

116TH CONGRESS
2D SESSION

H. R. 6642

To authorize video teleconferencing and telephone conferencing of proceedings during the COVID–19 emergency period, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2020

Mr. QUIGLEY (for himself, Ms. NORTON, and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize video teleconferencing and telephone conferencing of proceedings during the COVID–19 emergency period, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Court Access Amid
5 the Pandemic Act”.

6 **SEC. 2. CIRCUIT COURT TELECONFERENCING.**

7 The Coronavirus Aid, Relief, and Economic Security
8 Act of 2020 (Public Law 116–136) is amended by insert-
9 ing after section 15002 the following:

1 “TELECONFERENCING FOR CIRCUIT COURT PROCEEDINGS

2 “SEC. 15002A. (a) IN GENERAL.—During the period
3 in which there is in effect a declaration of a national emer-
4 gency by the President under the National Emergencies
5 Act (50 U.S.C. 1601 et seq.) with respect to the Coronavi-
6 rus Disease 2019—

7 “(1) a chief judge of a circuit, or, if the chief
8 judge is unavailable, the most senior available active
9 judge of the circuit court, may authorize that cases
10 and controversies be disposed of without oral argu-
11 ment; or

12 “(2) in the event that litigants in a case or con-
13 troversy file a joint motion to proceed with oral ar-
14 gument, or a chief judge of a circuit (or, if the chief
15 judge is unavailable, the most senior available active
16 judge of the circuit court) wishes to proceed with
17 oral argument, with the consent of the litigants, the
18 chief judge of the circuit (or the most senior avail-
19 able active judge of the circuit court) shall so pro-
20 ceed and shall authorize the use of video teleconfer-
21 encing, or telephone conferencing if video teleconfer-
22 encing is not reasonably available, for such argu-
23 ment.

24 “(b) REAL-TIME STREAMING.—An oral argument
25 that is conducted by video teleconference or telephone con-

1 ference pursuant to subsection (a)(2) shall be made avail-
 2 able for public transmission in real time, during such oral
 3 argument, on the website of the court in which the pro-
 4 ceeding occurred and shall be permanently archived on
 5 such website.

6 “(c) PARTNERSHIP PERMITTED.—The chief judge of
 7 a circuit may use a third-party streaming platform, linked
 8 to or embedded in a court’s website, in order to comply
 9 with the requirements under subsection (b).”.

10 **SEC. 3. MEDIA ACCESS FOR DISTRICT COURT PROCEED-**
 11 **INGS.**

12 Section 15002(b) of the Coronavirus Aid, Relief, and
 13 Economic Security Act of 2020 (Public Law 116–136) is
 14 amended by adding at the end the following:

15 “(8) REAL-TIME STREAMING.—

16 “(A) IN GENERAL.—The Judicial Con-
 17 ference of the United States shall promulgate
 18 rules whereby any proceeding described in this
 19 section for which video teleconferencing and
 20 telephone conferencing is authorized shall—

21 “(i) be made available for public
 22 transmission in real time, during the oral
 23 argument, on the website of the court in
 24 which the proceeding occurs; and

1 “(ii) be permanently archived on the
2 website of the court in which the pro-
3 ceeding occurred or on the website of the
4 Administrative Office of the United States
5 Courts.

6 “(B) EXCEPTION.—Subparagraph (A)
7 shall not apply to any proceeding in which the
8 chief judge of a district court (or, if the chief
9 judge is unavailable, the most senior available
10 active judge of the court) specifically finds,
11 upon application of the Attorney General or the
12 designee of the Attorney General, or on motion
13 of a litigant, that the proceedings cannot be dis-
14 seminated without seriously jeopardizing public
15 health and safety.”.

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