

Date: Nov. 15, 2022

KEVIN P. WEIMER, Clerk

By: s/Judith Motz

Deputy Clerk

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

**IN RE: EMERGENCY AUTHORIZATION
OF VIDEO TELECONFERENCING AND
TELEPHONE CONFERENCING IN
CRIMINAL PROCEEDINGS DUE TO THE
COVID-19 PANDEMIC**

**GENERAL ORDER 20-04
Eleventh Amendment**

ORDER

On March 30, 2020, in response to the outbreak of Coronavirus Disease 2019 (COVID-19) within the Northern District of Georgia and relying on the authority of the CARES Act, H.R. 748, the Court issued General Order 20-04 authorizing the use of video and telephone conferencing in certain criminal proceedings. The CARES Act requires the chief judge to review this authorization every 90 days. Following the required reviews, the chief judge of this district has entered ten previous Amendments to the General Order, on June 28, 2020, September 26, 2020, December 8, 2020, March 9, 2021, May 26, 2021, August 24, 2021, November 22, 2021, February 18, 2022, May 19, 2022, and August 17, 2022, extending the authorization. As another 90 days will pass by November 15, 2022, I must review this authorization and determine whether it should be extended.

While its impact has subsided in the Northern District of Georgia, the COVID-19 pandemic is not over. Data from the Georgia Department of Public Health (Georgia DPH) demonstrates that the seven-day moving average of new, confirmed

COVID-19 cases in the state remains higher than the average when this Order first was issued on March 30, 2020. At the same time, less than 60% of Georgians are fully vaccinated against COVID-19, according to Georgia DPH.

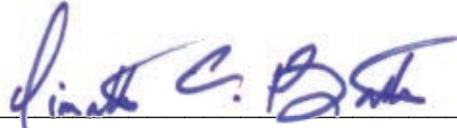
The President's declaration of a national emergency under the National Emergencies Act (50 U.S.C. § 1601 et seq.) due to COVID-19 remains in effect, as do the findings of the Judicial Conference of the United States that emergency conditions due to this national emergency have materially affected and will materially affect the functioning of the federal courts generally. There is no known cure for COVID-19, and variant strains of the virus continue to develop.

Having reviewed the authorization contained in General Order 20-04 in light of the above facts, I find that General Order 20-04 should again be extended in order to facilitate the administration of justice while at the same time protecting the health and safety of parties, counsel, court staff, and the public.

Therefore, it is hereby **ORDERED** that General Order 20-04 is extended and shall be in effect until the earliest of the following: (1) the date that is 30 days after the date on which the national emergency declaration terminates; (2) the date on which the Judicial Conference of the United States finds that emergency conditions due to the national emergency declared by the President under the National Emergencies Act (50 U.S.C. § 1601 et seq.) with respect to COVID-19 no longer

materially affect the functioning of either the federal courts generally or this district;
or (3) the Order is terminated by this Court.

SO ORDERED this 15th day of November 2022.

A handwritten signature in blue ink, appearing to read "Timothy C. Batten, Sr.", written over a horizontal line.

TIMOTHY C. BATTEN, SR.
CHIEF UNITED STATES DISTRICT JUDGE