

FILED

IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

2020 SEP -1 AM 8:45

AND

PROthonary/CLERK
HUNTINGDON CO., PA

COURT OF COMMON PLEAS OF HUNTINGDON COUNTY,
PENNSYLVANIA

IN RE: 20th Judicial District – Omnibus : 33 MM 2020
Order Regarding Operations During : CP-31-MD-172-2020
Judicial Emergency : AO-23-2020

SECOND AMENDMENT TO OMNIBUS ADMINISTRATIVE ORDER

AND NOW, this 1st day of September, 2020, pursuant to the Supreme Court's Order of May 27, 2020 (Nos. 531 and 532 Judicial Administration Docket), the judicial emergency declared in the 20th Judicial District of Pennsylvania on March 16, 2020, currently extended through December 31, 2020, the Court issues the Court issues this Second Amendment to Omnibus Administrative Order, amending its Omnibus Administrative Order issued under the above docket numbers on June 19, 2020, as previously amended June 23, 2020.

For purposes of clarity, this Order restates the previous AO-23-20, with new text double underlined, and deleted text ~~struck through~~. This Second Amendment shall take effect immediately. Specific amended provisions include, but are not limited to: (i) the special procedure for filing Petitions for Protection From Abuse Orders, requiring petitioners to work with Huntingdon House or The Abuse Network (if available), has been rescinded; (ii) the concurrent scheduling of formal arraignments and initial pretrial conferences has resumed; and (iii) jury trials for criminal matters will resume in October 2020.

All references to counsel or attorneys herein shall, as appropriate, apply to litigants appearing *pro se* as well. The Court reserves the right, for any particular matter or instance, to waive, suspend, or modify any aspect of this Order or any other administrative order issued pursuant the Judicial Emergency if the interests of justice so require.

I. PUBLIC ACCESS TO COURT FACILITIES

A. *Huntingdon County Courthouse*

1. Physical access to the first floor offices generally (Prothonotary, Clerk of Courts, Clerk of the Orphans' Court, Register and Recorder of Deeds, and Office of Court Appointed Counsel) shall be as established from time to time by the Huntingdon County Commissioners and the individuals having ultimate supervisory control over such offices.
 - a. To the extent that local rules, the Pennsylvania Rules of Criminal Procedure, or past custom and practice would dictate that the Director of the Office of Court Appointed Counsel or attorneys under his supervision meet with defendants in person, the Director and his supervisees shall have the right to conduct such meetings by means of Advanced Communication Technology ("ACT")¹ to the greatest extent possible within constitutional requirements for effective assistance of counsel.
2. The electronic filing procedures put in place by AO-4-2020 will continue for the duration of the Judicial Emergency, as modified in Section II.A below.
3. Physical access to the second floor offices and facilities—courtrooms, judges' chambers, and the offices of court staff—will resume on July 1, 2020. The Court will resume scheduling proceedings in person, rather than remotely by ACT, as of that date.
 - a. All individuals coming to the second floor offices and facilities, both those participating in proceedings and those present to observe proceedings, will be required to have a mask and to observe social distancing guidelines.

¹ As defined by Pa.R.Crim.P. 103, "**Advanced Communication Technology** is any communication equipment that is used as a link between parties in physically separate locations, and includes, but is not limited to: systems providing for two-way simultaneous communication of image and sound; closed-circuit television; telephone and facsimile equipment; and electronic mail." (emphasis in original). As used within the 20th Judicial District, ACT typically means direct telephone calls, telephone conference calls, and live video conferences conducted using a combination of the Zoom video communications platform and, for defendants in custody, the Polycom video communications platform connected to the various correctional facilities within the Commonwealth.

- b. The precise infection control procedures for proceedings will be determined on an ongoing basis, depending on the nature of the proceeding, the number of participants, and then-current infection control guidance. They may include, without limitation, social distancing, spot cleaning between proceedings, modified scheduling, the wearing of masks, the use of alternate locations, and the reconfiguring of courtroom seating arrangements. Court staff will provide timely guidance and direction for participants as changes are made.
4. Certain proceedings will be conducted via ACT, as set forth herein. Public access to such proceedings will continue to be via livestream of non-confidential matters on the Court's YouTube channel. Notice of that livestream will continue to be provided on the Court's web page using the following language, which sets forth the details of such access.

Public hearings conducted by video may be viewed live at www.youtube.com/channel/UCLAYbwpQ-bPC8fYYATOR2IQ/featured.

Public access to the courts is an important Constitutional right, and in an effort to enable the continued exercise of that right during the COVID-19 judicial emergency, we have developed this site. Please note that the right of access is not absolute; certain proceedings are confidential, in whole or in part, due to the nature of the parties or information involved (e.g., most cases involving minors or the disclosure of sensitive personal financial information). Proceedings may be designated confidential generally by rule, or specifically by the Court. Confidential proceedings are closed to the public, and will not be available for viewing on this site.

*Non-confidential proceedings will be livestreamed here as they occur. Please note that they will not be available for replay, as they are not video recorded. All proceedings are being recorded by the Court Reporter, and transcripts may be requested as with any other proceeding. Just as with any physical courtroom in Pennsylvania, **it is a crime to use any device to record (audio or video) or take photographs of the proceedings broadcast on this site, per 18 Pa. C.S. § 5103.1. Violations are***

punishable by a sentence of up to two years in prison and a fine of up to \$5,000 for the first offense. All reports of recording will be investigated and, if proven, prosecuted.

- B. *Magisterial District Courts* – Beginning July 1, 2020, the lobby of each Magisterial District Court (each, an “MDC”) will reopen for public access, primarily to allow filings and payments to be made. Due to facilities limitations, the courtroom in each MDC will remain closed, and the MDCs will continue to conduct proceedings via ACT, absent exceptional circumstances for particular matters. Magisterial District Judges shall confirm with the President Judge before scheduling a proceeding in person.
- C. *Subunits* – Access to the Office of Domestic Relations and the Probation Office is addressed in Section VII below.

II. ELECTRONIC FILING OF DOCUMENTS (PREVIOUSLY AO-4-2020)

- A. *Court of Common Pleas and Orphans’ Court*
 - 1. All filings with the Prothonotary (civil matters), Clerk of Courts (criminal matters), and Clerk of the Orphans’ Court (estates, trusts, guardianships, and adoptions) that would ordinarily be required to be made either in person or via U.S. Mail may be made via e-mail at the following addresses, respectively:
 - a. prothonotary-orders@huntingdoncounty.net
 - b. clerkofcourts@huntingdoncounty.net
 - c. orphans-court@huntingdoncounty.net
 - 2. Each document filed shall be transmitted as a .pdf attachment. Scanned signatures will be accepted as originals. Each filing e-mail shall be copied to: (i) all persons to whom service copies would ordinarily be sent via U.S. Mail; (ii) Court Administration at ctadmin.orders@huntingdoncounty.net; and (iii) in the case of filings pertaining to appeals, to the Director of Judicial Operations and Law Clerk at ssnare@huntingdoncounty.net and mrohrbaugh@huntingdoncounty.net, respectively.

