

FILED  
CLERK, U.S. DISTRICT COURT  
January 19, 2022  
CENTRAL DISTRICT OF CALIFORNIA  
BY: *Natalie L. Colkins* DEPUTY

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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10 IN RE: ) ORDER OF THE CHIEF JUDGE  
11 ) 22-002  
12 CORONAVIRUS PUBLIC )  
13 EMERGENCY ) (Temporarily Supersedes  
14 EXTENSION OF THE TEMPORARY ) General Order 21-08, In Part)  
15 SUSPENSION OF JURY TRIALS )

16 WHEREAS, in March 2020, the President of the United States declared a  
17 national emergency and the Governor of the State of California declared a state of  
18 emergency in response to the Coronavirus Disease 2019 (COVID-19) pandemic, and  
19 both declarations have been extended and remain in effect;

20 WHEREAS, throughout the pandemic, the Court has implemented temporary  
21 procedures to protect public health and safety;

22 WHEREAS, the Court resumed normal operations on June 15, 2021;

23 WHEREAS, on January 3, 2022, in response to the alarming surge of COVID-  
24 19 cases in the Central District of California largely due to the spread of the Omicron  
25 variant of the virus that causes COVID-19, the Executive Committee approved a three-  
26 week suspension of all civil and criminal jury trials;

27 WHEREAS, on January 3, 2022, Order of the Chief Judge 22-001 was issued to  
28 implement the three-week suspension of jury trials;

1           WHEREAS, the Centers for Disease Control and Prevention (CDC) advises  
2 that: (i) it expects a surge of COVID-19 cases in the coming days to weeks; (ii) the  
3 Omicron variant is likely more transmissible than the original virus that causes  
4 COVID-19; (iii) it expects anyone with Omicron infection can spread the virus to  
5 others (even if they are vaccinated or do not have symptoms); and (iv) breakthrough  
6 infections in people who are fully vaccinated are likely to occur;

7           WHEREAS, the CDC advises taking precautions to reduce the spread of  
8 COVID-19, including getting vaccinated, wearing a mask, staying six feet away from  
9 others, avoiding crowds and poorly ventilated spaces, testing to prevent spread to  
10 others, washing hands often, covering coughs and sneezes, cleaning and disinfecting  
11 high touch surfaces, and monitoring health daily;

12           WHEREAS, according to the California Department of Public Health, early data  
13 suggest the increased transmissibility of the Omicron variant is two to four times as  
14 infectious as the Delta variant, and there is evidence of immune evasion;

15           WHEREAS, the current surge of COVID-19 cases is contributing to critical  
16 staffing shortages across the health care continuum throughout California, including  
17 within the Central District of California, and the staffing shortages are reported to be  
18 far worse than those from last winter's COVID-19 surge;

19           WHEREAS, since implementing the temporary suspension of jury trials, the  
20 number of reported COVID-19 cases in each county in the Central District of  
21 California has substantially increased: (i) over the past week, Los Angeles County has  
22 averaged 39,045.9 new cases per day, a 93.9% increase compared to two weeks ago;  
23 (ii) over the past week, Orange County has averaged 7,321.4 new cases per day, a  
24 60.3% increase compared to two weeks ago; (iii) over the past week, Riverside County  
25 has averaged 6,541 new cases per day, a 110.2% increase compared to two weeks ago;  
26 (iv) over the past week, San Bernardino County has averaged 6,151.7 new cases per  
27 day, a 92.4% increase compared to two weeks ago; (v) over the past week, San Luis  
28 Obispo County has averaged 544.7 new cases per day, a 73.8% increase compared to

1 two weeks ago; (vi) over the past week, Santa Barbara County has averaged 1,106.7  
2 new cases per day, a 101.1% increase compared to two weeks ago; and (vii) over the  
3 past week, Ventura County has averaged 2,261.4 new cases per day, a 98.4% increase  
4 compared to two weeks ago;<sup>1</sup>

5 WHEREAS, over the past two weeks, there have been 106 COVID-19 related  
6 cases (38 confirmed COVID-19 cases and 68 suspected COVID-19 cases) reported by  
7 employees of the United States Courthouses and Probation and Pretrial Services  
8 Offices in the Central District of California;

9 WHEREAS, given the extreme transmissibility of the Omicron variant and the  
10 high level of community transmission in the Central District of California, conducting  
11 jury trials would place court personnel, attorneys, parties, and prospective jurors at  
12 great risk of contracting COVID-19, thereby threatening the health of those  
13 individuals, placing further strain on an already overburdened healthcare system, and  
14 jeopardizing the ability of court personnel to perform essential functions and  
15 operations of the Court; and

16 WHEREAS, extending the temporary suspension of jury trials is necessary to  
17 continue to protect public health and safety, as well as ensure the continuous  
18 performance of essential functions and operations of the Court;

19 Upon a majority vote of the Executive Committee, the Chief Judge orders as  
20 follows:

- 21 • The temporary suspension of all civil and criminal jury trials that was  
22 implemented by Order of the Chief Judge 22-001 is hereby extended. All  
23 jury trials shall be suspended through and including February 28, 2022.
- 24 • Due to the current risks associated with conducting jury trials for the  
25 reasons stated above and in Order of the Chief Judge 22-001, the  
26 suspension of criminal jury trials in the Central District of California

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27 <sup>1</sup> See Los Angeles Times Staff, *Tracking the Coronavirus in California*, LOS  
28 ANGELES TIMES, <https://www.latimes.com/projects/california-coronavirus-cases-tracking-outbreak/> (last visited January 19, 2022).


1 serves the ends of justice and outweighs the interests of the public and  
2 defendants in a speedy trial.

- 3 • Per General Order 21-08, all individuals seeking entry to, or occupying,  
4 the United States Courthouses or Probation and Pretrial Services Offices  
5 in the Central District of California and everyone in the courtroom for in-  
6 court proceedings must continue to follow the CDC's most recent  
7 guidance regarding face coverings or masks.

8 This Order may be further extended as necessary. To the extent this Order  
9 conflicts with General Order 21-08, this Order supersedes General Order 21-08.

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11 IT IS SO ORDERED.

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13 Date: January 19, 2022



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15 CHIEF UNITED STATES DISTRICT JUDGE  
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