

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

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| IN RE: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 | : : : : | STANDING ORDER RE: CRIMINAL AND CIVIL JURY SELECTIONS; JURY TRIALS; AND TRANSITION TO PHASE 2 |
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AND NOW, this 1st day of September, 2020, pursuant to the Revised Standing Order dated May 27, 2020, and in order to further public health and safety, the health and safety of Court personnel, counsel, litigants, other case participants, jurors, security personnel and the general public and in order to reduce the number of gatherings necessarily attendant to trial jury selection in this Court, and in order to minimize travel by participants in Court proceedings, particularly travel by public conveyance, it is hereby **ORDERED** as follows:

1. Effective this date, all civil and criminal jury selections and jury trials in the District of Delaware scheduled to begin before September 15, 2020, are continued pending further Order of the Court. The Court may issue Orders concerning future general continuances of any matters as may be deemed necessary and appropriate. All jury selections and trials affected by this Order will be reset by further Order of the assigned judicial officer.
2. The Court will continue to operate under Phase 1 of the District's Re-Opening Guidelines through September 14, 2020.
3. Subject to the conditions set out in paragraph 4 below, the District will

begin to operate under Phase 2 of the Re-Opening Guidelines on September 15, 2020. Phase 2 permits the Court to conduct jury trials, at the discretion of the presiding judge in each individual case, subject to constraints imposed by limited resources and building space.

4. The Court will continue to monitor conditions with respect to coronavirus in Delaware and the surrounding region. The Court will consider guidance from the Centers for Disease Control and Prevention and other federal, state, and local public health authorities. Provided that the trends remain at or around where they are as of the date of this Order – for example, a downward trend of COVID-19 case counts in Delaware over a sustained period (i.e., the most recent 30-day period and several months before), a positivity rate of around 5% or fewer of those tested, and/or no substantial expansion of new hospitalizations – the Court will enter Phase 2, as provided in paragraph 3.
5. At least in the initial stages of Phase 2, it is anticipated that the Court will conduct no more than one jury trial at a time and will give priority to criminal trials.

FOR THE COURT:

/s/ Leonard P. Stark

Chief District Judge