3. The Prothonotary, Clerk of Courts, and Clerk of the Orphans' Court are hereby directed to monitor the inboxes for the above e-mail addresses regularly for the receipt of electronically filed documents. Upon receipt, the transmittal e-mail and all attached documents shall be printed and then filed as if received in hard copy, except that the notation "Filed under AO-23-2020" shall be added next to the time stamp.
 4. The requirement for the immediate payment of filing fees will be suspended for all filings completed by e-mail under this Order. The existing arrangements made for billing and payment of fees by the Prothonotary, Clerk of Courts, and Clerk of the Orphans' Court while operating under AO-4-2020 shall remain in effect, as same may be modified by such parties from time to time.
- B. Magisterial District Courts* – Filings for civil matters will remain in person or via U.S. mail. However, if an individual needs to make a particular filing via e-mail, in a manner similar to that available for the Court of Common Pleas and Orphans' Court (set forth in Section II.A above), that individual may contact the relevant Magisterial District Court and request permission to do so, and the Magisterial District Courts are authorized to accept filings in such manner and to bill such individuals for any filing fees.

III. COURT OF COMMON PLEAS OPERATIONS

- A. Criminal Proceedings Other Than Jury Trials*
1. Court Administration will resume scheduling all criminal proceedings to occur in-person as of July 1, 2020.
 2. Notwithstanding Pa.R.Crim.P. 119, **defendants who are in custody are required to participate in all proceedings via ACT**. The other participants will be present in the courtroom. It has been, and will continue to be, the policy of the Court not to transport defendants who are in custody between correctional facilities or between correctional facilities and any court facility during the Judicial Emergency, unless absolutely necessary.

3. Defendants who are not in custody will be required to appear in person. Failure to appear will result in the issuance of a bench warrant.
4. Counsel for either the Commonwealth or the defendant may request that a particular proceeding be conducted via ACT, or that one of the participants (i.e., counsel themselves or a witness or the defendant) be permitted to participate via ACT. Requests shall be made by e-mail to Court Administration (at ctadmin.orders@huntingdoncounty.net) not less than two weeks prior to the scheduled matter, absent extenuating circumstances. Proceedings changed to ACT may be rescheduled for a later date, at the Court's discretion.
5. The standard practice of scheduling formal arraignment and the initial pretrial conference has resumed. Defendants are required to appear at the initial pretrial conference, even if they have waived formal arraignment. Formal arraignment and the initial pretrial conference will no longer be scheduled simultaneously. Instead, the initial pretrial conference will be scheduled for a date that is between six and eight weeks after: (i) the preliminary hearing, if the defendant has waived formal arraignment; or (ii) formal arraignment. Any motion for a pretrial conference filed after the initial pretrial conference shall include a trial memorandum or pretrial statement that addresses the following matters:
 - a. Status of pretrial discovery;
 - b. Stipulation and admissibility of evidence;
 - c. Witnesses (including expert witnesses);
 - d. Proposed deadlines for pretrial motions (including defenses, suppression, and discovery); and
 - e. Status of plea negotiations, if any.²
6. General criminal court terms are suspended during the Judicial Emergency. Court Administration will instead schedule cases in blocks, so as to avoid

²The Court will not engage in plea negotiations between the Commonwealth and the defendant. The inclusion of this information is purely for the purpose of placing it on the record for the benefit of the parties, in case the status or details of any potential plea deal become a matter of contention at a later date.

having a large number of defendants present in the courtroom at one time, waiting for their case to be called. The exact timing and number of cases to be included in each block will be determined by Court Administration, and may be changed from time to time.

B. Criminal Jury Trials

1. Jury selection is scheduled to resume in September 2020, for trials in October 2020. Jury selection and trials will occur in Courtroom 1, subject to infection control measures based on then-current guidance.~~on August 3, 2020, at the Halbritter Center for the Performing Arts at Juniata College (so as to allow for appropriate social distancing). The location and manner of jury selection thereafter will be determined at a later date.~~
2. Jury selection and trials after the October term will be scheduled by the District Court Administrator based on future circumstances and guidance from public health officials.~~Jury trials are scheduled to resume in August 2020, and will take place in-person in Courtroom 1, subject to infection control measures based on then-current guidance.~~
3. Defendants who are in custody will be transported for jury selection and jury trials.
4. Scheduling priority for jury trials, including jury selection, will be given to criminal cases over civil cases.

C. Civil Division and Orphans' Court Proceedings

1. Court Administration will resume scheduling all Civil Division and Orphans' Court proceedings to occur in-person as of July 1, 2020.
2. General civil court terms, including, without limitation, custody terms and Children & Youth Services terms, are suspended during the Judicial Emergency. Court Administration will instead schedule cases in blocks, so as to avoid having a large number of participants present in the courtroom at one time, waiting for their case to be called. The exact timing and number of cases to be included in each block will be determined by Court Administration, and may be changed from time to time.

3. Counsel for a party may request that a particular proceeding be conducted via ACT, or that one of the participants (i.e., counsel themselves or a party or witness) be permitted to participate via ACT. Requests shall be made in writing by e-mail to Court Administration (at ctadmin.orders@huntingdoncounty.net) not less than two weeks prior to the scheduled matter, absent extenuating circumstances. Proceedings changed to ACT may be rescheduled for a later date, at the Court's discretion.

IV. MAGISTERIAL DISTRICT COURT OPERATIONS (FORMERLY AO-18-2020)

A. Generally

1. The MDCs have resumed normal operations to the fullest extent attainable via ACT. The primary form of ACT remains Zoom, with telephone conference call as a backup. However, each MDC shall have the option to schedule payment determination hearings by telephone in lieu of Zoom.
2. Central Court will resume in July 2020, with the timing and Magistrate District Judge rotation to be determined by Court Administration. Waiver hearings for defendants waiving their right to a preliminary hearing will occur each Tuesday, and preliminary hearings will occur each Wednesday. Scheduling will be done by Court Administration. All Central Court proceedings will be conducted via ACT. Magisterial District Judges will conduct Central Court proceedings from their respective court facilities, rather than traveling to the Bailey Building.

