

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

IN RE: RENEWAL OF
AUTHORIZATIONS AND
FINDINGS UNDER THE CARES
ACT

ADMINISTRATIVE ORDER 21-17

As the spread of COVID-19 continues within the population of the District of Montana and in particular within the facilities used to house detained federal criminal defendants, the undersigned Chief Judge, acting pursuant to Section 15002(b)(3)(A) of the CARES Act, H.R. 748, hereby renews the authorizations and findings contained in Administrative Orders 20-18, 20-23, 20-34, 20-43, 21-3, and 21-16.

Specifically, the undersigned hereby renews authorization for the use of video teleconferencing, or telephone conferencing if video teleconferencing is not reasonably available, for the ten types of criminal procedures enumerated in Section 15002(b)(1) of the CARES Act. The undersigned Chief Judge further renews the specific finding 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 Procedure cannot be conducted in person without seriously jeopardizing public health and safety, as contemplated by Section 15002(b)(2) of the CARES Act. These findings shall take effect on December 13, 2021, upon the expiration of

Administrative Order 21-3, and will be reviewed after 90 days as required by Section 15002(b)(3)(A) of the CARES Act.

Notwithstanding these findings, it shall remain within the discretion of the presiding judge to determine the manner in which criminal hearings will proceed.

IT IS SO ORDERED this 30th day of November, 2021.



Brain Morris, Chief Judge
United States District Court