



Overview of Recent Responses to COVID-19 by the Judicial Conference of the United States, Administrative Office of the U.S. Courts, and Select Courts Within the Federal Judiciary

Updated April 27, 2020

This CRS Insight provides information related to recent responses to [Coronavirus disease 2019](#), or COVID-19, by the Judicial Conference of the United States, the Administrative Office of the U.S. Courts (AO) and select courts within the federal judiciary. It is not intended to provide a comprehensive overview of the policies and practices adopted by each federal court or judicial entity. Additionally, given the rapidly changing situation surrounding COVID-19, the information provided in this Insight may be superseded by new information from that which is described in the text below. If there are any questions regarding whether such changes have occurred (or about courts not included below), congressional staff may contact the author of this Insight.

A previous Insight provides information about how COVID-19 has impacted federal jury trials (available [here](#)). Another Insight provides information about the provisions of the CARES Act that address COVID-19 and the federal courts (available [here](#)).

Judicial Conference of the United States

The [Judicial Conference of the United States](#), the administrative policymaking body for the federal courts, held its regularly scheduled biannual meeting on March 17, 2020. The meeting convened by teleconference, with [Conference members](#) calling in from all 13 judicial circuits to consider several policy matters (including the authorization of a two-year pilot program to evaluate live audio streaming for some civil case proceedings). Traditionally, the Conference holds its meetings at the Supreme Court of the United States.

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IN11292

Administrative Office of U.S. Courts

The [Administrative Office of the U.S. Courts](#) (AO) is the agency within the federal judiciary that provides, in part, administrative services and program support to federal courts. On March 17, 2020, AO issued a [statement](#) indicating that many federal courts have asked employees to work remotely. Additionally, all in-person training for court personnel has been cancelled through May 31, 2020.

As also noted by AO, courts reviewed “their continuity of operations plans and Pandemic/Infectious Disease plans to help them continue essential court operations.” Along these lines, “[courts are utilizing multiple audio and video conferencing technologies](#) to host oral arguments, initial appearances, preliminary hearings, ... and other procedures remotely.” Courts are also posting on their individual web sites any orders or notices related to COVID-19 that address “jury service, filing deadlines, and other court business, as well as public access to the courthouse.” As of this writing, all 13 U.S. circuit courts and all 94 U.S. district courts, including territorial courts, have [posted such orders or notices](#).

United States Supreme Court

On April 13, 2020, the Supreme Court [announced](#) that it would hear oral arguments by telephone conference for its May session (May 4-6 and May 11-13). Previously, on March 19, 2020, the Supreme Court [issued an order](#) that the deadline to file any petition for a [writ of certiorari](#) due on or after March 19, 2020, is extended to 150 days from the date of the lower court judgement (the [prior deadline](#) was 90 days). On March 12, 2020, the Court [announced](#) that its building was closed to the public until further notice.

Recent Lower Federal Court Orders Related to Court Business and Operating Status

As discussed above, federal courts may individually issue orders or notices to respond to COVID-19. Several recent orders, presented in reverse chronological order, are highlighted below (the hypertext link for a particular court provides additional information regarding the court’s response). The actions taken by these courts are presented as illustrative examples, and may not be representative of actions taken by other courts.

- **District of New Jersey** (Camden, Newark, Trenton): The district court [ordered](#) on April 17, 2020, that all civil and criminal jury selections and jury trials in the district that were scheduled to begin through May 31, 2020, are postponed until further order of the court. A previous court order had postponed jury selections and trials to April 30, 2020. Additionally, on April 15, 2020, the court [directed](#) “the Office of the Federal Public Defender [to handle all petitions](#) from detainees and inmates seeking emergency release from confinement.”
- **District of New Mexico** (Albuquerque): The district court [ordered](#) on April 16, 2020, that the Pete V. Domenici United States Courthouse would be closed for two days for cleaning due to a court patron testing positive for COVID-19. The court stated that the “courthouse will be thoroughly cleaned and disinfected in accordance with CDC guidance, building operation and cleaning protocols of the General Services Administration (GSA), and COVID-19 protocols of the Federal Judiciary.”
- **District of South Carolina** (Columbia and [other locations](#)): In an [order](#) issued April 10, 2020, the district court postponed all civil and criminal jury selections and trials through July 5, 2020. The court also postponed, unless otherwise ordered by the chief judge, all grand jury proceedings scheduled through the same date. The court’s order also postponed all civil matters scheduled for an in-court appearance through July 5, 2020,

- “unless the matter is resolved by the court without a hearing, or can be addressed via video or telephone conferencing where practical.”
- **District of Maryland** (Baltimore, Greenbelt, Salisbury): On April 10, 2020, the court [ordered](#) that “all civil, criminal, and bankruptcy proceedings, ... including court appearances, trials, hearings, settlement conferences, conference calls, naturalization and admission ceremonies, and grand jury meetings” are postponed through June 5, 2020.
- **U.S. Court of Appeals for the Fourth Circuit** (Maryland, North Carolina, South Carolina, Virginia, West Virginia): The circuit court [ordered](#), on April 7, 2020, that it would suspend the oral argument requirement for published opinions in cases calendared for May 5-8, 2020 (the court had previously done so for its March and April sessions). The court noted that “although the pressures of the public health crisis preventing in-person argument ... have occasioned a temporary change in the court’s practices, the court is nonetheless affording these cases equal jurisprudential rigor and attention.”

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