

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: CORONAVIRUS/COVID-19 PANDEMIC

20-mc-316

THIS MATTER RELATES TO:

M10-468

Cellular Telephone Authorization for
Empaneled Jurors and Certain Attorneys

FIFTH AMENDED
STANDING ORDER

WHEREAS, during the coronavirus/COVID-19 pandemic, the Court has entered and renewed standing orders permitting prospective and empaneled jurors, and certain trial and court proceeding participants, to retain their cellular telephones when entering the courthouses of this district; and

WHEREAS, restrictions on juror movements during the day and courtroom social distancing requirements that necessitated the issuance of such standing orders are not currently in place; and

WHEREAS, experience under the standing orders has led the Court to consider whether the continuation of certain exceptions from the restrictions of Local Civil Rule 1.8, for empaneled jurors and for certain attorneys, may be in the interests of the efficient administration of justice, in that they facilitate greater collaboration among attorneys in connection with the presentation of evidence and other information to the Court and the ability to shorten the length of breaks in trial proceedings; it is hereby

ORDERED, that effective April 1, 2022, and until further order of the Court, that Empaneled Jurors and Attorneys (as defined herein) are authorized, notwithstanding any other Local Rule or Standing Order of this Court, to bring into the courthouse one cellular telephone (the “Device”). Empaneled Jurors means persons selected to sit as petit and grand jurors. Empaneled Jurors are provided with credentials identifying them as such and must present such credentials to security personnel at the entrance of the courthouse to be permitted to bring a Device into the courthouse. Attorneys means members of the bar who present to security personnel at the entrance of the Courthouse a valid Attorney Service Pass issued by the District Executive’s Office of this Court or a valid Attorney Secure Pass issued by the New York State Office of Court Administration; and it is further

ORDERED, that grand jurors are required to follow the directions of the United States Attorney regarding use of such Devices, including but not limited to when they may be turned on and where they must be stored when not in use. Petit jurors and Attorneys must follow the directions of the presiding judge regarding the use of such Devices, including when they may be turned on and where they must be stored when not in use (which location may be other than in the courtroom where the trial is taking place); and it is further

ORDERED, that Standing Order M10-68, entered on February 27, 2014, in 14 MC 0047, and pertaining to applications to bring personal electronic devices and general purpose computing devices into the courthouse, among other matters, remains in effect; and it is further

ORDERED, that Local Civil Rule 1.8 remains in full force and effect, including the absolute prohibition on any audio or video recording of any proceeding or any communication with the Court, an employee of the Court or any person acting at the direction of the Court, including a mediator.

This order will become effective upon expiration of the Court's Fourth Amended Standing Order, which will expire at midnight on March 31, 2022.

IT IS SO ORDERED.

Dated: March 30, 2022
New York, NY



LAURA TAYLOR SWAIN
Chief United States District Judge