



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

**SPECIAL ORDER NO. 13-9**

**COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES  
CREATED BY THE COVID-19 PANDEMIC: AUTHORIZATION TO USE VIDEO  
TELECONFERENCING FOR CRIMINAL PROCEEDINGS**

This Order supplements and incorporates by reference Special Order Nos. 13-5 and 13-6. The COVID-19 pandemic and concern for public safety have caused the Court to temporarily modify various procedures. Under authority granted by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), and based on findings of the Judicial Conference of the United States that emergency conditions will materially affect the functioning of the Court, I hereby authorize the use of video teleconferencing, or telephone conferencing if video conferencing is not reasonably available, for each of the following proceedings:

1. Detention hearings under section 3142 of title 18, United States Code;
2. Initial appearances under Rule 5 of the Federal Rules of Criminal Procedure;
3. Preliminary hearings under Rule 5.1 of the Federal Rules of Criminal Procedure;
4. Waivers of indictment under Rule 7(b) of the Federal Rules of Criminal Procedure;
5. Arraignments under Rule 10 of the Federal Rules of Criminal Procedure;
6. Probation and supervised release revocation proceedings under Rule 32.1 of the Federal Rules of Criminal Procedure;
7. Pretrial release revocation proceedings under section 3148 of title 18, United States Code;
8. Appearances under Rule 40 of the Federal Rules of Criminal Procedure;
9. Misdemeanor pleas and sentencings as described in Rule 43(b)(2) of the Federal Rules of Criminal Procedure; and

10. Proceedings under chapter 403 of title 18, United States Code, except for contested transfer hearings and juvenile delinquency adjudication or trial proceedings.

Additionally, I have specifically found that felony pleas under Federal Rule of Criminal Procedure 11 and felony sentencings under Rule 32 cannot be conducted in person without seriously jeopardizing public health and safety. Therefore, if the district judge in a particular case finds, for specific reasons, that the plea or sentencing in that case cannot be further delayed without serious harm to the interests of justice, the plea or sentencing in that case may be conducted by video teleconferencing, or by telephone conferencing if video teleconferencing is not reasonably available.

A video teleconference or telephone conference under this Order may only take place with consent of the defendant, after consultation with counsel.

The authorization to use video teleconferencing and telephone conferencing provided by this Order, unless terminated earlier by operation of law or modified by subsequent order, will remain in effect for 90 days following entry. Nothing in this Order is intended to prevent a judge from using the judge's discretion to conduct an in-person proceeding in an individual case.

SO ORDERED this 29 day of March, 2020.



BARBARA M.G. LYNN  
CHIEF JUDGE