

**United States District Court**

**District of Maine**

In Re: )  
 )  
COURT OPERATIONS UNDER )  
THE EXIGENT CIRCUMSTANCES )  
CREATED BY THE COVID-19 ) GENERAL ORDER 2020-12  
CORONAVIRUS & RELATED )  
PANDEMIC PRECAUTIONS: )  
GRAND JURY PROCEEDINGS )

**GENERAL ORDER**

This General Order is the twelfth issued in response to the outbreak of Coronavirus Disease 2019 (COVID-19) in accordance with the *Pandemic/Infectious Disease Plan for the United States District Court for the District of Maine (March 2020)*. This General Order addresses grand jury proceedings in the coming months. The Court hereby adopts and incorporates the findings made in the Court’s previous General Orders as to the threat to public health and safety presented by the COVID-19 pandemic.

As part of the Court’s efforts to reconstitute normal court operations in the District, the Court convened a one-day session of the grand jury in the Court’s Bangor location in July; but ongoing health and safety precautions and the lack of a quorum in Portland have precluded a similar session there. The Court expects that the COVID-19 pandemic will make obtaining a quorum of grand jurors in either court location in the coming months uncertain. Prior to the emergency conditions under which the Court must now operate, the grand jury would have met more frequently than just one day in a four-month period, and the Government would have had more time to present cases to the grand jury. Accordingly, under the present exigent circumstances, for many pre-indictment defendants the filing of an indictment within the time period specified in 18 U.S.C. § 3161(b) is unreasonable. *See* 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(iii)–(iv).

Having carefully considered all of the applicable criteria under 18 U.S.C. § 3161(h)(7)(B)(i)–(iv), it is ORDERED:

Due to the unavailability of an adequate number of grand jurors and grand jury sessions in this District, the 30-day time period for filing an indictment is tolled as to all charges not heard and determined by the grand jury in July 2020 or thereafter, until normal grand jury operations in this District resume and the allegations involving the pre-indictment defendant can be considered, or until this General Order terminates, whichever comes first. 18 U.S.C. §§ 3161(b), (h)(7)(A).

**Continuances in Criminal Cases.** For every continuance entered in a criminal case pursuant to this General Order or a prior General Order, the time period of the continuance will be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), subject to the entry of an order addressing the same by the presiding Judge in each case. The Court finds that the ends of justice served by taking such action outweigh the interests of the parties and the public in a speedy trial. The presiding Judge may enter an order excluding the time until resumption of normal grand jury operations in this District and may extend or modify the period of exclusion as circumstances may warrant.

**Effectiveness; Termination:** This General Order supersedes this Court's previous General Orders regarding pre-indictment Speedy Trial time, takes effect at 11:59 p.m. on July 30, 2020, and shall remain in effect until 11:59 p.m. on October 30, 2020.

**SO ORDERED.**

Dated: July 30, 2020.

/s/ Jon D. Levy  
**CHIEF U.S. DISTRICT JUDGE**