

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

**ORDER ON DOCUMENTS SIGNED BY
CRIMINAL DEFENDANTS IN VIDEOCONFERENCE
PROCEEDINGS CONDUCTED PURSUANT TO
FED. R. CRIM. P. 5(g) & 10(c)**

**ADM-1
ORDER 23-11**

ORDER

Due to the logistical challenges presented by COVID-19, when combined with the time-sensitive nature of initial appearances, the court entered a standing order allowing defense counsel to sign specified documents on behalf of a criminal defendant at a videoconference initial appearance/or arraignment. ADM-1, Order 20-34. The logistical challenges presented by COVID-19 having largely now abated, that standing order is vacated.

During the pandemic, however, the bench, bar and public found the standing order allowing attorneys to sign specified documents at a videoconference initial appearance or arraignment was an efficient and effective means obtaining the defendant's signature on those documents. Thus, for initial appearances or arraignments conducted by videoconference pursuant to Fed. R. Crim. P. 5(g) or 10(c), the court adopts the following:

1) Defense counsel may sign a document on behalf of a criminal defendant after personally reviewing the substance and meaning of the document with the client and obtaining the client's consent to sign it. The magistrate judge will conduct a colloquy to confirm the defendant's consent during the hearing.

2) Any documents signed by defense counsel on behalf of a client shall include a statement indicating that the document is signed by counsel with the permission of the defendant after review.

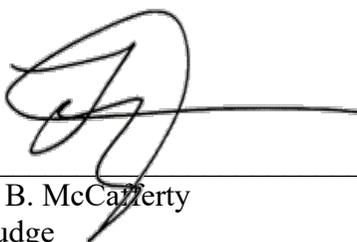
3) This signature authority shall extend to the following:

- a) Requests to Appoint Counsel;
- b) Financial Affidavits; and
- c) Waivers, Consents and Stipulations to Detention and Other Stipulations.

This order shall remain in effect until further order of the court and supersedes any conflicting local rule.

SO ORDERED.

Date: April 3, 2023



Landya B. McCafferty
Chief Judge