

IN THE FIRST JUDICIAL DISTRICT AND JUVENILE COURTS

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**STANDING ORDER:**

**DIGITAL EVIDENCE PLAN and REMOTE HEARING REQUIREMENTS**

**(Effective after 6/14/2024)**

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This order standardizes the process and requirements within the First Judicial District for the following:

- 1) Evidence presentation at all hearings; and
- 2) Remote hearing attendance by attorneys, parties, and witnesses.

**Digital Evidence Plan for Remote, Hybrid, and In-Person Hearings:**

To promote uniformity, all evidence (other than witness testimony) used in any hearing must be in a digital format, consistent with this Order, unless otherwise ordered by the Court. Attorneys and unrepresented parties are responsible for all evidence presentation and must prepare all exhibits in a format that can be viewed on electronic devices.

Any exhibit that might be offered into evidence or used at a hearing must be submitted to the court before the hearing as explained below. Proposed exhibits must be emailed to the judicial assistant, with the emails copied to opposing counsel (or the opposing party if they are unrepresented). For large files or more than 10 exhibits, parties should submit the exhibits to the judicial assistant using a shared Google Drive folder. If any files are added to the Google Drive folder later, you must notify the judicial assistant by email the additional files have been added, or the exhibit might not be available for your hearing.

If there is no scheduling order in the case with specific deadlines, all proposed exhibits must be submitted at least two business days before the hearing.

Each proposed exhibit should be a separate file and the file should be named according to the case designation of the party submitting the exhibit—such as “Petitioner’s Exhibit 1” or “Respondent’s Exhibit 1”. Do not identify the substance of the exhibit in the file name or add any other identifying information in the file name, unless instructed otherwise by the assigned Judge.

When possible, all proposed exhibits should be submitted in a Portable Document Format (PDF). If the exhibit cannot be submitted as a PDF file, the following formats are also approved: JPEG, PNG, and MP4. If a proposed exhibit cannot be submitted in one of the approved file formats, the party must contact the judicial assistant for additional instructions to ensure that the exhibit can be viewed at the hearing.

Unless authorized by a rule of procedure (e.g., attachments to a motion for summary judgment or a motion to enforce), exhibits should never be filed in the case, and should always be submitted according to the process outlined above.

If a witness will testify remotely about an exhibit, the parties must show the exhibit to the witness and court using the “presenter” or “share” function in Webex. Unless necessary, avoid sharing your entire screen and share only the exhibit file.

If a hearing is entirely remote and all participants are participating remotely, witnesses may also testify remotely without prior court approval. But if a hearing is either in-person or hybrid (with some participants appearing remotely and some in-person), witnesses must testify in-person unless previously excused by stipulation of the parties, and approved by the court under existing rules of procedure.

### **Attorneys Appearing Remotely:**

Attorneys must adjust their login credentials and always log in to the hearing with “Attorney” as part of their login name (e.g. “Attorney Doe” or “Attorney Jane Doe”). That allows the judge to know you are present and call your matters sooner.

Attorneys must use the video feature on Webex when appearing remotely. As with in-court proceedings, if an attorney wants to appear only by audio—such as telephone or without the video turned on—they must file a motion and proposed order before the hearing, requesting an audio-only appearance. Attorneys should turn on video when they are ready to proceed with their cases and turn off video if they are not ready to proceed.

Attorneys must use a microphone that minimizes background noise, prevents feedback, and allows a clear audio record. They must also appear from a location with sufficient internet bandwidth to ensure a clear audio record without interruptions. Attorneys who cannot meet those requirements should appear at the courthouse and use an available kiosk workstation.

Attorneys are responsible to provide links for court hearings to their clients and witnesses. They must also make sure that their witnesses and clients appear at the hearing either by video (when allowed) or from a courthouse location.

Attorneys must be on time for hearings and must not attend hearings in multiple courts simultaneously unless they can manage appropriate, timely, and responsive communication with each court.

### **Parties and Witnesses Appearing Remotely:**

Parties and witnesses must log in to the hearing with their full name.

Parties and witnesses must use the video feature on Webex when appearing remotely. The judge must observe you, as if you were present in person. If you cannot attend the hearing by video because you do not have a reliable internet connection or necessary technology, you must attend the hearing at the courthouse, using one of the available kiosk workstations. Please contact the courthouse one business day before your hearing to arrange for a workstation.

When you are prepared to have your case called, you must turn your video on so the judge can see you.

Remember that virtual court has the same decorum requirements as in-person court. You should dress appropriately. You should find a quiet place to attend the hearing where you won't be distracted. You should sit still and not walk around. Don't eat. Don't smoke. Keep your shirt on. And make sure your other obligations (i.e., work) do not interfere with your obligation to attend court and be available for your hearing.

Please also remember that a court appearance will require some time. If you were attending court in person, you would have to allocate several hours for your court appearance. Virtual court is convenient and saves time, but often still requires several hours if it is a busy court day. Please plan for that.

Dated: 6/14/2024

By: /s/ Judge Brian G Cannell  
District Court Judge

By: /s/ Judge Kirk M Morgan  
Juvenile Court Judge

By: /s/ Judge Angela F Fannesbeck  
District Court Judge

By: /s/ Judge Bryan Galloway  
Juvenile Court Judge

By: /s/ Judge Spencer D Walsh  
District Court Judge

By: /s/ Judge Brandon J Maynard  
District Court Judge

