

Policy and Procedure for Family Law Remote Hearings Superior Court of California, County of Butte

As a result of COVID-19, the Butte County Superior Court will conduct essential hearings remotely, and certain essential hearings (as decided by the trial Judge) by appointment at the North Butte County Courthouse, if a remote hearing is not possible.

PROCEDURES FOR LITIGANTS

The Court will be using Zoom conferencing for Remote Hearings. Zoom is **free** to download, and you and your witnesses will need to download Zoom at www.zoom.us, or you can download the app directly to your cell phone. The Court will email you a link to the hearing, and will also provide a phone number if a self-represented litigant or witness does not have internet access.

- (1) To appear for a Remote Hearing: A computer or smartphone with a camera and internet access is required.
- (2) To participate by phone for a Remote Hearing: If you only have a telephone, you can still dial into the hearing. The parties and the Court will be able to hear you but not see you and you will hear those that are participating.
- (3) Scheduling a Remote Hearing:
 - a. The Court will be the host of the hearing, and will email all those participating a link for the hearing and a phone number to call upon confirmation of the parties' email addresses.
- (4) Using Exhibits at the Remote Hearing:
 - a. Exhibits to be offered during the Remote Hearing, must be submitted via eFile (5 days prior to the hearing).
 - b. The documents must be in PDF format and should each be submitted as a separate "attachment" to the Exhibit List. Each attachment will be submitted as a "Proposed Exhibit".
 - c. The "proposed exhibits" will be marked when presented at the trial.

PROCEDURES FOR WITNESSES

- (1) Witnesses should appear by video conferencing.
- (2) If a witness does not have the capability for video conferencing and can only appear by phone, then the witness cannot testify regarding any exhibits.
- (3) The attorney calling the witness is responsible for ensuring the witness has a separate video and audio feed.
- (4) Attorneys should not attempt to "share" a connection with a witness.
- (5) All witnesses should be prepared to present a valid form of identification to verify their identity to the Court over the video feed.

- (6) It is the responsibility of the attorney offering the witness to ensure that the witness has the link to the proceedings and that all exhibits are available to the witness, including those of opposing parties.

- (7) Objection to remote appearance of a witness must be in writing and filed with the court and served on opposing counsel five court days before the trial. Response to an objection must be in writing and filed with the court and served on opposing counsel three court days before the hearing. The judge assigned to the court trial, or the Supervising Judge of the Family Division, will file a written decision on the objection and serve both sides one court day before the court trial. Counsel should include in their written opposition or written response whether notice of the decision of the judge may be served by email.