

Chapter 12. Remote Appearances

Rule 2.180. Remote Appearances

- (a) This Local Rule is adopted pursuant to Code of Civil Procedure section 367.75 and California Rule of Court, rule 3.672. Requirements for notice are set forth in Rule 3.672 and below. The subsection concerning remote hearings in domestic violence and gun violence restraining order matters is adopted pursuant to Family Code §6308(b) and Penal Code § 18123(b). Where they conflict, these rules supersede other previously-enacted rules, emergency rules, or directives concerning remote appearances.
- (b) **General Provisions Regarding Remote Appearances**
 - (1) The Court has two remote appearance platforms available: Zoom (audio and video) and CourtCall (audio only). They may be used concurrently during the same Court session unless otherwise determined by the judicial officer. The Court may, at its discretion and upon notice to the public, move to a single service provider for all remote hearings.
 - (2) Remote appearances in contested hearings, excluding those described in subsection (c), shall be by video. Audio-only appearances shall not be permitted for such hearings unless specifically permitted by the judicial officer.
 - (3) A remote hearing is subject to all laws governing confidentiality, photographing and recordings of proceedings in a courtroom. No one appearing remotely may record, photograph or reproduce any hearing, or any part of a hearing, including any screenshots. Any person who violates this provision shall be subject to all sanctions provided under the law for a like action in an in-person hearing.
 - (4) A judicial officer may order that a specific hearing be conducted by remote appearance. If that hearing is an evidentiary hearing or trial, parties objecting to the remote hearing shall file their objection as provided in Rule 3.672(h).
 - (5) In any hearing not specifically set by the court to be conducted by remote appearance, a party who has failed to provide a notice of remote appearance may appear remotely upon a judicial officer's finding under Rule 3.672(j)(2) of good cause, unforeseen circumstances, or that the remote appearance would promote access to justice.
 - (6) A judicial officer may elect to terminate a remote hearing and continue the matter to a later in-person appearance should the judicial officer find that any of the criteria of Code of Civil Procedure section 367.75(b) and/or Rule of Court 3.672(d) are met.

(c) **Civil Case Management, Law & Motion, and Ex Parte Hearings; Short-Cause Family Matters**

- (1) Parties in civil case management, civil law and motion, civil ex parte (not including domestic violence restraining orders), and short-cause family law matters may stipulate either orally or in writing to waive notice of other parties' remote appearance.
- (2) The Court waives notice of parties appearing remotely for these matters. Parties do not need to file a Notice of Remote Appearance, but must serve the notice as set forth in Rule 3.672 unless the parties have stipulated to waive notice.

(d) **Civil Evidentiary Hearings, Settlement Conferences, and Trials**

- (1) For evidentiary hearings, settlement conferences, and bench or jury trials, parties must appear in person unless the Court has granted prior express written authorization for a remote appearance.
- (2) The time frames and procedures for remote appearance requests and oppositions are set forth in Rule 3.672(h).
- (3) Courtesy copies of any requests or oppositions shall be filed with the department.
- (4) Nothing in this section shall be interpreted to require personal appearance of an expert witness unless the judicial officer has previously found good cause for the expert witness to appear in person.

(e) **Probate Matters**

- (1) For probate hearings other than evidentiary hearings, settlement conferences, and trials, parties may stipulate either orally or in writing to waive notice of other parties' remote appearance.
- (2) The Court waives notice of parties appearing remotely for these matters. Parties do not need to file a Notice of Remote Appearance, but must serve the notice as set forth in Rule 3.672 unless the parties have stipulated to waive notice.
- (3) For evidentiary hearings, settlement conferences, and trials, the provisions of subsection (d) shall apply.

(f) **Juvenile Dependency Matters.**

- (1) The provisions of Rule 3.672(i) shall apply to Juvenile Dependency matters.
- (2) All confidentiality requirements applicable to in-person Juvenile Dependency proceedings shall apply equally to remote hearings. In the event the Court cannot ensure that a remote appearance will have the privacy and security necessary to preserve the confidentiality of the proceeding, the judicial officer may order any person to appear in-person, and may elect to terminate a remote hearing and continue the matter for a later in-person appearance.

(g) **Special Rules for Domestic Violence and Gun Violence Restraining Orders**

- (1) Instructions for remote appearances in domestic violence and gun violence restraining order hearings will be posted to the Court's restraining order webpage: <https://www.cc-courts.org/restraining-orders/restraining-orders.aspx>.
- (2) The Court designates the departmental phone number for the department hearing each respective order as the phone number for the public to call to obtain assistance regarding a remote appearance. The designated departmental phone numbers will be posted on the restraining order webpage above. These phone numbers will be staffed from 30 minutes prior to the start of the court session at which the hearing will take place and during that court session.

(Rule 2.180, new 3/31/22)