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(Original Signature of Member)

116TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

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

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IN THE HOUSE OF REPRESENTATIVES

Mr. QUIGLEY introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**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”.

1 **SEC. 2. CIRCUIT COURT TELECONFERENCING.**

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

5 “TELECONFERENCING FOR CIRCUIT COURT PROCEEDINGS

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

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

16 “(2) in the event that litigants in a case or con-  
17 troversy file a joint motion to proceed with oral ar-  
18 gument, or a chief judge of a circuit (or, if the chief  
19 judge is unavailable, the most senior available active  
20 judge of the circuit court) wishes to proceed with  
21 oral argument, with the consent of the litigants, the  
22 chief judge of the circuit (or the most senior avail-  
23 able active judge of the circuit court) shall so pro-  
24 ceed and shall authorize the use of video teleconfer-  
25 encing, or telephone conferencing if video teleconfer-

1       encing is not reasonably available, for such argu-  
2       ment.

3       “(b) REAL-TIME STREAMING.—An oral argument  
4       that is conducted by video teleconference or telephone con-  
5       ference pursuant to subsection (a)(2) shall be made avail-  
6       able for public transmission in real time, during such oral  
7       argument, on the website of the court in which the pro-  
8       ceeding occurred and shall be permanently archived on  
9       such website.

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

14       **SEC. 3. MEDIA ACCESS FOR DISTRICT COURT PRO-**  
15       **CEEDINGS.**

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

19       “(8) REAL-TIME STREAMING.—

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

1           “(i) be made available for public  
2           transmission in real time, during the oral  
3           argument, on the website of the court in  
4           which the proceeding occurs; and

5           “(ii) be permanently archived on the  
6           website of the court in which the pro-  
7           ceeding occurred or on the website of the  
8           Administrative Office of the United States  
9           Courts.

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