

**STANDING ORDER OF THE 410<sup>TH</sup> JUDICIAL DISTRICT COURT REGARDING REMOTE  
APPEARANCES BY ZOOM (eff. 1/1/23)**

- 1) If an attorney (or pro se party) requests, in a written motion timely filed with the court, that a witness or witnesses be allowed to appear remotely by Zoom for a hearing or final trial, and if that motion is granted by the court, the sponsoring attorney (or pro se party) of the witness(es) named in the motion **ARE HEREBY ORDERED TO** fully and timely comply with the requirements under this Standing Order.
- 2) A motion for a witness(es) to appear remotely by Zoom shall be considered timely filed if it is filed at least seven (7) days in advance of a hearing or final. If the moving attorney (or pro se party) receives notice of the hearing less than seven (7) days before the hearing, then said motion shall be considered timely if it is filed within one business day of the date the notice of hearing is received. A motion filed less than seventy-two (72) hours prior to a hearing date may not be reviewed by the court in time for the hearing, and will be considered untimely unless leave is requested and granted by the court.
- 3) The failure of the sponsoring party to fully and timely comply with this Standing Order **will result** in the court vacating any prior permission given by the court for a witness(es) to appear remotely by Zoom, and will result in the court prohibiting said witness(es) from testifying remotely by Zoom on the date of the hearing or final trial. **This is your notice from this court to fully and timely comply with this Standing Order in all respects, or else be put on notice that your remote witness(es) will be excluded from testifying remotely, even if previously granted permission by the court to testify remotely. The hearing and/or final trial will not be continued due to a failure to comply with this Standing Order. In the case of partial or complete noncompliance with this Standing Order, the witness(es) that had been requested to appear remotely by Zoom shall appear in person to testify at the hearing or final trial, or shall be excluded from testifying at the hearing.**
- 4) A sponsoring attorney (or pro se party) of a witness granted permission to appear remotely **IS HEREBY ORDERED TO** conduct Zoom testing, prior to the hearing or final trial, with each and every remote witness(es) to ensure that the witness(es) has the ability to connect successfully by Zoom at the time of the hearing or final trial. All witnesses shall test zoom connections, audio and video capability and internet function (preferred ethernet connection) and ensure the audio is loud enough for everyone to hear. An external microphone may be helpful to those appearing remotely.
- 5) A sponsoring attorney (or pro se party) of a witness granted permission to appear remotely **IS HEREBY ORDERED TO** provide an electronic copy of ALL parties' exhibits prior to the time of the scheduled hearing or final trial, **AND IS FURTHER ORDERED** to ensure that each remote witness either prints a copy of the exhibits to have available to reference during his/her testimony, or to ensure that the remote witness has the exhibits available on a separate electronic device (separate from the device used to connect by Zoom), next to that witness at the time of the hearing or final trial, so that he/she can reference same while testifying. Neither attorney shall

be allowed to use the "share screen" option on Zoom at the hearing or final trial for the purpose of showing a witness a document, except for impeachment purposes.

- 6) **IT IS HEREBY ORDERED THAT** a sponsoring attorney (or pro se party) of a remote witness(es) shall ensure that the remote witnesses understand that he/she is appearing in a State District Court hearing/trial, and that the dignity of the court must be preserved by that witness or else that witness shall be excluded from testifying remotely.
- 7) **IT IS FURTHER ORDERED THAT** the sponsoring attorney (or pro se party) shall instruct the remote witness to appear remotely by Zoom at a location where: 1) he/she is able to be seated at a desk or table in front of a dedicated device for his/her appearance; 2) no one else is in the room where the remote witness is testifying; 3) no animals or children or another person or people can be heard in the background during the hearing or final trial.
- 8) **IT IS FURTHER ORDERED THAT** the sponsoring attorney (or pro se party) shall instruct the remote witness on how to present appropriately, both in the manner of dress and in court etiquette, and shall instruct the remote witness that the failure for him/her to comply with same shall result in the witness not being allowed to testify.
- 9) **IT IS FURTHER ORDERED THAT** the sponsoring attorney (or pro se party) of a remote witness shall file a certificate with the court at least twenty-four (24) hours prior to the hearing or final trial, amongst the records of the cause, certifying as an officer of the court that he/she has complied with items numbered 1-6 above, as to each witness he/she has been granted permission by the court to testify remotely by Zoom. **IT IS FURTHER ORDERED THAT** the failure of a sponsoring attorney (or pro se party) of a remote witness to comply with the items numbered 1-7 herein this Standing Order, shall result in the court (either prior to the hearing or final trial, or at the time of the hearing or final trial) excluding the remote witness from testifying remotely.

Signed: December 13, 2022

Jennifer Robin  
JENNIFER ROBIN, JUDGE PRESIDING  
410TH JUDICIAL DISTRICT COURT