B. Use of ACT

1. **All parties in all matters** before the MDCs **are required** to appear via ACT, absent prior approval by this Court. The protocols for criminal and civil matters attached at Exhibit A shall govern the conduct of such hearings before the MDCs, and shall be directly applicable to attorneys appearing in such matters. However, defendants (and plaintiffs, for civil matters) appearing before the MDCs will not be held to have knowledge of such

protocols before their appearance; rather, the Magistrate District Judge should inform them of the protocols as needed during the proceeding. **Defendants (and plaintiffs, for civil matters) shall be held to the protocols set forth the Notice attached at Exhibit B, which shall be enclosed with every notice for every hearing or other proceeding scheduled by a MDC via ACT during the Judicial Emergency.** Note that in addition to basic ACT hearing protocols, the attached notice provides instructions for downloading and using the Zoom app to appear before the MDC.

2. Where a defendant (or other party) appearing remotely would ordinarily sign a form in person and submit it to the MDC as part of the record (for example, a Waiver of Preliminary Hearing), the Magisterial District Judge shall: (i) colloquy the defendant as per standard practice; (ii) confirm with the defendant that he or she wishes to take the action in question and sign the form; (iii) sign the form on behalf of the defendant while the defendant is before the MDC; (iv) notify the defendant that the Magisterial District Judge has signed the form on their behalf; and then (v) complete and sign the Remote Signature Certification form attached at Exhibit C (note that the attached will continue to refer to AO-18-2020 for the sake of simplicity, but its use will now be governed by this Order).
3. All exhibits to be considered by the MDC must be transmitted via e-mail to Court Administration (ctadmin.orders@huntingdoncounty.net), with copy to opposing counsel (or the opposing party, if a *pro se* litigant) no later than noon on the business day immediately preceding the date of the proceeding. Acceptable formats are .pdf, .jpg, .png, and .mp4, with all Microsoft Office documents (Word, Excel, PowerPoint, Outlook, etc.) to be converted to .pdf unless specific formatting or metadata is a relevant part of the exhibit. No other file types or transmittal methods will be accepted without prior approval. Filenames should include the short-form docket number and a brief, objective description of the item (e.g., "xxx-2020 Police

Report”). Court Administration will distribute the exhibits to each MDC, as appropriate.

V. PROTECTION FROM ABUSE ORDERS (FORMERLY AO-05-2020)

Rescinded. Petitions for Protection From Abuse Orders are now governed by the provisions of this Administrative Order governing all other civil matters, including, without limitation, the availability of electronic filing. Petitioners may call Court Administration to request that a hearing be conducted via ACT, but this format is no longer required.

A. Procedure During Normal Business Hours

1. ~~Effective July 1, 2020, the requirement that all individuals contacting the Court of Common Pleas or the Prothonotary seeking a Protection From Abuse Order be directed to contact either Huntingdon House or The Abuse Network for assistance with completing and filing a Petition for Temporary PFA is rescinded.~~ Such individuals should be encouraged to contact those agencies for assistance, but they may also complete and file a Petition for Temporary PFA per standard practice, and the Court will conduct the initial *ex parte* hearing in-person.
2. ~~Petitions for Emergency PFAs filed by or with the assistance of Huntingdon House, The Abuse Network, or a private attorney may be filed via e-mail to the Prothonotary as a .pdf attachment at prothonotary-orders@huntingdoncounty.net, with copy to Court Administration at ctadmin.orders@huntingdoncounty.net, or via facsimile sent to the Prothonotary and Court Administration. In either case, Court Administration will provide the Petition to the Judge for review. The *ex parte* hearing for all Petitions filed in this manner will be conducted via ACT (likely telephone, but possibly via Zoom, if appropriate). The Court will initiate the call or provide the meeting instructions by e-mail. Therefore, once the Petition has been transmitted, the petitioner shall remain at Huntingdon House, The Abuse Network, or the office of their attorney pending the hearing, and the transmittal e-mail or facsimile cover sheet for~~

the Petition shall include a phone number where the petitioner (and their counsel, if represented) can be reached directly, as well as an e-mail address, if available.

3. Upon receipt of a Petition filed via e-mail, the Prothonotary shall print the transmittal e-mail and all attached documents and file them as if received in hard copy. Petitions filed via facsimile shall include the cover sheet. In each case, the Prothonotary shall add the notation "Filed under AO-23-2020" next to the time stamp.
4. For situations where an individual's freedom of movement is restricted, either physically or medically, such that they cannot meet in person with Huntingdon House, The Abuse Network, or the Prothonotary (such as where a person is hospitalized, or is unable to leave their home due to a quarantine, physical handicap, or lack of available transportation), the Court will determine an appropriate accommodation to enable the filing and taking of testimony.

B. Procedure Outside of Normal Business Hours—The procedure for seeking PFAs after normal business hours shall remain largely unchanged, with petitioners contacting 911 and then being directed to the on-call Magisterial District Judge for an Emergency PFA. However, rather than directing the petitioner to appear at the Court of Common Pleas within twenty-four hours to seek a Temporary PFA, the Magisterial District Judge should encourage the petitioner to contact Huntingdon House or The Abuse Network first, and then the Prothonotary if neither agency is available, within the twenty-four hour timeframe (per the process in Section V.A above).

C. Subsequent Hearings—All hearings regarding Petitions for PFAs after the initial *ex parte* hearing will occur in person, with scheduling of such hearings to being

~~July 1, 2020. Either party may petition the Court to conduct the hearing via ACT, in whole or in part, as set forth in Section III.C.3 above~~

VI. USE OF, AND PROTOCOLS FOR, ACT (PREVIOUSLY AO-16-2020)

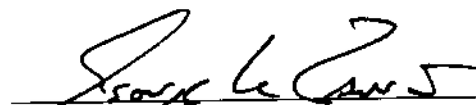
- A. *Format* – The primary form of ACT for proceedings will continue to be the Zoom video communications platform, with telephone conference call as a backup, subject to the Court’s discretion. This does not affect telephone conference calls for hearings on temporary protection from abuse orders, addressed in Section V above.
- B. *Participation*
1. Where a proceeding has been scheduled by the Court to occur via ACT, the parties and other participants are required to appear in that manner.
 2. Separate protocols have been established for criminal, civil, and family law matters, and are attached hereto for reference at Exhibit A. The conduct of counsel, litigants, witnesses, and other participants in proceedings conducted in whole or in part by via ACT shall be governed by such protocols. Court Administration will continue to attach the relevant protocols to notices sent out for proceedings to be conducted via ACT. Counsel who are calling witnesses are charged with providing a copy of the relevant protocols to their witnesses prior to the proceeding.
 3. For all proceedings to be conducted by ACT, all exhibits to be considered by the Court must be transmitted via e-mail to Court Administration (ctadmin.orders@huntingdoncounty.net) and the Director of Judicial Operations (ssnare@huntingdoncounty.net), with copy to opposing counsel (or the opposing party, if a *pro se* litigant) no later than noon on the business day immediately preceding the date of the proceeding. Acceptable formats are .pdf, .jpg, .png, and .mp4, with all Microsoft Office documents (Word, Excel, PowerPoint, Outlook, etc.) to be converted to .pdf unless specific formatting or metadata is a relevant part of the exhibit. No other file types or transmittal methods will be accepted without prior approval.

