

NEWS FROM U.S. DISTRICT COURT

March 18, 2020—Special Edition

Due to the ongoing spread of the coronavirus, and the resulting outbreak of the respiratory disease COVID-19 in South Dakota and bordering states, Chief Judge Lange has entered two standing orders.

CHANGES TO COURT OPERATIONS DUE TO COVID-19: Standing Order 20-03 continues all civil and criminal jury trials scheduled to commence on or before April 24, 2020, before any judge in the District pending further order of the Court. The order excludes the periods of delay occasioned by the order, finding that the ends of justice served by continuing all criminal jury trials outweighs the best interests of the public and any defendant's right to a speedy trial due to the Court's inability to safely call and retain an adequate cross-section of jurors and the impact of public health recommendations on the availability of others who would need to be present if a jury trial were held.

Non-jury proceedings, such as bench trials and hearings, will proceed as scheduled unless continued on a case-by-case basis, by the presiding judge. Parties are nonetheless encouraged to consider participating by telephone or video conferencing when feasible and permitted by law. If you would like to pursue this, please contact the clerk's office.

All grand jury proceedings in the District between March 17, 2020, and April 24, 2020, are continued pending further order of the Court. The 30-day time period for filing an indictment or information is tolled as to each defendant during this time period on the grounds that the ends of justice served by taking such action outweigh the best interests of the public and any defendant's right to a speedy trial.

All deadlines established in civil cases will remain in place. The Court will, however, be receptive to motions to enlarge deadlines in civil cases due to disruption caused by social distancing requirements and travel restrictions.

In all other respects, Court business will proceed as usual to the extent possible consistent with public health guidelines. For more information, see [Standing Order 20-03](#) attached hereto and located on the District Court's website at www.sdd.uscourts.gov.

LIMITED ACCESS TO COURTHOUSES DUE TO COVID-19: Standing Order 20-02 imposes visitor restrictions and temporary rules for all courthouses in the District during the COVID-19 outbreak. It bars all persons who fall into certain categories from entering any courthouse in the District. The categories include:

1. Persons who have traveled to China, South Korea, Italy, or Iran within the last 14 days;
2. Persons who reside or have had close contact with someone who has traveled to one of the countries listed above within the last 14 days;

3. Persons who have been asked to self-quarantine by any doctor or other medical provider, hospital, or health agencies if they remain within the time of self-quarantine;
4. Persons who have been diagnosed with, or have had contact with, anyone who has been diagnosed with COVID-19 unless and until they have completed a quarantine period; and
5. Persons with fever, cough or shortness of breath.

The ban includes but is not limited to federal employees and contractors. Court Security Officers will deny entry to anyone attempting to enter in violation of the Court's protocols. For more information, see [Standing Order 20-02](#) attached hereto and located on the District Court's website at www.sdd.uscourts.gov.