

## COVID 19 CRIMINAL DIVISION OPERATIONS

### CURRENT OPERATIONS:

**Courtroom C10** will operate on a normal schedule in the courthouse to handle Arraignments and Presentments, Bench Warrant Return hearings, Extradition matters and Emergency Pretrial and Probation Show Cause hearings. Citation cases will be continued pursuant to attached schedule. To the extent possible, defendants for whom no hold is being sought will be presented remotely from CCB via videoconference. Additional defendants may be presented via videoconference upon request of counsel. CJA Stand-in counsel will handle hearings, with all CJA attorneys receiving appointments on a rotating schedule.

**Courtroom 115** will continue to operate remotely to handle emergency bond review motions, as well as the remote presentment of individuals currently at the jail on fugitive and arrest warrants via video or teleconference. Tuesday will be reserved for individual judges to schedule bond review hearings.

**Courtroom 317** is equipped with remote video capability from St. Elizabeth's Hospital and will be primarily dedicated to handle mental observation hearings in the following category of cases: defendants found competent for whom hospitalization is no longer recommended, defendants found to be incompetent and unlikely to be restored, and defendants for whom competency is contested. One judge will be assigned to this calendar three days a week to handle non-evidentiary matters (Monday, Wednesday, Friday). Thursdays will be reserved for the scheduling of contested competency proceedings, not to exceed one day in length, to be handled by individual judges. Defendants will participate via videoconference; counsel may participate remotely via video or teleconference.

**COMMENCING MAY 18, 2020** the following additional remote courtrooms will be added:

#### ADDITIONAL COURTROOM FOR DETAINED PRELIMINARY HEARINGS

**Courtroom 210** will be dedicated to detained preliminary hearings. Such hearings will be scheduled upon the request of defense counsel and representation that the defendant consents to appear by video or teleconference, in consultation with the government. All parties will appear remotely, with witnesses appearing via videoconference to be coordinated by the sponsoring party, with the technical assistance of the court. One Criminal Division judge will be assigned to the courtroom four days a week for all preliminary hearings except for Felony 1 cases; Thursday shall be designated for Felony 1 preliminary hearings and a Felony 1 judge assigned.

#### ADDITIONAL COURTROOM FOR DETAINED NON-EVIDENTIARY MATTERS

**Courtroom 213-AM Calendar** will be dedicated to detained status hearings to address non-evidentiary substantive issues (i.e. waiver of preliminary hearings, dispositions, nonbond review motions, IPA waivers) or sentencings. Hearings will be scheduled upon the joint request of both parties and the representation of defense counsel that the defendant consents to appear by video or teleconference. One Criminal Division judge will be assigned to the courtroom four days a week to handle USAO cases (both felonies and misdemeanors) and OAG cases. Friday will be reserved for individual judges to schedule matters, such as non-evidentiary IRAA hearings and sentencing hearings. Victim impact statements may be received in writing, via video or teleconference and shall be coordinated by the government, with the technical assistance of the court.

**Courtroom 213-PM Calendar** will be dedicated to detained status hearings set out of C-10 as set forth below, without the presence of the defendants.

**ADDITIONAL COURTROOM FOR NON-DETAINED CASES**

**Courtroom 111** will be dedicated to non-detained non-evidentiary hearings 4 days/week, such as the entry or completion of Deferred Prosecution or Deferred Sentencing Agreements, dispositions and sentencing. Hearings will be scheduled upon the joint request of both parties and the representation of defense counsel that the defendant is able and consents to appear via telephone or videoconference. Counsel, the defendant and victims will appear via video or teleconference. One Criminal Division judge will be assigned to the courtroom four days a week to handle USAO cases (both felonies and misdemeanors) and OAG cases. Wednesday will be reserved for individual judges to schedule matters, such as sentencing hearings.

**OTHER OPERATIONS:**

**COURTROOM CLERKS** will continue to work remotely, tagging cases, preparing and docketing orders for the judge's electronic signature and scheduling future hearing dates.

**COURT REPORTERS** will continue to work remotely. All preliminary hearings in Courtroom 210 will be transcribed, other requests for a court reporter shall be made on an individual basis through the Court Reporting Division.

