

20MC173

District Judge Colleen McMahon

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: CORONAVIRUS/COVID-19

M-10-468 (CM)

STANDING ORDER

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This Document Relates To: The Suspension of  
Local Rule 6 of The Division of Business Among  
District Court Judges in the Southern District of  
New York

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McMahon, C.J.:

WHEREAS, the President of the United States has declared a national emergency and the Governor of New York has banned mass gatherings in the state, encouraged persons in the state to remain home, and ordered the closure of non-essential businesses in response to the spread of COVID-19; and

WHEREAS, the current public health crisis has caused, is causing, and is expected to continue to cause extraordinary disruption throughout this District, including, but not limited to the temporary closure of offices; the imposition of travel restrictions and discouragement of the use of mass transportation; the dislocation of many residents; and disruptions and delays in the use of the mails; and

WHEREAS, as a result, the Court is converting to a remote arraignment system, whereby the participants, including the presiding Magistrate Judge, will be present *via* teleconference; and

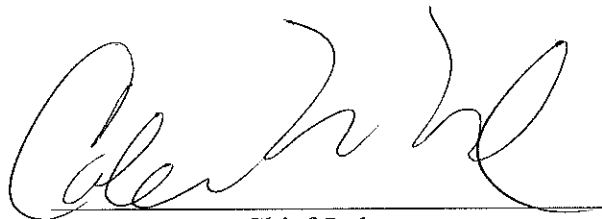
WHEREAS, this Court's local rule regarding the division of work between judges provides in part that, "after an indictment has been returned by the Grand Jury or a notice has been filed by the United States Attorney's Office of an intention to file an information upon

the defendant's waiver of indictment, *the magistrate judge on duty will randomly draw from the criminal wheel, in open court, the name of a judge to whom the case should be assigned for all purposes*" (Rule 6 of THE RULES FOR THE DIVISION OF BUSINESS AMONG DISTRICT JUDGES) (Emphasis added); and

WHEREAS, compliance with Rule 6 is not practicable if the magistrate judge is presiding from a remote location;

IT IS HEREBY ORDERED that Rule 6 is suspended, and the Clerk of the Court or her designee will at the time of a filing of an Indictment or an Information upon a waiver, randomly draw from the appropriate wheel the name of the judge to be assigned to the new case, and communicate it to the presiding magistrate and all parties.

Entered at New York, New York on this 27<sup>th</sup> day of March 2020

A handwritten signature in black ink, appearing to be "C. J. ...", written over a horizontal line.

Chief Judge