

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

IN THE MATTER OF:)	No. 23-mc-00001
)	
TERMINATION OF VIDEO AND TELEPHONE)	GENERAL ORDER /
CONFERENCING PURSUANT TO THE)	ADMINISTRATIVE POLICY
CORONAVIRUS AID, RELIEF, AND ECONOMIC)	2023-16
SECURITY ACT)	

GENERAL ORDER

To the extent this Order differs from other orders of the Court on this subject, this Order supersedes and replaces those orders.

On March 13, 2020, the President issued a proclamation "Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak." Proclamation No. 9994, 85 Fed. Reg. 15,337 (Mar. 13, 2020). On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") was enacted authorizing federal courts to conduct certain criminal proceedings via video and telephone conferencing. Pub. L. No. 116-136, Sec. 15002(b).

On March 30, 2020 the Court issued an order authorizing video and telephone conferencing in certain criminal proceedings pursuant to the Act. The Court subsequently extended that authorization, most recently on March 15, 2023, as permitted by the Act and in light of the President's continuation of the national emergency. The CARES Act provides that authorizations for video and telephone conferencing under the Act shall terminate on the last day of the "covered emergency period," which is "30 days after the date on which the national emergency declaration terminates." Pub. L. No. 116-136, Sec. 15002(a).

The national emergency declaration terminated on April 10, 2023, upon the President's signing of H.J. Res. 7, 118th Cong. (2023). Therefore, this Court's authorization of video and

telephone conferencing for certain criminal proceedings pursuant to the CARES Act will terminate on May 10, 2023 and the following criminal proceedings must no longer be conducted via video or telephone conferencing after that date:

- Detention hearings under 18 U.S.C. § 3142;
- Preliminary hearings under Fed. R. Crim. P. 5.1;
- Waivers of Indictment under Fed. R. Crim. P. 7(b);
- Probation and supervised release revocation proceedings under Fed. R. Crim. P. 32.1;
- Pretrial release revocation proceedings under 18 U.S.C. § 3148;
- Misdemeanor pleas and sentencings under Fed. R. Crim. P. 43(b)(2);
- Proceedings under chapter 403 of title 18 of the United States Code, 18 U.S.C. § 403 (commonly known as the “Federal Juvenile Delinquency Act”), except for contested transfer hearings and juvenile delinquency adjudication or trial proceedings.

In addition, the Court's authorization to conduct felony pleas under Fed. R. Crim. P. 11 and felony sentencings under Fed. R. Crim. P. 32 by video or telephone conferencing in accordance with the CARES Act will terminate on May 10, 2023 and those proceedings may no longer be conducted by video or telephone conferencing after that date.

Proceedings otherwise authorized by rule or statute to be conducted via video teleconferencing are unaffected and may be conducted in accordance with those rules or statutes notwithstanding termination of the CARES Act authorizations. Telephone conferencing for such proceedings is not permitted.

SO ORDERED.

For the Court,

Date: 4/20/2023

A handwritten signature in black ink, appearing to read "Tanya Walton Pratt", is written over a horizontal line.

Hon. Tanya Walton Pratt, Chief Judge
United States District Court
Southern District of Indiana