President with respect to COVID-19 will materially affect the functioning of the federal courts generally” remains. However, the Court finds that the need to minimize the backlog of trials, the Speedy Trial Act rights of criminal defendants and the public, and the rights of crime victims and interests of other participants in the criminal justice system outweigh the risks presented by the COVID-19 pandemic at this time.

In light of the foregoing, federal civil and criminal jury trials in the District of Alaska are reinstated beginning March 1, 2022. However, the assigned judge in any case may make exceptions to the jury trial reinstatement as justice so requires; further, judges may issue other

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<sup>1</sup> The State of Alaska Department of Health and Social Services reports a 47% decrease in COVID-19 cases statewide from the preceding week. *See* [dhss.alaska.gov/dph/epi/id/pages/covid-19/default.aspx](https://dhss.alaska.gov/dph/epi/id/pages/covid-19/default.aspx) (Feb. 18, 2022).

<sup>2</sup> Alaska Dept. of Corrections, Visitation Notice, [www.doc.alaska.gov](http://www.doc.alaska.gov) (Feb. 7, 2022).

<sup>3</sup> CDC, *Media Statement*, [www.cdc.gov/media/releases/2021/s1227-isolation-quarantine-guidance.html](https://www.cdc.gov/media/releases/2021/s1227-isolation-quarantine-guidance.html) (Dec. 27, 2021).

orders concerning future continuances as necessary and appropriate.

**1. Deadlines**

For both civil and criminal cases, all pretrial deadlines and trial-specific deadlines for trials scheduled to begin on or after March 1, 2022, remain in effect. Parties to these proceedings should be prepared to proceed to hearings and trials as scheduled.

**2. Juror Protocol**

Jurors are not required to be vaccinated to serve on a petit jury. Consistent with existing Court practices, the Court may issue an optional supplemental COVID-19 questionnaire to jurors and inform them about the Court’s updated COVID-19 related policies for jury trials. The Court will evaluate on a case-by-case basis who should be temporarily excused or deferred on the basis of COVID-19 health concerns.

**3. Social Distancing**

Jury trials will not be strictly socially distanced. Jurors will be seated in the jury box unless otherwise ordered by the assigned judge.

**4. Mask or Face Covering Requirements**

Unless otherwise ordered by the assigned judge, for the health and safety of all participants, all prospective jurors, jurors, parties, witnesses, court staff, and the public must wear masks or face coverings, regardless of vaccination status, when at the federal courthouse. This requirement balances the Court’s decision not to inquire as to prospective jurors’ vaccination status, while also promoting the safety of all court participants regardless of vaccination status.

DATED this 23<sup>rd</sup> day of February, 2022.

/s/ Sharon L. Gleason  
Hon. Sharon L. Gleason  
Chief United States District Judge

/s/ Joshua M. Kindred  
Hon. Joshua M. Kindred  
United States District Judge

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