UNITED STATES DISTRICT COURT DISTRICT OF NORTH DAKOTA

In re: Court Operations Under)	
the Exigent Circumstances Created)	ADMINISTRATIVE ORDER
by COVID-19)	

In order to protect public health, IT IS HEREBY ORDERED, that;

- 1. The following persons, including but not limited to federal employees and contractors, shall not enter any United States Courthouse in the District of North Dakota:
 - a. Persons who have been asked to self-quarantine or self-isolate by any doctor or other medical provider, hospital, or health agency if they are still within that time of self-quarantine or self-isolation;
 - b. Persons who have been diagnosed with, or who have any contact with, anyone who has been diagnosed with COVID-19 unless and until they have completed a quarantine or self-isolation period, as required by the North Dakota Department of Health guidelines; and
 - c. Persons with fever, cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat or new loss of taste or smell.

Court Security Officers may question any courthouse visitor to determine whether they fall into any of these categories. Anyone attempting to enter in violation of these protocols will be denied entry by a Court Security Officer.

In addition, persons granted admission to a courthouse should abide by the Center for Disease Control (CDC) recommendations.

- 2. Pursuant to Section 15002(b)(1) of the CARES Act, H.R. 748, the Chief Judge authorizes the use of video conferencing, or telephone conferencing if video conferencing is not reasonably available, for all events listed in Section 15002(b) of the legislation:
 - 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), the Chief Judge further specifically finds 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 Procedures cannot always be conducted in person in this 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 video conferencing, or teleconferencing if video conferencing is not reasonably available, for the felony plea or sentencing in that case. Judges may also us this authority for equivalent events in juvenile cases as described in Section 15002(b)(2)(B).

The Chief Judge has determined, pursuant to Section 15002(b)(3) of the legislation, that emergency conditions continue to exist, and that this authorization will remain in effect until **April 18, 2022**, unless terminated earlier. If emergency conditions continue to exist 90 days from the entry of this order, the Chief Judge will review this authorization and determine whether to extend it.

3. This order supercedes the Court's Administrative Order issued on June 21, 2021. Prior Administrative Orders setting forth the periods tolled under the Speedy Trial Act, 18 U.S.C. § 3161, due to the COVID-19 pandemic, are posted on the District Court's Website at www.ndd.uscourts.gov.

Dated: January 18, 2022, at 11:00 a.m.

/s/ Peter D. Welte
Peter D. Welte, Chief Judge
United States District Court