

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IN RE: TERMINATION OF VIDEO
TELECONFERENCING
FOR CRIMINAL PROCEEDINGS
PURSUANT TO THE CORONAVIRUS
AID, RELIEF, AND ECONOMIC
SECURITY ACT

GENERAL ORDER NO. 2023-05

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 teleconferencing or telephone conferencing. [Pub. L. No. 116-136, § 15002\(b\), 134 Stat. 281](#).

On March 30, 2020, the Court issued an order authorizing video teleconferencing, or telephone conferencing if video teleconferencing is not reasonably available, in certain criminal proceedings pursuant to the CARES Act. The Court subsequently extended that authorization, most recently on February 17, 2023, as permitted by the Act and pursuant to the President’s continuation of the national emergency. The authorization under § 15002 of the CARES Act ends at the conclusion of the “covered emergency period,” which is specified in the Act as “the date that is 30 days after the date on which the national emergency declaration terminates,” or when the Judicial Conference finds that emergency pandemic conditions “no longer materially affect the functioning of either the federal courts generally” or a particular district, whichever occurs first. [CARES Act § 15002\(a\),\(b\)\(5\)](#).

The national emergency declaration terminated on April 10, 2023, upon the President’s signing of [H.J. Res. 7, 118th Cong. \(2023\)](#). Accordingly,

IT IS ORDERED:

1. This Court's authorization of video and teleconferencing technologies in certain criminal proceedings under § 15002 of the CARES Act will terminate on May 10, 2023.
2. The Court will return to pre-pandemic practices in criminal cases and may use video or teleconferencing technologies only pursuant to the provisions of the Federal Rules of Criminal Procedure or any relevant statutes that applied before the CARES Act.
3. This order rescinds [General Order Number 2023-01](#).

Dated this 10th day of May 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge