

DEC - 8 2020

JAMES N. HATTEN, Clerk  
By: *J. 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  
Third 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 me to review this authorization every ninety days. On June 28, 2020, I entered the First Amendment to General Order 20-04 extending the authorization. On September 26, 2020, I entered the Second Amendment to General Order 20-04 further extending the authorization. As another ninety days will pass by December 25, 2020, I must again review this authorization and determine whether it should be extended.

Data from the Centers for Disease Control and Prevention reflects that the average number of new COVID-19 cases per day in the State of Georgia has been increasing since October, and the seven-day moving average now exceeds 4,500. This number is higher than the average number of cases per day when the Court first entered General Order 20-04 and when the two amendments to the order were entered.

The total number of COVID-19 cases and deaths in Georgia and the Northern District continues to rise, and the top five counties in Georgia with the most confirmed COVID-19 cases—Fulton, Gwinnett, Cobb, DeKalb, and Hall—all are in the Northern District. Nine of the top ten counties in Georgia for newly reported cases are in the Northern District. While a vaccine may be available to select groups by the end of 2020, it likely will be at least several weeks before a vaccine is available to the general public. There continues to be no known cure.

There has been no change to the President’s declaration of a national emergency under the National Emergencies Act (50 U.S.C. § 1601 et seq.) due to COVID-19 or to 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. In addition, Georgia Governor Brian P. Kemp has extended Georgia’s Public Health State of Emergency due to COVID-19 through January 8, 2021.

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 8th day of December 2020.

  
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**THOMAS W. THRASH, JR.**  
**CHIEF UNITED STATES DISTRICT JUDGE**