Filenames should include the short-form docket number and a brief, objective description of the item (e.g., "xxx-2020 Texts From Defendant").

VII. SUBUNIT OPERATIONS

- A. *Probation Office* – Probation Officers are authorized to resume full normal operations, including detainers and bench warrants, subject to such infection control limitations or procedures as the Director believes necessary.
- B. *Office of Domestic Relations*
1. Other than employees, no one will be permitted past waiting areas.
 2. All parties will be encouraged to use EPaces online services.
 3. Exchange of documents will be conducted via U.S. Mail, e-mail, or facsimile whenever possible. If none of these options is feasible, relevant documents may be delivered to the Office of Domestic Relations by hand for photocopying.
 4. All support conferences will be held via ACT, primarily telephone.
 5. The Director of the Office of Domestic Relations has the authority to make exceptions to this Order after consultation with the President Judge.

BY THE COURT:


George N. Zanic, President Judge

- C: Irene Bizzoso, Esq., Supreme Court Prothonotary
Geoff Moulton, Court Administrator of Pennsylvania
Stacey Witlec
Magisterial District Judge Douglas L. Gummo
Magisterial District Judge Rufus S. Brenneman
Magisterial District Judge Lisa M. Covert
Magisterial District Court Staff
Kay Coons, Prothonotary/Clerk of Courts
Virginia Cooper, Register & Recorder/Clerk of the Orphans' Court
Jeffrey E. Leonard, Sheriff
Duane Black, Warden
Leonard Hahn, Director, Probation Department

Shannon Walborn, Director, Department of Children and Youth
David G. Smith, District Attorney
Fredrick Gutshall, Esq., Director, Office of Court Appointed Counsel
Angela J. Robinson, District Court Administrator
Huntingdon House
The Abuse Network
Huntingdon County Bar Association

EXHIBIT A

Protocols for Proceedings Conducted Via ACT

Please see attached.

**PROTOCOLS FOR CRIMINAL PROCEEDINGS CONDUCTED VIA
ADVANCED COMMUNICATION TECHNOLOGY**

Pursuant to Administrative Order AO-16-2020 and the Notice to Appear to which these Protocols are attached, you have been directed to appear before the Huntingdon County Court of Common Pleas via advanced communication technology at the date and time specified in the Notice. Appearance before the Court via advanced communication technology is the same as appearance before the Court in person, and the expectations and requirements in regard to your conduct are unchanged.

These Protocols are broken down into Sections directed to defendants who are not in custody (Section I), defendants who are in custody (Section II), attorneys (Section III), and witnesses (Section IV), along with specific instructions for downloading and installing the Zoom app (Section V). Please review the appropriate sections below carefully.

In addition to the below, note that for defendants who are not in custody, you must follow these instructions and appear as directed in the Notice. Failure to appear may result in the issuance of a bench warrant for your arrest.

I. DEFENDANTS NOT IN CUSTODY

- A. You have been directed to appear before the Court via Zoom meeting. The meeting will serve as the virtual courtroom. Instructions for how to download the Zoom app are in Section V, below, including the range of devices able to use it.
- B. Unless you are appearing from the same location as your attorney, you must appear alone. Adult family members who would ordinarily be allowed to be present in the courtroom (i.e., those who are not witnesses) may be in the room with you, but cannot participate unless called on, and must remain quiet and not interrupt. Children should not be present.
- C. These Protocols are set up for defendants participating from a location separate from their attorney. If you are in the same location as your attorney, some of these Protocols will be inapplicable. Apply common sense as appropriate.
- D. The Meeting ID and password are included in the Notice. Join the meeting at least 5 minutes before the scheduled time. Unless prior approval has been granted by the Court, you must appear by video, as opposed to voice only.
- E. When you join the meeting you will be in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When your case is called, the Court will bring you into the virtual courtroom.
- F. When you enter the virtual courtroom, your video will automatically be on and your audio muted, until the hearing begins. You will need to unmute your audio by clicking the microphone icon. When you are called upon to speak, start talking, pause for a moment, and then continue, so give the audio time to "catch up." Be careful and courteous when others are speaking; if you cough, rustle papers, or otherwise make noise, you may cut them off.
- G. Proceedings will be on the record. The Court's standing rules prohibiting video and audio recording in the courtroom, along with the ban on the use of cellphones generally, remain in effect. You

are prohibited from recording the proceedings in any way. All proceedings are being recorded by the Court Reporter, and transcripts may be requested as with any other proceeding.

- H. You may confer with or provide notes to your attorney using the private chat feature. To do so, hit the "CHAT" button, and at the bottom of the chat window, pull-down the recipient arrow and select your attorney's name.

Note:

- 1. You are prohibited from using the chat feature to communicate with witnesses, opposing attorneys, the judge, or court staff present in the meeting.
- 2. You are not to communicate with your attorney or anyone else while you are testifying.
- 3. You are not to hold or refer to notes, paperwork, or other materials while testifying, the same as if you were you were on the witness stand in a live courtroom.
- I. If needed, you may confer in private with your attorney. The Court will enable this by moving you and your attorney into a separate, confidential "breakout room," while keeping the primary meeting open. The Court will not at any time enter the breakout room, and conversations in these rooms are not recorded in any way. When you are ready to return to the virtual courtroom **be sure to click "return to main session,"** as opposed to "leave meeting."
- J. The Court may use breakout rooms for sidebar discussions with counsel. The Court may shift you back to the virtual waiting room while such discussions occur, and will bring you back into the virtual courtroom when ready.
- K. **Do not leave the meeting under any circumstances until the proceedings are concluded.** This would be the same as walking out of court in the middle of a hearing without being dismissed.

II. DEFENDANTS IN CUSTODY

- A. On your end, your appearance via advanced communication technology will be in the form of a video call, subject to the direction of the facility where you are being held.
- B. On the Court's side, you may only see the judge, or, at times, you may see an empty conference room. The Court Reporter, attorneys (including your attorney), and other participants will be appearing via conference call. The audio will come through the speakerphone on the conference room table. You will be able to hear them, and they will be able to hear you.
- C. If you need to confer with your attorney privately, the judge will leave the room, and the other parties will be excluded from the conference call. You will then be able to talk with your attorney with you on video and your attorney on the speakerphone in the conference room. If you have not had a chance to confer with your attorney before the proceeding, the Court will make time available to you for this to occur.

