

IN THE UTAH SEVENTH JUDICIAL DISTRICT AND JUVENILE COURTS

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**STANDING ORDER:**

**DIGITAL EVIDENCE PLAN and REMOTE HEARING REQUIREMENTS**

**(Effective after July 1, 2025)<sup>1</sup>**

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

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

**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. 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 court clerk, with the emails copied to opposing counsel (or the opposing party if they are unrepresented), unless communication between the parties is prohibited by court order. If prohibited by court order, the party should request that the court clerk provide the exhibit to the other party on their behalf. For large files or more than 10 exhibits, parties should submit the exhibits to the court clerk using a shared Google Drive folder. Parties must notify the court clerk by email each time files are added to the shared Google folder to ensure that all exhibits will be available at the hearing.

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<sup>1</sup> This order replaces the Standing Order: Digital Evidence Plan and Remote Hearing Requirements dated 2/23/2023.

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

Each proposed exhibit should be submitted as a separate file. 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 A”. Do not identify the substance of the exhibit in the file name or add any other identifying information to the file name. 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 court clerk 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. When possible, the presenter should avoid sharing their entire screen and share only the exhibit file. If digital exhibits will be presented in person, parties must bring a computer or other sharing device with an HDMI input or adapter. Parties should be prepared to present exhibits using the courtroom evidence presentation system.

If a hearing is 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, or 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 appear at each hearing by video, unless previously excused by the judge. As with in-person court proceedings, if an attorney wants to appear only by audio—such as by telephone or without video turned on—they must file a motion and proposed order before the hearing, requesting an audio-only appearance.

Attorneys may signal to the court that they are ready to proceed with their cases by turning on their video and should turn off their 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 workstation there.

Attorneys are responsible to provide links for court hearings to their clients and witnesses, together with the login naming instructions explained below. They must also make sure that their witnesses and clients appear at the hearing either by video (when allowed) or from a courthouse location. And when an interpreter is required, Attorneys must be prepared to provide the interpreter with necessary phone numbers for simultaneous interpretation at the start of the proceeding.

Attorneys are expected to wear professional attire consistent with in-person proceedings.

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. Attorneys are also expected to have communicated with their clients before each hearing and be prepared for the docketed proceeding.

### **Parties, Agency Representatives, and Witnesses Appearing Remotely:**

All participants must log in to the hearing with their **full name** at least 5 minutes **before** the scheduled start time of the hearing. Agency representatives must also include the agency they are appearing on behalf of as part of their login name. And for cases in the Juvenile Court, all attendees must indicate their relationship to the case in their login

name (e.g., father, mother, therapist, DCFS-CW, probation, foster-parent, victim advocate, etc.). If any of this information is incomplete, or if someone logs in with just initials or partial names, they will not be admitted to the hearing.

Parties and witnesses must attend the hearing by video. 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 workstations. Please contact the courthouse at least one business day prior to 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 must find a quiet place to attend the hearing where you won't be distracted. You must sit still, keep your camera still, and not walk around. Don't eat. Don't smoke. Keep your shirt on. And make sure that your other obligations (e.g., work) do not interfere with your obligation to attend court and be available for your hearing. You must also treat court staff with respect and proper decorum. Any inappropriate behavior or interactions with court staff outside the courtroom will be addressed by the judge on the record with appropriate orders.

**DO NOT** log in to a court hearing while operating a vehicle or you will be expelled.

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.

### **Remote Observers:**

Large dockets, complex or sensitive matters, bandwidth availability, and other complications can sometimes make remote court proceedings difficult to manage for the judge and court staff. Because of that, a judge may limit remote court attendees to just the attorneys and parties that are essential to the court's business. If that happens,

observers may be expelled from remote court proceedings without warning. Please be aware of that possibility when deciding how to observe a court proceeding.

But even when remote court observation is not available, observers may attend and observe court hearings at the courthouse in person. Observation at the courthouse is usually available, subject to statutory or court-ordered limitations.

By: /s/ Judge Brian D. Bolinder  
District Court Judge

By: /s/ Judge Cas Melanson White  
Juvenile Court Judge

By: /s/ Judge Don M. Torgerson  
District Court Judge

By: /s/ Craig M. Bunnell  
Juvenile Court Judge

By: /s/ Judge Jeremiah C. Humes  
District Court Judge

