

3rd Judicial District Guidelines for Zoom Court Hearings in Division 5

2020

ADVANCE PREPARATION

- Each participant will need a device with a microphone and camera, with internet access on the same device.
- All participants must have video and sound turned on in their Zoom settings.
- Counsel, parties, and witnesses should include a designation such as “Plaintiff’s counsel,” “Respondent,” or “Witness” in their Zoom profile name for easy identification.
- Participants should attempt to provide adequate lighting and sound for the judge to clearly see and hear them.
- Participants are encouraged to test Zoom before the hearing, including downloading the app at least one day before the hearing if using a tablet or phone.

SCHEDULING

- The Court will serve as the meeting “host.”
- The judge will permit counsel, parties and witnesses to join the Zoom hearing as participants.
- Participants must request the permission of the judge to join so the judge may protect against security concerns such as hacking.
- Except for confidential matters, the general public, family members, and the media can observe the proceedings by a live stream on YouTube: <https://www.youtube.com/channel/UCKTkpTxExXoqgkx1BhzQZrA>
- The Court will schedule the meeting and send an email invitation to counsel that includes the meeting link, meeting ID, and password. Counsel should provide their preferred email.
- Whenever possible, no more than two attorneys for a party should appear.
- All hearings will be recorded. A court reporter will record the Zoom hearings.

COUNSEL RESPONSIBILITIES

- Counsel will provide the meeting link, meeting ID, and meeting password to clients and witnesses, but are **prohibited** from distributing it further.
- Counsel should prep their clients and witnesses by phone before the hearing to conduct Zoom rehearsals and explain the hearing protocol.
- **At least two days before hearing:** Counsel must provide the judge all anticipated exhibits by email and a

witness and exhibit list. Pre-marked exhibits and a witness/exhibit lists should be sent to Div. 5 A.A. and Div. 5 Court Reporter [via this form](#), unless counsel are directed otherwise by the Court.

THE HEARING

- Participants will be placed in a waiting room when they join the meeting. The meeting host will admit participants individually from the waiting room.
- All participants must have video and sound turned on. Each participant will speak only when called on by the judge in their Zoom settings.
- The judge will remind all participants of the protocol at the start of the hearing.
- Each participant should ensure there are no distractions during the hearing.
- The judge will call the case and call on each party individually to enter their appearance and their geographical location.
- The judge will administer all oaths. Participants out of the state of Kansas during the hearing will need to submit to Kansas Jurisdiction under oath.
- Each party shall designate a lead counsel who will speak during the hearing (other counsel may participate, but only one may speak to avoid confusion).
- The share-screen function may be used by participants to display exhibits, but permission must be requested from the judge during the hearing.
- The parties may request use of break out rooms for private discussion at any time.
- Each participant will speak only when called upon by the judge.
- The judge will announce when the hearing is adjourned and end the zoom meeting.
- Except for confidential matters, all hearings will be live streamed on the Court’s YouTube channel. All hearings that are streamed will be deleted after the live stream has concluded.

INTEGRITY OF THE PROCEEDINGS

- The meeting will be password-protected.
- The waiting-room function will be utilized to manage attendance.
- The meeting link, meeting ID, and meeting password will be provided only to those with the judge’s permission to join.

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- The judge may use the mute function for any participant who disrupts the proceeding.
- The court will protect their Zoom accounts against internet security issues.

WITNESS TESTIMONY

- A witness may not use notes, papers, phones, computers or anything else without permission from the court.
- All electronic devices other than the device facilitating the testimony must be turned off.
- Counsel and the court may ask at any time to see anything the witness sees or to adjust cameras to ensure compliance with all court directives.
- No program or window will be open on any computer or electronic device in the witness' possession during testimony. No one is allowed to pass notes by electronic or other means to or from the witness during testimony.
- If a request for sequestration is granted, all witnesses will be moved to the waiting room until their testimony is needed.

MORE INFORMATION

- More information about the Zoom software and application can be found at <https://www.zoom.us>
- Zoom offers many video tutorials on how to operate the various functions within the application on their website under the "Support" tab.