III. ATTORNEYS

- A. You and your client have been directed to appear before the Court via Zoom meeting. The meeting will serve as the virtual courtroom. Instructions for how to download the Zoom app are in Section V, below, including the range of devices able to use it. All attorneys appearing before the Court via advanced communication technology are deemed to be familiar with, and shall follow, these Protocols. If you are unfamiliar with Zoom, go to <https://youtu.be/ayaENNMKSqs> for a Zoom CLE video from the State Bar of Texas Family Law Section. It is lengthy (2 hours), but informative.
- B. If your client does not have access to technology sufficient that they can use Zoom, or is not technologically skilled enough to use Zoom, they may appear with you from a suitable location (e.g., your office). Otherwise, you and your client shall appear from separate locations. These Protocols are set up for proceedings with all participants appearing from separate locations. If this is not the case, some of these Protocols will be inapplicable. Apply common sense as appropriate.
- C. The Meeting ID and password are included in the Notice. Join the meeting at least 5 minutes before the scheduled time. Unless prior approval has been granted by the Court, you, your client, and any witnesses must appear by video, as opposed to voice only.
- D. When you join the meeting you will be in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When your client's case is called, the Court will bring you and your client into the virtual courtroom.

- E. When you enter the virtual courtroom, your video will automatically be on and your audio muted. You will need to unmute your audio by clicking the microphone icon.
- F. When you go to speak, start talking, pause for a moment, and then continue, so give the audio time to "catch up." Be careful and courteous when others are speaking; if you cough, rustle papers, or otherwise make noise, you may cut them off.
- G. Wait until questions are completed before announcing an objection. Do not interrupt or talk over witnesses or opposing counsel. Because of the way the Zoom app gives primacy to the most recent speaker, speaking over others cuts off their audio. The usual vigorous back-and-forth between counsel needs to be slowed down so all can be heard, allowing the Court to make appropriate rulings.
- H. You may confer with or provide notes to your client using the private chat feature. To do so, hit the "CHAT" button, and at the bottom of the chat window, pull-down the recipient arrow and select your client's name. You may not chat, text, or in any way confer with your client during his or her testimony. You are not to use the private chat feature with any non-client witnesses or opposing counsel.
- I. If you need to have a private conversation with client, the Court will move you both into a separate, confidential "breakout room," while keeping the primary meeting open. The Court will not at any time enter the breakout room, and conversations in these rooms are not recorded in any way. When you are ready to return to the virtual courtroom **be sure to click "return to main session,"** as opposed to "leave meeting."
- J. The Court may also use breakout rooms for sidebar discussions with counsel and for private discussions between you and opposing counsel.
- K. Each party is responsible for having their witnesses in the virtual waiting room at least 5 minutes before the scheduled time.
- L. If witnesses are to be sequestered, the Court will move them back to the virtual waiting room, and then recall them when it is time for them to testify. Sequestered witnesses are not permitted to watch the public livestream (if any) during the hearing, or otherwise view or listen to the proceedings in breach of the sequestration.
 - 1. You, your client, and other witnesses are further prohibited from communicating with a sequestered witness in any fashion, whether via the chat feature, telephone, text, e-mail, or otherwise.
 - 2. Testifying witnesses are not to hold or refer to notes, paperwork, or other materials while testifying.
- M. There is to be no communication with your client via the chat feature while they are testifying.

- N. All exhibits to be considered by the Court must be submitted in accordance with AO-16-2020. Unanticipated rebuttal evidence may be submitted during the hearing through the “CHAT FILES” feature.
- O. Proceedings will be on the record. The Court’s standing rules prohibiting video and audio recording in the courtroom, along with the ban on the use of cellphones generally, remain in effect. All proceedings are being recorded by the Court Reporter, and transcripts may be requested as with any other proceeding.
- P. No one is to annotate anyone else’s shared screen unless expressly permitted or directed by the Court to do so.

IV. WITNESSES

- A. You have been called to appear before the Court as a witness via Zoom meeting. The meeting will serve as the virtual courtroom. Instructions for how to download the Zoom app are in Section V, below, including the range of devices able to use it.
- B. You must be alone in the room from which you are appearing. Friends or family members who wish to view the proceedings must do so from the public livestream, if available.
- C. The Meeting ID and password are included in the Notice. Join the meeting at least 5 minutes before the scheduled time. Unless prior approval has been granted by the Court, you must appear by video, as opposed to voice only.
- D. When you join the meeting you will be in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When the case you are testifying in is called, the Court will bring you into the virtual courtroom.
- E. When you enter the virtual courtroom, your video will automatically be on and your audio muted, until the proceedings begin. You will need to unmute your audio by clicking the microphone icon. When you are called upon to speak, start talking, pause for a moment, and then continue, so give the audio time to “catch up.” Be careful and courteous when others are speaking; if you cough, rustle papers, or otherwise make noise, you may cut them off.
- F. Proceedings will be on the record. The Court’s standing rules prohibiting video and audio recording in the courtroom, along with the ban on the use of cellphones generally, remain in effect. You are prohibited from recording the proceedings in any way. All proceedings are being recorded by the Court Reporter.
- G. You may not use the chat feature to message anyone in the virtual courtroom, including, without limitation, other witnesses and the party for whom you are testifying or their attorney. If anyone other than the Court attempts to contact you via the chat feature, notify the Court immediately.

H. If witnesses are to be sequestered, the Court will move you back to the virtual waiting room, and then recall you when it is time for you to testify. Sequestered witnesses are not permitted to watch the public livestream (if any) during the hearing, or otherwise view or listen to the proceedings in breach of the sequestration.

1. Attorneys, parties, and other witnesses are further prohibited from communicating with you in any fashion while you are sequestered, whether via the chat feature, telephone, text, e-mail, or otherwise.
2. You are not permitted to hold or refer to notes, paperwork, or other materials while testifying. All testimony must be from memory, unless otherwise directed by the Court.

I. The Court may use breakout rooms for sidebar discussions with counsel. The Court may shift you back to the virtual waiting room while such discussions occur, and will bring you back into the virtual courtroom when ready.

J. **Do not leave the meeting under any circumstances until the proceedings are concluded.** This would be the same as walking out of court in the middle of a hearing without being dismissed.

V. ZOOM MEETING APP

- A. Visit zoom.us and create an account. You must use your real name in setting up your Zoom account. You should also download and install the app on your computer, tablet, or smartphone, depending on the device or devices you intend to use for your appearance. (You can do this by clicking Resources, and selecting Install Client or App). If you cannot figure out how to do it, just remember this—when you attempt to host or join a meeting, Zoom will ask you whether to open the meeting in the browser or open/install the Zoom app. *Instruct it to open in the Zoom app and allow it to install the program.* It is crucial that you install the program/app rather than relying on the web browser, as the web browser does not have all the features of the app necessary to function as a virtual courtroom.
- B. Note that while Zoom also has an alternative option to use a telephone to call in to a meeting and appear by audio only, you may not appear in this manner without the prior approval of the Court.

