

December 22, 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

JULIA C. DUDLEY, CLERK
BY: A. Seagle
DEPUTY CLERK

IN RE:)
REAUTHORIZATION OF VIDEO)
AND TELECONFERENCE HEARINGS)
IN CRIMINAL CASES UNDER THE)
CARES ACT)

SECOND AMENDED
STANDING ORDER 2020-15

1. On March 30, 2020, the court entered Standing Order 2020-07 authorizing video and teleconferences pursuant to the Coronavirus Aid, Relief and Economic Security Act (“CARES Act”).
2. The CARES Act provided the court with authority to conduct criminal proceedings by video and teleconference for up to 90 days. The initial 90-day period expired on June 28, 2020.
3. On June 26, 2020, the court reauthorized the use of video and teleconferences for an additional 90-day period pursuant to § 15002(b)(3)(A) of the CARES Act. Such reauthorization applied to both criminal proceedings specified in §§ 15002(b)(1) and 15002(b)(2) of the CARES Act, including felony guilty plea and sentencing hearings, as to which the court continued to find that such hearings could not be conducted in person without seriously jeopardizing public health and safety. That 90-day period expired on September 27, 2020.
4. A second reauthorization was ordered on September 27, 2020, which expires on December 26, 2020.
5. Although vaccines have been approved and are being administered to front line health care workers, the COVID-19 pandemic has surged in November and December in this

district, causing the court to suspend jury trials and restrict in-person hearings through February 28, 2021.

6. Pursuant to § 15002(b)(3)(B) of the CARES Act, I have reviewed the March 30, 2020, June 26, 2020, and September 27, 2020 authorizations for the use of video and teleconferencing and have concluded that the public health emergency caused by the ongoing coronavirus pandemic requires an extension of the authorization for an additional 90 days. In making this determination, I have requested comment from both the Acting United States Attorney and the Federal Public Defender for the Western District of Virginia, each of whom support reauthorization.

7. This reauthorization applies both to the criminal proceedings specified in §§ 15002(b)(1) and 15002(b)(2) of the CARES Act, including felony guilty plea and sentencing hearings, as to which the court continues to find that such hearings cannot be conducted in person without seriously jeopardizing public health and safety.

8. This reauthorization will expire on March 22, 2021. At that point, pursuant to § 15002(b)(3)(B) of the CARES Act, the court will review the authorization of authority and determine whether to extend the authorization for an additional 90 days.

It is so **ORDERED**.

Entered: December 22, 2020



Michael F. Urbanski
Chief U.S. District Judge
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Michael F. Urbanski
Chief United States District Judge