**INTERPRETERS** will continue to work remotely and participate via teleconference and/or videoconference for American Sign Language interpretation.

**PUBLIC ACCESS TO CRIMINAL PROCEEDINGS** will be provided, consistent with the Chief Judge's Order of May 14, 2020.

**SCHEDULING OF CASES:** The Criminal Division will assign one point of contact for each of the six courtrooms and maintain a centralized calendar for the purposes of scheduling matters on each calendar.

**CASES SCHEDULED BETWEEN MAY 18 and JUNE 19, 2020**

- DETAINED STATUS HEARINGS SET OUT OF C-10 will proceed on the originally scheduled date in Courtroom 213 at 2PM for purposes of setting a further date for status, waiver of preliminary hearing, or disposition, or for a preliminary hearing in Courtroom 210; the defendant’s presence will be waived for the limited purpose of scheduling the future date.
- CITATION CASES, STATUS HEARINGS (except detained status hearings set out of C-10), NONJURY AND JURY TRIALS, PROBATION SHOW CAUSE HEARINGS and NON-DETAINED PRELIMINARY HEARINGS will be continued to a further status date pursuant to the schedule below. SENTENCING HEARINGS will be continued to a further sentencing date unless the parties request that the hearing proceed forward on an earlier date, as provided above.

**CONTINUED HEARING SCHEDULE**

CURRENT CITATION ARAIGNMENT, STATUS, NONJURY or JURY TRIAL, PROBATION SHOW CAUSE HEARING, NON-DETAINED PRELIMINARY HEARING or SENTENCING DATE	CONTINUED CITATION ARRAIGNMENT, STATUS, PROBATION SHOW CAUSE HEARING OR SENTENCING DATE
Monday, May 18, 2020	Monday, August 3, 2020
Tuesday, May 19, 2020	Tuesday, August 4, 2020
Wednesday, May 20, 2020	Wednesday, August 5, 2020
Thursday, May 21, 2020	Thursday, August 6, 2020
Friday, May 22, 2020	Friday, August 7, 2020
Monday, May 25, 2020	Memorial Day (no cases to be rescheduled)
Tuesday, May 26, 2020	Tuesday, August 11, 2020
Wednesday, May 27, 2020	Wednesday, August 12, 2020
Thursday, May 28, 2020	Thursday, August 13, 2020
Friday, May 29, 2020	Friday, August 14, 2020
Monday, June 1, 2020	Monday, August 17, 2020
Tuesday, June 2, 2020	Tuesday, August 18, 2020
Wednesday, June 3, 2020	Wednesday, August 19, 2020
Thursday, June 4, 2020	Thursday, August 20, 2020
Friday, June 5, 2020	Friday, August 21, 2020
Monday, June 8, 2020	Monday, August 24, 2020
Tuesday, June 9, 2020	Tuesday, August 25, 2020
Wednesday, June 10, 2020	Wednesday, August 26, 2020
Thursday, June 11, 2020	Thursday, August 27, 2020
Friday, June 12, 2020	Friday, August 28, 2020
Monday, June 15, 2020	Monday, August 31, 2020
Tuesday, June 16, 2020	Tuesday, September 1, 2020
Wednesday, June 17, 2020	Wednesday, September 2, 2020
Thursday, June 18, 2020	Thursday, September 3, 2020
Friday, June 19, 2020	Friday, September 4, 2020

<b>Courtroom</b>	<b>Calendar</b>	<b>Judicial Assignment</b>
C-10	Arraignments	Assigned judge to calendar
115	Bond Review Hearings	Assigned judge to calendar Individual judges may book calendar on Tuesday
317	Mental Health and Competency Hearings	Assigned judge to the calendar 3 days a week/ individual judges may book calendar on Thursday for contested competency hearings
210	Detained preliminary hearings	Assigned judge to calendar 4 days/week Felony 1 judge assigned on Thursday
213	Detained status hearings for substantive non-bond review matters and sentencings	Assigned judge to calendar 4 days/week Individual judges may book calendar on Friday
111	Non-Detained status hearings	Assigned judge to calendar 4 days/week Individual judges may book calendar on Wednesday