**PROTOCOLS FOR FAMILY LAW PROCEEDINGS CONDUCTED VIA
ADVANCED COMMUNICATION TECHNOLOGY**

Pursuant to Administrative Order AO-16-2020 and the Notice to Appear to which these Protocols are attached, you have been directed to appear before the Huntingdon County Court of Common Pleas via advanced communication technology at the date and time specified in the Notice. Appearance before the Court via advanced communication technology is the same as appearance before the Court in person, and the expectations and requirements in regard to your conduct are unchanged.

These Protocols are broken down into Sections directed to plaintiffs and defendants (Section I), attorneys (Section II), adult witnesses (Section III), and guardians ad litem (Section IV), along with specific instructions for downloading and installing the Zoom app (Section V). Please review the appropriate sections below carefully.

Failure to appear as directed in the Notice and these Protocols may result in your claims being denied, or opposing claims granted against you, up to and including a default judgment. FOR CHILD DEPENDENCY ACTIONS THIS INCLUDES THE POSSIBLE ENTRY OF AN ORDER REMOVING YOUR CHILD OR CHILDREN AND PLACING THEM IN PROTECTIVE CUSTODY. If for any reason you believe you cannot appear as directed you must contact either your attorney (if you have one) or the Court to make appropriate arrangements.

I. PLAINTIFFS AND DEFENDANTS

- A. You have been directed to appear before the Court via Zoom meeting. The meeting will serve as the virtual courtroom. Instructions for how to download the Zoom app are in Section IV, below, including the range of devices able to use it.
- B. Unless you are appearing from the same location as your attorney, you must appear alone. Adult family members who would ordinarily be allowed to be present in the courtroom (i.e., those who are not witnesses) may be in the room with you, but cannot participate unless called on, and must remain quiet and not interrupt. Unless they are parties or witnesses and are appearing from the same location as you are, minor children should not be present.
- C. These Protocols are set up for parties participating from a location separate from their attorney. If you are in the same location as your attorney, some of these Protocols will be inapplicable. Apply common sense as appropriate.
- D. The Meeting ID and password are included in the Notice. Join the meeting at least 5 minutes before the scheduled time. Unless prior approval has been granted by the Court, you must appear by video, as opposed to voice only.
- E. When you join the meeting you will be in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When your case is called, the Court will bring you into the virtual courtroom.
- F. When you enter the virtual courtroom, your video will automatically be on and your audio muted, until the hearing begins. You will need to unmute your audio by clicking the microphone icon. When you are called upon to speak, start talking, pause for a moment, and then continue, so give the audio time to “catch up.” Be careful and courteous when others are speaking; if you cough, rustle papers, or otherwise make noise, you may cut them off.
- G. Proceedings will be on the record. The Court’s standing rules prohibiting video and audio recording in the courtroom, along with the ban on the use of cellphones generally, remain in effect. You are prohibited from recording the proceedings in any way. All proceedings are being recorded by the Court Reporter, and transcripts may be requested as with any other proceeding.
- H. You may confer with or provide notes to your attorney using the private chat feature. To do so, hit the “CHAT” button, and at the bottom of the chat window, pull-down the recipient arrow and select your attorney’s name.

Note:

1. You are prohibited from using the chat feature to communicate with witnesses, opposing attorneys, the judge, or court staff present in the meeting. **If your child is a witness or otherwise a participant in the proceeding this prohibition specifically includes your child.**
2. You are not to communicate with your attorney or anyone else while you are testifying.
3. You are not to hold or refer to notes, paperwork, or other materials while testifying, the same as if you were you were on the witness stand in a live courtroom.
- I. If needed, you may confer in private with your attorney. The Court will enable this by moving you and your attorney into a separate, confidential “breakout room,” while keeping the primary meeting open. The Court will not at any time enter the breakout room, and conversations in these rooms are not recorded in any way. When you are ready to return to the virtual courtroom **be sure to**

click “return to main session,” as opposed to “leave meeting.”

- J. The Court may use breakout rooms for sidebar discussions with counsel. The Court may shift you back to the virtual waiting room while such discussions occur, and will bring you back into the virtual courtroom when ready.
- K. The Court may also use breakout rooms to conduct virtual in-chambers interviews of your minor children (if any).
- L. **Do not leave the meeting under any circumstances until the proceedings are concluded.** This would be the same as walking out of court in the middle of a hearing without being dismissed.

II. ATTORNEYS

- A. You and your client have been directed to appear before the Court via Zoom meeting. The meeting will serve as the virtual courtroom. Instructions for how to download the Zoom app are in Section IV, below, including the range of devices able to use it. All attorneys appearing before the Court via advanced communication technology are deemed to be familiar with, and shall follow, these Protocols. If you are unfamiliar with Zoom, go to <https://youtu.be/ayaENNMKSqs> for a Zoom CLE video from the State Bar of Texas Family Law Section. It is lengthy (2 hours), but informative.
- B. If your client does not have access to technology sufficient that they can use Zoom, or is not technologically skilled enough to use Zoom, they may appear with you from a suitable location (e.g., your office). Otherwise, you and your client shall appear from separate locations. These Protocols are set up for proceedings with all participants appearing from separate locations. If this is not the case, some of these Protocols will be inapplicable. Apply common sense as appropriate.
- C. The Meeting ID and password are included in the Notice. Join the meeting at least 5 minutes before the scheduled time. Unless prior approval has been granted by the Court, you, your client, and any witnesses must appear by video, as opposed to voice only.
- D. When you join the meeting you will be in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When your client’s case is called, the Court will bring you and your client into the virtual courtroom.
- E. When you enter the virtual courtroom, your video will automatically be on and your audio muted. You will need to unmute your audio by clicking the microphone icon.
- F. When you go to speak, start talking, pause for a moment, and then continue, so give the audio time to “catch up.” Be careful and courteous when others

are speaking; if you cough, rustle papers, or otherwise make noise, you may cut them off.

