

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

IN RE: COURT OPERATIONS UNDER General Order No. 20-12
THE EXIGENT CIRCUMSTANCES
CREATED BY COVID-19 AND
RELATED CORONAVIRUS—GRAND
JURY PROCEEDINGS

**GENERAL PUBLIC ORDER REGARDING COVID-19 VIRUS PUBLIC
EMERGENCY—GRAND JURY PROCEEDINGS**

On March 16, 2020, the court issued amended General Order 20-2. Among other things, it continued all grand jury proceedings to a date after May 1, 2020. On April 23, 2020, the court updated that order in General Order 20-9, extending the closure of the building and the adjournment of in-person court hearings to at least June 1, 2020. General Order 20-9 did not address grand jury proceedings. On April 24, 2020, the court issued General Order 20-10, continuing all grand jury proceedings to a date after June 1, 2020.

The court has continued to monitor the status of the COVID-19 pandemic in the United States, and specifically in the Eastern District of Wisconsin. The court has continued to work closely with agencies in the federal building and various stakeholders and has consulted orders and guidance issued by the Wisconsin Department of Health Services, Governor Tony Evers, the Centers for Disease Control and the World Health Organization. The court also has considered recovery and phased reopening guidance from other district courts in the Seventh Circuit, the Administrative Office of U.S. Courts and the Final Report of the Wisconsin Courts COVID-19 Task Force.

Based on the information available to date, including the estimated number of persons infected currently with COVID-19, the number of cases projected to occur in the immediate future and the lack of a sustained downward trajectory of confirmed positive cases in Wisconsin, the court makes the following findings:

- 1.) The gatherings of people in close proximity to one another that occur during court operations presents substantial health risks to the public;
- 2.) It is not yet possible to summon grand jurors to meet in the federal building as they have in the past without creating substantial and unacceptable health risks, specifically, the danger of grand jurors, prosecutors or court staff becoming infected with COVID-19;
- 3.) While the court and the United States Attorney are exploring options, the court has not yet finalized and implemented a plan that will minimize the health risk to grand jurors and still comply with the requirements of Fed. R. Crim. P. 6;
- 4.) The health risks described above may be significantly mitigated by temporarily suspending grand jury proceedings; and
- 5.) Good cause exists to continue temporary suspension of grand jury proceedings.

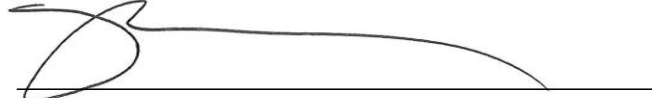
Based on these findings, the court **ORDERS** that the provision of General Order 20-2 that continued grand jury proceedings to a date after May 1, 2020 is **EXTENDED** to continue grand jury proceedings to a date after **June 15, 2020**.

The court **ORDERS** that it will continue to work with the U.S. Attorney and court staff to finalize a plan to minimize the risk of conducting grand jury proceedings.

The court **ORDERS** that if appropriate, the court may vacate or amend this order prior to June 15, 2020. If necessary, the court may extend the order beyond June 15, 2020.

Dated in Milwaukee, Wisconsin this 28th day of May, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge