

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

IN RE: \*  
\*  
CONDUCTING GRAND JURIES \* STANDING ORDER 2020-05  
DURING THE CORONAVIRUS NATIONAL \*  
EMERGENCY \*  
\*

**STANDING ORDER REGARDING GRAND JURIES  
DURING THE CORONAVIRUS NATIONAL EMERGENCY**

On March 13, 2020, under the National Emergencies Act, 50 U.S.C. §§ 1601-1651, the President of the United States declared a national emergency as a result of the coronavirus. On March 29, 2020, the Judicial Conference of the United States determined that "emergency conditions due to the national emergency declared by the President have materially affected and will materially affect the functioning of the federal courts generally." On April 2, 2020, the Governor of Georgia issued a statewide Executive Order limiting mass gatherings and instituting other restrictive measures throughout the state in order to prevent the spread of the coronavirus. The Centers for Disease Control and Prevention and other public health authorities have advised all citizens to take precautions to reduce the possibility of exposure to the virus and slow the spread of the disease, including social distancing. These agencies, along with the leadership of the Executive Branch, have warned that certain persons are particularly vulnerable to the

virus and at a higher risk of developing serious health complications if they become infected.

On March 30, 2020, this Court issued an order pursuant to section 15002(b) of the CARES Act finding among other things that the live appearance of persons for hearings at the District's courthouses placed public health and safety in jeopardy and accordingly authorized video and telephonic hearings. The Court finds that those emergency conditions persist.

Neither the CARES Act nor this Court's previous orders specifically address whether grand jury proceedings may be conducted without all grand jurors being present collectively in one room. The Court finds that such proceedings may be conducted under limited circumstances as described in the remainder of this order during the present national emergency or until further order of this court.

In order to protect the health and safety of the public and the health and safety of court employees, parties and court participants, and to reduce the size of gatherings otherwise essential to the administration of justice, the United States District Court for the Middle District of Georgia orders the following regarding the convening of the grand jury during the national emergency arising from the coronavirus pandemic:

Upon being notified by the United States Attorney of the date upon which the United States Attorney seeks to convene a grand jury

which has previously been sworn, the Clerk of Court shall notify grand jurors of procedures for being excused from appearance for reasons related to the coronavirus. These excuses may include being in the category of persons who are prohibited from entry into the Middle District Courthouses under Standing Order 2020-01, persons who are presently suffering from a contagious illness, persons who are caring for children or persons who are ill or incapacitated and cannot make alternative arrangements for their care, persons who fall into one of the health at-risk categories as described by the Centers for Disease Control, and persons who cannot travel to the proceeding without substantial hardship.

All grand jurors who are not excused shall report to the William A. Bootle Federal Building & U.S. Courthouse in Macon, Georgia, when summoned. Each grand juror, who does not have their own mask, shall be provided with one upon their arrival. To maximize social distancing, the grand jurors will be divided among the four courtrooms in the federal courthouse and distanced from one another within each respective courtroom. The courtrooms will be linked by the Court's secure VTC system to enable the grand jurors and other participants to communicate, receive evidence, hear testimony, ask questions, deliberate, vote, and otherwise perform the duties of the grand jury. Court Security Officers will be stationed outside each courtroom to provide security and otherwise assist with the secrecy obligations of the grand jury.

All grand jurors convening in the separate courtrooms shall be collectively counted in establishing a quorum for that grand jury.

Except to the extent modified hereinabove, the Court's Standing Order 2020-01, dated March 16, 2020; Standing Order 2020-02, dated March 20, 2020, and Standing Order 2020-03, dated March 30, 2020, shall remain in place. This Order shall remain in place as long as this Court's Standing Order No. 2020-03 remains in effect, unless it is terminated sooner by the Court.

This 30th day of April, 2020

S/Clay D. Land

CLAY D. LAND

CHIEF UNITED STATES DISTRICT JUDGE