

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: THE NOVEL CORONAVIRUS (COVID-19)

3:21-MC-3

**TERMINATION OF CARES ACT STANDING ORDER
AND OTHER COVID-19 PREVENTATIVE MEASURES**

On March 27, 2020, Congress authorized, and the President of the United States signed, the CARES Act in response to the COVID-19 pandemic. On March 29, 2020, the Judicial Conference of the United States found, “pursuant to the CARES Act, that emergency conditions due to the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to COVID-19 have materially affected and will materially affect the functioning of the federal courts generally.”¹

On April 2, 2020, this Court entered a Standing Order which specifically found that “most criminal court proceedings, including all those enumerated in the Act, and felony pleas and sentencings, cannot be conducted in person anywhere in the District without seriously jeopardizing public health and safety.” *See* 3:20-MC-9 [3]. The Standing Order made other specific findings, as required by the CARES Act, and was set to remain in effect “for 90 days unless terminated earlier.” That 90-day period ended July 1, 2020. Prior to its expiration, on June 29, 2020, the Court, finding the same emergency conditions continued to exist in this District at that time, extended the Standing Order for an additional 90 days beginning July 2, 2020. The Standing Order has been extended multiple times since then. The most recent extension took effect March 20, 2023, and is set to expire June 18, 2023, “unless terminated earlier.” *See* 3:21-MC-3 [22].

On April 10, 2023, following House and Senate passage, the President of the United States signed into law a Joint Resolution which provides that “the national emergency declared by the

¹ *See* Director’s Memo from James C. Duff to All United States Judges March 29, 2020.

finding of the President on March 13, 2020 ... is hereby terminated.” As a result, this Court’s authority under the CARES Act to use video and teleconferencing technologies in certain criminal proceedings, including felony pleas and sentencings, will expire on Wednesday, May 10, 2023. Accordingly, the current Standing Order is **TERMINATED** effective May 10, 2023.²

For the same reasons, and because of the significant reduction of COVID-19 cases in this District, the Court concludes that all other COVID-19 preventative measures currently in place in this District should terminate on the same date as the Standing Order. Accordingly, all other COVID-19 preventative measures—including the Protocols for Reopening Courthouses and Resuming Normal Operations (as revised March 1, 2022), Standing Order Addendum on Juror Vaccinations, Order for COVID-19 Vaccination and Testing (as revised March 1, 2022), COVID-19 Vaccination and Testing Policy (as revised March 1, 2022), and Notice to Northern District Court Employees Regarding COVID-19 Vaccination and Testing Policy (as revised March 1, 2022)³—are also **TERMINATED** effective May 10, 2023.

SO ORDERED, this 5th day of May, 2023.



DEBRA M. BROWN, CHIEF JUDGE

² Until May 10, each judge in this District retains discretionary authority to continue to hold felony pleas and sentencings by video or telephonic conferencing as needed in accordance with all terms of the original Standing Order.

³ The Northern District judges voted earlier to terminate the COVID-19 Health Questionnaire and certain other building screening procedures mandated in the Protocols.