

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS

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

ADMINISTRATIVE ORDER NO. 2021-3

This Administrative Order is being issued in response to the ongoing presence of the Coronavirus Disease 2019 (COVID-19) in the Western District of Arkansas, the possible presence of various highly contagious variants of the disease and the pace at which people are being fully vaccinated. 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 May 3, 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 April 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) 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.

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

5) 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.

6) All petty offense (CVB) proceedings are continued until May 3, 2021.

7) The naturalization ceremonies scheduled for April 16, 2021, in Fayetteville, Arkansas and May 7, 2021, in Hot Springs, Arkansas are cancelled and will be rescheduled at a later date.

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

9) The Court will vacate, extend or amend this order no later than April 30, 2021.

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



SUSAN O. HICKEY
CHIEF UNITED STATES DISTRICT JUDGE