

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

IN RE: The National Emergency
Declared on March 13, 2020:
Fifth Renewal of CARES Act Order

2021 AUG -6 P 2:45
CLERK M. Akw
SO. DIST. OF GA.

STANDING ORDER MC 121- 23
NUNC PRO TUNC-Effective June 17, 2021

WHEREAS, on March 13, 2020, a national emergency was declared under the National Emergencies Act, 50 U.S.C. Section 1601, *et. seq.*, in response to the COVID-19 pandemic;

WHEREAS, on March 27, 2020, the President signed the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") authorizing the use of video and telephone conferencing, under certain circumstances and with the consent of the defendant or juvenile, for various criminal case events during the course of the COVID-19 emergency;

WHEREAS, on March 29, 2020, the Judicial Conference of the United States found that emergency conditions, consistent with the national emergency declared with respect to COVID-19, would materially affect the functioning of the federal courts;

WHEREAS, on March 30, 2020, the Chief Judge of this District, pursuant to Section 15002(b)(1) of the CARES Act and based on a finding that criminal proceedings generally could not be conducted in person without seriously jeopardizing public health and safety, entered Order-MC120-005 providing that in lieu of personal appearance, and with the consent of the defendant or juvenile after consultation with counsel, it is appropriate to use video conferencing, or telephone conferencing if video conferencing is not reasonably available, for all events listed in Section 15002(b) of the CARES Act and in Order MC120-005;

WHEREAS, the President notified Congress on February 26, 2021 that the pandemic continues to cause significant risk to the nation's public safety and health and published formal notice in the Federal Register on February 26, 2021 continuing the COVID-19 National Emergency;

WHEREAS, the Judicial Conference finding of emergency conditions remains in effect;

WHEREAS, the CARES Act requires the chief judge of each federal district, no later than ninety days after the entry of the authorization to conduct proceedings by video or telephone conferences, to “review the authorization and determine whether to extend the authorization.” Section 15002(b)(3)(A);

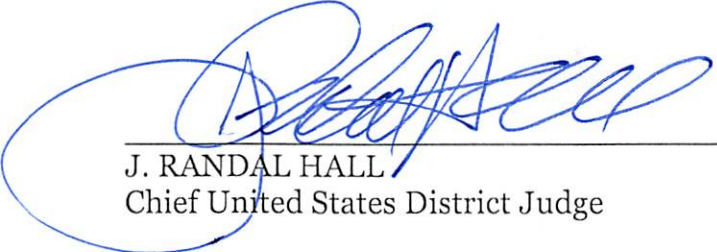
WHEREAS, on June 26, 2020, September 24, 2020, December 21, 2020 and March 18, 2021, the Chief Judge extended the authorizations for additional ninety-day periods (MC120-014, MC120-021, MC120-029 and MC121-010);

WHEREAS, upon review, the Court finds that in light of the continuation of the National Emergency declared on March 13, 2020 and, based on the most recent District health statistics, the COVID-19 coronavirus remains a serious health crisis in the Southern District of Georgia; and

WHEREAS, the Court hereby determines that the authorizations should be renewed.

THEREFORE, IT IS HEREBY ORDERED that the authorizations contained in the Court’s March 30, 2020 General Order (MC120-005), and renewed on June 20, 2020 (MC120-014), September 24, 2020 (MC120-021), December 21, 2020 (MC120-029) and March 18, 2021 (MC 121-010) are hereby renewed. This Order shall apply retroactively to June 17, 2021 and is effective for ninety days unless otherwise ordered. However, notwithstanding the term of this Order, this authority terminates on the last day of the National Emergency declared by the President of the United States on March 13, 2020 or the day on which the Judicial Conference of the United States determines that the emergency no longer affects the United States courts in this District, whichever occurs first.

ORDERED at Augusta, Georgia, this 6th day of August, 2021.



J. RANDAL HALL
Chief United States District Judge