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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

7 In Re:

8 NEW MODIFIED COURT
9 OPERATIONS UNDER THE EXIGENT
10 CIRCUMSTANCES CREATED BY
11 COVID-19 AND RELATED
CORONAVIRUS

GENERAL ORDER NO. 04-22

12 This General Order replaces the procedures of General Orders 03-22, 01-22, and 16-21.
13 The Court incorporates its prior findings regarding COVID-19 and the emergency declarations
14 and public health guidelines as set forth in General Order 03-22.

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16 In the last month, the average daily number of individuals testing positive for COVID-19
17 has rapidly decreased in the Western District of Washington. More importantly, COVID-19
18 hospitalizations have fallen significantly. The surge of cases and hospitalizations predicted by
19 local public health officials and attributed to the arrival of the Omicron variant has clearly ended.

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21 With the end of the Omicron surge and significant advancements in the number of
22 vaccinated individuals and effective medical treatments for COVID-19, federal and local
23 officials across the nation have begun to lift mask requirements, social distancing requirements,
24 and other preventative measures. On February 28, Governor Jay Inslee announced that state
25 indoor mask requirements will be lifted as of 11:59 p.m. on March 11. This announcement was
26 quickly echoed by the public health departments of King and Pierce counties, where the
27 courthouses of this District are located.
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1 Given all of the above, the Court ORDERS that the procedures of General Orders 03-22,
2 10-21 and 11-21 will expire after March 11, 2022. After that day:

- 3 • All trials may proceed in-person unless otherwise indicated at the discretion of the
4 presiding judge. Trials currently scheduled to be conducted virtually via Zoom.gov are
5 not affected by this Order.
- 6 • All other courtroom use for civil or criminal matters may proceed at the discretion of the
7 presiding judge.
- 8 • Face masks will no longer be required for any person entering the courthouse. However,
9 all individuals are free to wear masks based on personal preference, informed by a
10 personal risk assessment. People with symptoms, a positive test, or exposure to someone
11 with COVID-19 should wear a mask. Witnesses testifying on the stand may be required
12 to remove their mask at the discretion of the presiding judge. Any other person speaking
13 in the courtroom may be asked by the judge to temporarily remove their mask if their
14 words cannot be understood by the court reporter.
- 15 • Given the continued risk of COVID-19 transmission, the number of persons allowed in
16 the gallery may be reduced at the discretion of the presiding judge.
- 17 • Criminal proceedings before Magistrate Judges, such as initial appearances, detention
18 hearings, and arraignments, may continue to use audio and video conference technology
19 at the discretion of the presiding judge. The procedures authorized under the CARES Act
20 as set forth in General Order 14-21 will be extended another 90 days.
- 21 • COVID-19 Conditions of Entry signs will continue to be posted at the entrances to the
22 Seattle and Tacoma Courthouses. Most individuals who review the information will
23 understand when it is wise, from a public health standpoint, to voluntarily not enter the
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1 building. However, Court Security Officers are authorized to ask if an individual has
2 read the Conditions of Entry sign, and to deny entry to persons who confirm that they are
3 currently diagnosed with COVID-19 or have experienced COVID-19 symptoms in the
4 last five days, and who therefore pose a significant risk of spreading the Coronavirus to
5 the public. The CDC recommends that people wear a well-fitting mask for five days after
6 their quarantine period.
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- 8 • Local Civil Rule 32 continues to include among the definitions of “Unavailable Witness”
9 in FRCP 32(4)(C) the following: “concern about personal health risks from exposure to
10 the COVID-19 virus.”
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- 12 • In order to limit the physical exchange of documents, signatures on documents in civil
13 and criminal proceedings conducted remotely will not be required. Instead, the Court will
14 make a record that the document has been reviewed and authorized by the signatory and
15 is fully binding.
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- 17 • The courthouses are open to the public for scheduled public events and tours.

18 The Court sincerely hopes that this downward trend in COVID-19 cases and
19 hospitalizations will continue. However, the last three months have taught us to be adaptable to
20 changing circumstances. The Court may reinstate COVID-19 safety measures, including the
21 requirement of face masks or the temporary suspension of in-court proceedings if federal or local
22 public health guidance indicates that such is necessary to protect the public.
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24 DATED this 3rd day of March, 2022.

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27 RICARDO S. MARTINEZ
28 CHIEF UNITED STATES DISTRICT JUDGE