

1 **Rule 4-106. Electronic conferencing.**

2

3 Intent:

4 To authorize ~~the use of electronic conferencing~~ with contemporaneous
5 transmission from a different location in lieu of personal appearances in
6 appropriate cases.

7 To establish the minimum requirements for contemporaneous transmission
8 from a different location.

9 Applicability:

10 This rule shall apply to all courts of record and not of record.

11 Statement of the Rule:

12 ~~(1) In the judge's discretion, any hearing may be conducted using telephone~~
13 ~~or video conferencing.~~

14 ~~(2) Any proceeding in which a person appears by telephone or video~~
15 ~~conferencing shall proceed as required in any other hearing including keeping a~~
16 ~~verbatim record.~~

17 (1) If the courtroom satisfies paragraph (3), the judge may participate in a
18 hearing by contemporaneous transmission from a different location.

19 (2) If the courtroom satisfies paragraph (3), the court may, for good cause,
20 permit counsel to participate in a hearing by contemporaneous transmission from
21 a different location.

22 (3) If a witness, party, attorney or judge attends a hearing by
23 contemporaneous transmission from a different location, the contemporaneous
24 transmission must enable:

25 (3)(A) the courtroom participants to see and hear the remote participants and
26 vice-versa;

27 (3)(B) the remote participants to see and hear each other;

28 (3)(C) the public to see and hear the remote participants from the courtroom;

- 29 (3)(D) a party and the party's lawyer to communicate confidentially;
30 (3)(E) documents, photos and other things that are delivered in the courtroom
31 to be delivered previously or simultaneously to the remote participants;
32 (3)(F) interpretation for a person of limited English proficiency; and
33 (3)(G) a verbatim record of the hearing.