

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

**GENERAL ORDER REGARDING CONSENT AND SIGNATURE
REQUIREMENTS ON DOCUMENTS FILED IN CRIMINAL ACTIONS
DURING THE CORONAVIRUS PANDEMIC**

As outlined in this Court's prior General Orders regarding the coronavirus (COVID-19) pandemic, the current public health crisis surrounding the outbreak and spread of COVID-19 is causing and is expected to continue to cause significant disruption throughout the District of Rhode Island.

These and other considerations have led judges in this District to conduct proceedings remotely by videoconference or other means, as provided by this Court's March 30, 2020 [Amended General Order Regarding Criminal Matters During the Coronavirus Pandemic](#). As a result, the Court has a need to clarify the application of certain rules with respect to signatures on documents.

Some Federal Rules of Criminal Procedure, including but not limited to Rules 10(b)(2), 15(c)(1)(A), 20(a)(1), 23(a)(1), 32(e) and 43(b)(2), allow for consent or waiver of certain rights by a defendant, but require that such consent or waiver be in writing. More broadly, various documents, including but not limited to financial affidavits, appearance bonds/orders for release, and consents to waive preliminary hearings call for the signatures of defendants, counsel, and/or judges. The current circumstances are likely to make it impracticable, if not impossible, to obtain actual signatures in a timely and safe manner.

For these reasons, it is ordered that:

1. where a judge finds that obtaining an actual signature is impracticable or imprudent in light of the public health situation relating to COVID-19, any document may be signed electronically using the format “/s/ name.”
2. where a defendant's signature is called for, unless otherwise ordered by the court defense counsel may sign electronically on the defendant's behalf using the format “/s/ name” and file the signed document electronically after defendant has an opportunity to consult with counsel and consents to counsel’s signing on defendant’s behalf.
3. for the avoidance of doubt, where consent or waiver is not explicitly required to be in writing by the Federal Rules of Criminal Procedure or other applicable law, such consent or waiver may be obtained in whatever form is most practicable under the circumstances, so long as the defendant's consent or waiver is clearly reflected on the record.

IT IS SO ORDERED.

May 6, 2020

By the Court:

/s/ John J. McConnell Jr., Chief Judge