

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

ORDER

General Docket No. 2020-5

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With the continued impacts of the COVID-19 pandemic limiting travel and public gatherings, this order addresses oral arguments. It will remain in effect until oral arguments resume in courtrooms with members of the court and counsel present.

1. The court has authorized panels to conduct oral arguments using video-conferencing technology or by means of audioconferencing. This authorization extends to regularly-scheduled oral argument panels and to special hearings.

2. The court will, when feasible, provide real-time public access to the audio-only portion of oral arguments that are conducted using video-conferencing technology or by means of audioconferencing. The court expects that such access will be feasible for most if not all arguments. Counsel, parties, media or the public may also access the official audio recordings, which the Clerk will post on the Court's website after the argument, in accordance with our current practice.

3. Rule 53 of the Federal Rules of Criminal Procedure provides: "Except as otherwise provided by a statute or these rules, the court must not permit the taking of photographs in the courtroom during judicial proceedings or the broadcasting of judicial proceedings from the courtroom." In accordance with that rule and Rule 34.7 of the Fifth Circuit's Rules and Internal Operating Procedures, the recording or transmission of visual images of oral argument or creating a photographic image from video of oral argument is not permitted. If a

recording of the video portion or image of oral argument is inadvertently made or retained by counsel or a party, the recording or image must be erased or otherwise destroyed, and distribution or the dissemination of such a recording or image in any manner is prohibited. The court will not retain the video portion of any oral arguments.

4. All previous changes ordered in General Docket Nos. 2020-3 and 2020-4 remain in effect. This order continues until rescinded.


Dated this 20th day of April 2020.



CHIEF JUDGE PRISCILLA R. OWEN  
UNITED STATES COURT OF APPEALS FOR  
THE FIFTH CIRCUIT



A True Copy  
Certified order issued Apr 20, 2020



Clerk, U.S. Court of Appeals, Fifth Circuit