

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

**ORDER EXTENDING CARES  
ACT AUTHORIZATION**

**ADM-1  
ORDER 20-35**

ADMINISTRATIVE ORDER

In support of this order, the court adopts and incorporates the findings made in Standing Order ADM-1, Order 20-25. In addition to those findings, the court further finds that since the first announced case in New Hampshire on March 2, 2020, the state has reported 25,816 confirmed cases of COVID-19. So far, 566 deaths have been attributed to the disease in this state. Further, New Hampshire currently has 5,386 confirmed cases, 443,890 people have been tested and community-based transmission has been long-confirmed. Nationally, the number of confirmed cases has grown to over 14,986,923 with 284,440 cases resulting in death.<sup>1</sup>

On March 27, 2020, the President signed legislation authorizing the use of video and telephonic conferencing, for specified criminal case events and with the consent of the defendant, during the course of the COVID-19 emergency. See CARES Act, H.R. 748. The Judicial Conference of the United States has also found that emergency conditions due to the national emergency declared by the President have affected and will materially affect the functioning of the federal courts generally.

On March 30, 2020, this court made the necessary findings to authorize the use of the CARES Act to conduct video and telephonic criminal hearings in Standing Order ADM-1, Order 20-12, which are incorporated by reference. The CARES Act requires that the local court evaluate whether emergency conditions continue to support the authorization to conduct criminal hearings by video or telephonic conference in 90 day increments. Thus, in Standing Order ADM-1, 20-29, the court issued its second 90 day extension of the CARES Act authorization to December 15, 2020.

Having reviewed the above-referenced authorizations, and finding that emergency conditions caused by COVID-19 continue to exist, the court extends this authorization for an additional 90 days to March 15, 2021. Prior to the expiration of this authorization, the court will determine whether emergency conditions continue to exist that justify a further extension of this authority.

This order supersedes paragraph 1 of ADM-1, 20-25, and prior orders authorizing the use of the CARES Act, effective December 15, 2020.

SO ORDERED.

Date: December 8, 2020



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Landya B. McCafferty  
Chief Judge

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<sup>1</sup> The New Hampshire statistics are taken from the New Hampshire Department of Health and Human Services COVID-19 website (<https://www.nh.gov/covid19/>). The national statistics are taken from the John Hopkins University of Medicine Coronavirus Resource Center website (<https://coronavirus.jhu.edu/>).