

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE:** : **STANDING ORDER 20-8**  
:   
**COURT OPERATIONS UNDER** :   
**THE EXIGENT CIRCUMSTANCES** :   
**CREATED BY COVID-19 WITH** :   
**RESPECT TO TELECONFERENCES** :   
**AND VIDEOCONFERENCES FOR** :   
**CRIMINAL PROCEEDINGS** :

**STANDING ORDER**

The Court issues this Standing Order in response to serious public health and epidemiological concerns regarding transmission of the contagious coronavirus disease (COVID-19) in the Middle District of Pennsylvania and elsewhere. There are multiple confirmed cases of COVID-19 throughout the Middle District of Pennsylvania and in each vicinage of the Middle District of Pennsylvania. The President of the United States has invoked the National Emergencies Act, 50 U.S.C. § 1601, *et seq.*, with respect to COVID-19, and has issued guidelines mandating social distancing and discontinuance of discretionary travel, and the Governor of the Commonwealth of Pennsylvania, in addition to issuing similar social distancing guidelines, has issued a proclamation of disaster emergency for the Commonwealth; imposed stay-at-home restrictions for 26 counties to date, including counties that house three of this judicial district's four courthouses; ordered the Commonwealth's schools and non-life-sustaining businesses to close until further notice; and urged all of the Commonwealth's residents to refrain from non-essential travel.

Further, in response to COVID-19 and its impact on institutions, including the judiciary and its administration of justice, Congress has passed legislation authorizing the use of videoconferencing and teleconferencing, under certain circumstances and with the consent of the defendant, for various criminal case events during the course of the COVID-19 emergency. *See* The CARES Act, H.R. 748, Section 15002 *et seq.* The Judicial Conference of the United States has also found that emergency conditions due to the national emergency declared by the President have affected and will materially affect the functioning of the federal courts generally.

As Chief Judge of this judicial district, and pursuant to Section 15002(b)(1) of the legislation, I hereby authorize the use of videoconferencing, or teleconferencing if videoconferencing is not reasonably available, for all events listed in Section 15002(b) of the legislation to wit:

- (A) Detention hearings under Section 3142 of Title 18, United States Code.
- (B) Initial appearances under Rule 5 of the Federal Rules of Criminal Procedure.
- (C) Preliminary hearings under Rule 5.1 of the Federal Rules of Criminal Procedure.
- (D) Waivers of indictment under Rule 7(b) of the Federal Rules of Criminal Procedure.
- (E) Arraignments under Rule 10 of the Federal Rules of Criminal Procedure.
- (F) Probation and supervised release revocation proceedings under Rule 32.1 of the Federal Rules of Criminal Procedure.
- (G) Pretrial release revocation proceedings under Section 3148 of Title 18, United States Code.

- (H) Appearances under Rule 40 of the Federal Rules of Criminal Procedure.
- (I) Misdemeanor pleas and sentencings as described in Rule 43(b)(2) of the Federal Rules of Criminal Procedure.
- (J) Proceedings under chapter 403 of Title 18, United States Code (commonly known as the “Federal Juvenile Delinquency Act”), except for contested transfer hearings and juvenile delinquency adjudication or trial proceedings.

Pursuant to Section 15002(b)(2), I, as Chief Judge, on my own motion, further specifically find that felony pleas under Rule 11 of the Federal Rules of Criminal Procedure and felony sentencings under Rule 32 of the Federal Rules of Criminal Procedure cannot be conducted in person in this judicial district without seriously jeopardizing public health and safety. As a result, if a judge in an individual case finds, for specific reasons, that a felony plea or sentencing in that case cannot be further delayed without serious harm to the interests of justice, the judge may, with the consent of the defendant after consultation with counsel, use videoconferencing, or teleconferencing if videoconferencing is not reasonably available, for the felony plea or sentencing in that case. Judges may also use this authority for equivalent events in juvenile cases as described in Section 15002(b)(2)(B), with the consent of the juvenile after consultation with counsel.

Pursuant to Section 15002(b)(3) of The CARES Act, this Order, which is effective immediately, will remain in effect for 90 days unless terminated earlier. If emergency conditions continue to exist 90 days from the date of this Order, or if the President’s emergency declaration remains in effect, along with the Judicial

Conference's finding that the emergency conditions will materially affect the functioning of the federal courts, the Chief Judge will review this Order and determine whether to extend it. Such review will occur not less frequently than once every 90 days, until the last day of the covered emergency period or until the Chief Judge determines that this authorization is no longer warranted.

**BY THE COURT:**



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Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania

Dated: March 30, 2020