

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

IN RE:

COVID-19 PUBLIC HEALTH AND SAFETY

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STANDING ORDER 2021-05

**STANDING ORDER TERMINATING THE JURY TRIAL
MORATORIUM**

The Middle District of Georgia implemented a jury trial moratorium on March 17, 2020 due to the COVID-19 pandemic. See Middle District Standing Order 2020-01. The court subsequently extended that moratorium through a series of standing orders, and the current moratorium expires on May 2, 2021. See Middle District Standing Orders 2020-02, 2020-07, 2020-08, 2020-10, 2020-12, 2020-13, 2021-02, 2021-03. Over the last two months COVID-19 cases dramatically declined, vaccines are widely available, and the State of Georgia and Center for Disease Control and Prevention (CDC) have rolled back a number of health restrictions.

It is this Court's opinion that jury trials, with appropriate health precautions in accordance with CDC, state, and local health guidance, can be safely conducted within the Middle District of Georgia. The Court therefore terminates the general jury trial moratorium that has been in effect over the last fourteen months. The Court recognizes that certain trials, such as multi-defendant criminal cases, will make compliance with health precautions difficult. Presiding judges continue to have the authority to find that the rights of defendants in criminal cases and the public to a speedier trial during this

pandemic is substantially outweighed by the public interest of protecting the health and safety of defendants, the case participants, court employees, jurors, and the public, which can only be protected by a continuance in those jury trials. Those defendants in a criminal case who object to a continuance shall have the right to file a motion for a speedier trial, which shall be considered and decided by the judge assigned to the defendant's case.

As authorized by the Coronavirus Aid, Relief, and Economic Security Act, H.R. 748 (the CARES Act), the Court previously issued standing orders authorizing the use of video and/or audio conference to conduct identified criminal proceedings. See Middle District Standing Order 2020-03, 2020-07, 2020-08, 2020-10, 2020-12, 2020-13, 2021-02, 2021-04. The Court specifically finds that this authority remains necessary and in certain circumstances the appearance of persons live at the courthouse for court proceedings would place the public health and safety in serious jeopardy. Accordingly, the Court renews its authority under the CARES Act to conduct the proceedings identified in Standing Order 2020-03 by video and/or audio means for an additional 90 days from the date of today's order.

All previous standing orders shall remain in effect except to the extent that certain provisions are inconsistent with today's order. The Court will continue to monitor the conditions of the COVID-19 pandemic within the Middle District of Georgia and take further action as appropriate.

SO ORDERED, this 30th day of April, 2021.

s/ Marc. T. Treadwell
MARC T. TREADWELL
CHIEF UNITED STATES DISTRICT JUDGE