- G. Wait until questions are completed before announcing an objection. Do not interrupt or talk over witnesses or opposing counsel. Because of the way the Zoom app gives primacy to the most recent speaker, speaking over others cuts off their audio. The usual vigorous back-and-forth between counsel needs to be slowed down so all can be heard, allowing the Court to make appropriate rulings.
- H. You may confer with or provide notes to your client using the private chat feature. To do so, hit the “CHAT” button, and at the bottom of the chat window, pull-down the recipient arrow and select your client’s name. You may not chat, text, or in any way confer with your client during his or her testimony. You are not to use the private chat feature with any non-client witnesses or opposing counsel.
- I. If you need to have a private conversation with client, the Court will move you both into a separate, confidential “breakout room,” while keeping the primary meeting open. The Court will not at any time enter the breakout room, and conversations in these rooms are not recorded in any way. When you are ready to return to the virtual courtroom **be sure to click “return to main session,”** as opposed to “leave meeting.”
- J. The Court may also use breakout rooms for sidebar discussions with counsel, for private discussions between you and opposing counsel, and to conduct virtual in-chambers interviews of minor children.
- K. Each party is responsible for having their witnesses in the virtual waiting room at least 5 minutes before the scheduled time.
- L. If witnesses are to be sequestered, the Court will move them back to the virtual waiting room, and then recall them when it is time for them to testify. Sequestered witnesses are not permitted to watch the public livestream (if any) during the hearing, or otherwise view or listen to the proceedings in breach of the sequestration.
 - 1. You, your client, and other witnesses are further prohibited from communicating with a sequestered witness in any fashion, whether via the chat feature, telephone, text, e-mail, or otherwise.
 - 2. Testifying witnesses are not to hold or refer to notes, paperwork, or other materials while testifying.
- M. There is to be no communication with your client via the chat feature while they are testifying.
- N. All exhibits to be considered by the Court must be submitted in accordance with AO-16-2020. Unanticipated rebuttal evidence may be submitted during the hearing through the “CHAT FILES” feature.

- O. Proceedings will be on the record. The Court's standing rules prohibiting video and audio recording in the courtroom, along with the ban on the use of cellphones generally, remain in effect. All proceedings are being recorded by the Court Reporter, and transcripts may be requested as with any other proceeding.
- P. No one is to annotate anyone else's shared screen unless expressly permitted or directed by the Court to do so.

III. ADULT WITNESSES

- A. You have been called to appear before the Court as a witness via Zoom meeting. The meeting will serve as the virtual courtroom. Instructions for how to download the Zoom app are in Section IV, below, including the range of devices able to use it.
- B. You must be alone in the room from which you are appearing. Friends or family members who wish to view the proceedings must do so from the public livestream, if available.
- C. The Meeting ID and password are included in the Notice. Join the meeting at least 5 minutes before the scheduled time. Unless prior approval has been granted by the Court, you must appear by video, as opposed to voice only.
- D. When you join the meeting you will be in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When the case you are testifying in is called, the Court will bring you into the virtual courtroom.
- E. When you enter the virtual courtroom, your video will automatically be on and your audio muted, until the proceedings begin. You will need to unmute your audio by clicking the microphone icon. When you are called upon to speak, start talking, pause for a moment, and then continue, so give the audio time to "catch up." Be careful and courteous when others are speaking; if you cough, rustle papers, or otherwise make noise, you may cut them off.
- F. Proceedings will be on the record. The Court's standing rules prohibiting video and audio recording in the courtroom, along with the ban on the use of cellphones generally, remain in effect. You are prohibited from recording the proceedings in any way. All proceedings are being recorded by the Court Reporter.
- G. You may not use the chat feature to message anyone in the virtual courtroom, including, without limitation, other witnesses and the party for whom you are testifying or their attorney. If anyone other than the Court attempts to contact you via the chat feature, notify the Court immediately.
- H. If witnesses are to be sequestered, the Court will move you back to the virtual waiting room, and then recall you when it is time for you to testify. Sequestered witnesses are not permitted to watch the public livestream (if any) during the hearing, or

otherwise view or listen to the proceedings in breach of the sequestration.

- 1. Attorneys, parties, and other witnesses are further prohibited from communicating with you in any fashion while you are sequestered, whether via the chat feature, telephone, text, e-mail, or otherwise.
- 2. You are not permitted to hold or refer to notes, paperwork, or other materials while testifying. All testimony must be from memory, unless otherwise directed by the Court.

- I. The Court may use breakout rooms for sidebar discussions with counsel. The Court may shift you back to the virtual waiting room while such discussions occur, and will bring you back into the virtual courtroom when ready.
- J. **Do not leave the meeting under any circumstances until the proceedings are concluded.** This would be the same as walking out of court in the middle of a hearing without being dismissed.

IV. GUARDIANS AD LITEM

- A. You have been directed to appear before the Court via Zoom meeting. The meeting will serve as the virtual courtroom. Instructions for how to download the Zoom app are in Section IV, below, including the range of devices able to use it. All attorneys appearing before the Court via advanced communication technology are deemed to be familiar with, and shall follow, these Protocols. If you are unfamiliar with Zoom, go to <https://youtu.be/ayaENNMKSqs> for a Zoom CLE video from the State Bar of Texas Family Law Section. It is lengthy (2 hours), but informative.
- B. Depending on the situation and the location of the child, you may be asked to appear from the same location as the child (i.e., on the same device). Whether you appear jointly or separate, you will need to provide additional assistance and guidance to the child during the proceedings than usual. **Specifically, you will need to go over the relevant portions of these Protocols with the child before the proceeding.** These Protocols are set up for proceedings with all participants appearing from separate locations, and with the child appearing before the Court. If this is not the case, some of these Protocols will be inapplicable. Apply common sense as appropriate.
- C. The Meeting ID and password are included in the Notice. Join the meeting at least 5 minutes before the scheduled time. Unless prior approval has been granted by the Court, you must appear by video, as opposed to voice only.
- D. When you join the meeting you will be in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When your case is called, the Court will bring you into the virtual courtroom.

- E. When you enter the virtual courtroom, your video will automatically be on and your audio muted. You will need to unmute your audio by clicking the microphone icon.
- F. When you go to speak, start talking, pause for a moment, and then continue, so give the audio time to “catch up.” Be careful and courteous when others are speaking; if you cough, rustle papers, or otherwise make noise, you may cut them off.
- G. Wait until questions are completed before announcing an objection. Do not interrupt or talk over witnesses or opposing counsel. Because of the way the Zoom app gives primacy to the most recent speaker, speaking over others cuts off their audio. The usual vigorous back-and-forth between counsel needs to be slowed down so all can be heard, allowing the Court to make appropriate rulings.
- H. You may confer with or provide notes to the child using the private chat feature. To do so, hit the “CHAT” button, and at the bottom of the chat window, pull-down the recipient arrow and select the child’s name. You may not chat, text, or in any way confer with the child during his or her testimony. You are not to use the private chat feature with any non-client witnesses or opposing counsel.
- I. If you need to have a private conversation with the child, the Court will move you both into a separate, confidential “breakout room,” while keeping the primary meeting open. The Court will not at any time enter the breakout room, and conversations in these rooms are not recorded in any way. When you are ready to return to the virtual courtroom **be sure to click “return to main session,”** as opposed to “leave meeting.”
- J. The Court may also use breakout rooms for sidebar discussions with counsel, for private discussions between counsel, and to conduct virtual in-chambers interviews of minor children.
- K. Proceedings will be on the record. The Court’s standing rules prohibiting video and audio recording in the courtroom, along with the ban on the use of cellphones generally, remain in effect. All proceedings are being recorded by the Court Reporter, and transcripts may be requested as with any other proceeding.
- L. No one is to annotate anyone else’s shared screen unless expressly permitted or directed by the Court to do so.

