

MAY 26 2021

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

JAMES N. HATTEN, Clerk
By: *J Metz* Deputy Clerk

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

**GENERAL ORDER 20-04
Fifth 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 ninety days. Following the required reviews, the chief judge of this district has entered four previous Amendments to the General Order, on June 28, 2020, September 26, 2020, December 8, 2020, and March 9, 2021, extending the authorization. As another 90 days will pass by June 7, 2021, I must review this authorization and determine whether it should be extended.

While the number of COVID-19 infections in Georgia has continued to decline from very high levels experienced in January and while the Court's suspension of jury trials has expired, the effects of the pandemic in the Northern District of Georgia persist. Data from the Georgia Department of Public Health

demonstrates that the seven-day moving average of new confirmed cases, while declining, is over 400, which is higher than the average when this Order first was issued on March 30, 2020. In addition, only 31% of Georgians have been fully vaccinated.

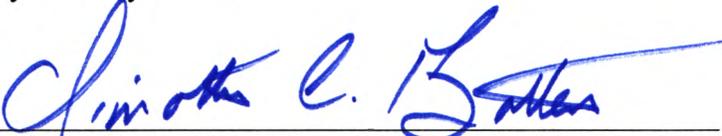
The President's declaration of a national emergency under the National Emergencies Act (50 U.S.C. § 1601 et seq.) due to COVID-19 remains in effect, as do the findings of the Judicial Conference of the United States that emergency conditions due to this national emergency have materially affected and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

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 26th day of May 2021.



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