



9:50 am, 3/30/20

**Margaret Botkins**  
Clerk of Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

GENERAL ORDER:

VIDEO AND TELECONFERENCES  
IN CRIMINAL PROCEEDINGS UNDER  
THE CORONAVIRUS AID ACT

GENERAL ORDER NO. 20-03

---

**GENERAL ORDER AUTHORIZING VIDEO OR TELEPHONE  
FOR CRIMINAL PROCEEDINGS**

---

This matter comes before the Court *sua sponte* regarding authorization to conduct criminal proceedings by video and telephone conferences pursuant to the “Coronavirus Aid, Relief, and Economic Security Act,” H.R. 748 (the “Act”). The Act authorizes Federal Courts to use video or telephone conferencing for hearing certain criminal matters, provided: (a) each defendant consents to the use of such equipment, after consulting with counsel; and (b) the Judicial Conference finds emergency conditions caused by COVID 19 will materially affect the functioning of the Courts. On March 29, 2020, the Judicial Conference made a finding and emergency declaration covering the District of Wyoming. In accordance with Section 15002(b)(1) of the Act, as the Chief Judge for the District of Wyoming I hereby authorize the use of video conferencing, or telephone conferencing if video conferencing is not reasonably available, for the following matters:

- (A) Detention Hearings under 18 U.S.C. § 3142<sup>1</sup>;
- (C) Preliminary hearings under Fed. R. Crim. P. 5.1;
- (D) Waivers of indictment under Fed. R. Crim. P. 7(b);
- (F) Probation and supervised release revocations under Fed. R. Crim. P. 32.1;
- (G) Pretrial release revocations under 18 U.S.C. § 3148;
- (H) Appearances under Fed. R. Crim. P. 40; and
- (J) Federal Juvenile Delinquency Act proceedings under 18 U.S.C. § 403, except for contested transfer hearings and juvenile delinquency or trial proceedings.

---

<sup>1</sup> To avoid confusion, this Order adopts the enumeration for various hearings as used in the Act.

This Court does NOT adopt the provisions of the Act for the following matters:

- (B) Initial appearances under Fed. R. Crim. P. 5;
- (E) Arraignments under Fed. R. Crim. P. 10; and
- (I) Misdemeanor pleas and sentencings as described in Fed. R. Crim. P. 43(b)(2).

These enumerated matters, (B), (E), and (I), shall continue to proceed in accordance with and governed by the Federal Rules of Criminal Procedure and **NOT** subject to the Act.

In accordance with Section 15002(b)(2) of the Act, this Court further finds that given the location, distance and, at this time, the risks to the health and safety of Defendant, counsel, detention facilities inmates, personnel and Court personnel created by the COVID 19 virus, felony pleas under Fed. R. Crim. P. 11 and felony sentencings under Fed. R. Crim. P. 32 cannot be conducted in person without seriously jeopardizing public health and safety. Therefore, the presiding judge is hereby authorized, in his or her discretion to use video conferencing, or telephone conferencing if video conferencing is not reasonably available for these proceedings. **If the presiding judge elects to use video or telephone conferencing in the event video conferencing is not reasonably available in these cases (felony pleas and sentencing) he or she must also make an independent finding** that the plea or sentencing cannot be further delayed without serious harm to the interests of justice.

This Order applies to both juvenile and adult criminal cases. Pursuant to Section 15002(b)(3) of the legislation, this authorization will remain in effect for 90 days unless terminated earlier. If emergency conditions continue to exist 90 days from the entry of this order, I will review this authorization and determine whether to extend it.

**IT IS SO ORDERED** this 30<sup>th</sup> day of March 2020.

 9:15 a.m.  
SCOTT W. SKAVDAHL  
CHIEF UNITED STATES DISTRICT JUDGE