V. ZOOM MEETING APP

- A. Visit zoom.us and create an account. You must use your real name in setting up your Zoom account. You should also download and install the app on your computer, tablet, or smartphone, depending on the device or devices you intend to use for your appearance. (You can do this by clicking Resources, and selecting Install Client or App). If you cannot figure out how to do it, just remember

this—when you attempt to host or join a meeting, Zoom will ask you whether to open the meeting in the browser or open/install the Zoom app. *Instruct it to open in the Zoom app and allow it to install the program.* It is crucial that you install the program/app rather than relying on the web browser, as the web browser does not have all the features of the app necessary to function as a virtual courtroom.

- B. Note that while Zoom also has an alternative option to use a telephone to call in to a meeting and appear by audio only, you may not appear in this manner without the prior approval of the Court.

**PROTOCOLS FOR CIVIL PROCEEDINGS CONDUCTED VIA
ADVANCED COMMUNICATION TECHNOLOGY**

Pursuant to Administrative Order AO-16-2020 and the Notice to Appear to which these Protocols are attached, you have been directed to appear before the Huntingdon County Court of Common Pleas via advanced communication technology at the date and time specified in the Notice. Appearance before the Court via advanced communication technology is the same as appearance before the Court in person, and the expectations and requirements in regard to your conduct are unchanged.

These Protocols are broken down into Sections directed to plaintiffs and defendants (Section I), attorneys (Section II), and witnesses (Section III), along with specific instructions for downloading and installing the Zoom app (Section IV). Please review the appropriate sections below carefully.

Failure to appear as directed in the Notice and these Protocols may result in your claims being denied, or opposing claims granted against you, up to and including a default judgment. If for any reason you believe you cannot appear as directed you must contact either your attorney (if you have one) or the Court to make appropriate arrangements.

I. PLAINTIFFS AND DEFENDANTS

- A. You have been directed to appear before the Court via Zoom meeting. The meeting will serve as the virtual courtroom. Instructions for how to download the Zoom app are in Section IV, below, including the range of devices able to use it.
- B. Unless you are appearing from the same location as your attorney, you must appear alone. Adult family members who would ordinarily be allowed to be present in the courtroom (i.e., those who are not witnesses) may be in the room with you, but cannot participate unless called on, and must remain quiet and not interrupt. Children should not be present.
- C. These Protocols are set up for parties participating from a location separate from their attorney. If you are in the same location as your attorney, some of these Protocols will be inapplicable. Apply common sense as appropriate.
- D. The Meeting ID and password are included in the Notice. Join the meeting at least 5 minutes before the scheduled time. Unless prior approval has been granted by the Court, you must appear by video, as opposed to voice only.
- E. When you join the meeting you will be in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When your case is called, the Court will bring you into the virtual courtroom.
- F. When you enter the virtual courtroom, your video will automatically be on and your audio muted, until the hearing begins. You will need to unmute your audio by clicking the microphone icon. When you are called upon to speak, start talking, pause for a moment, and then continue, so give the audio time to "catch up." Be careful and courteous when others are speaking; if you cough, rustle papers, or otherwise make noise, you may cut them off.
- G. Proceedings will be on the record. The Court's standing rules prohibiting video and audio recording in the courtroom, along with the ban on the use of cellphones generally, remain in effect. You are prohibited from recording the proceedings in any way. All proceedings are being recorded by the Court Reporter, and transcripts may be requested as with any other proceeding.
- H. You may confer with or provide notes to your attorney using the private chat feature. To do so, hit the "CHAT" button, and at the bottom of the chat window, pull-down the recipient arrow and select your attorney's name.

Note:

- 1. You are prohibited from using the chat feature to communicate with witnesses, opposing attorneys, the judge, or court staff present in the meeting.
- 2. You are not to communicate with your attorney or anyone else while you are testifying.
- 3. You are not to hold or refer to notes, paperwork, or other materials while testifying, the same as if you were you were on the witness stand in a live courtroom.

- I. If needed, you may confer in private with your attorney. The Court will enable this by moving you and your attorney into a separate, confidential "breakout room," while keeping the primary meeting open. The Court will not at any time enter the breakout room, and conversations in these rooms are not recorded in any way. When you are ready to return to the virtual courtroom **be sure to click "return to main session,"** as opposed to "leave meeting."
- J. The Court may use breakout rooms for sidebar discussions with counsel. The Court may shift you back to the virtual waiting room while such

discussions occur, and will bring you back into the virtual courtroom when ready.

- K. **Do not leave the meeting under any circumstances until the proceedings are concluded.** This would be the same as walking out of court in the middle of a hearing without being dismissed.

II. ATTORNEYS

- A. You and your client have been directed to appear before the Court via Zoom meeting. The meeting will serve as the virtual courtroom. Instructions for how to download the Zoom app are in Section IV, below, including the range of devices able to use it. All attorneys appearing before the Court via advanced communication technology are deemed to be familiar with, and shall follow, these Protocols. If you are unfamiliar with Zoom, go to <https://youtu.be/ayaENNMKSqs> for a Zoom CLE video from the State Bar of Texas Family Law Section. It is lengthy (2 hours), but informative.
- B. If your client does not have access to technology sufficient that they can use Zoom, or is not technologically skilled enough to use Zoom, they may appear with you from a suitable location (e.g., your office). Otherwise, you and your client shall appear from separate locations. These Protocols are set up for proceedings with all participants appearing from separate locations. If this is not the case, some of these Protocols will be inapplicable. Apply common sense as appropriate.
- C. The Meeting ID and password are included in the Notice. Join the meeting at least 5 minutes before the scheduled time. Unless prior approval has been granted by the Court, you, your client, and any witnesses must appear by video, as opposed to voice only.
- D. When you join the meeting you will be in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When your client's case is called, the Court will bring you and your client into the virtual courtroom.
- E. When you enter the virtual courtroom, your video will automatically be on and your audio muted. You will need to unmute your audio by clicking the microphone icon.
- F. When you go to speak, start talking, pause for a moment, and then continue, so give the audio time to "catch up." Be careful and courteous when others are speaking; if you cough, rustle papers, or otherwise make noise, you may cut them off.
- G. Wait until questions are completed before announcing an objection. Do not interrupt or talk over witnesses or opposing counsel. Because of the way the Zoom app gives primacy to the most recent speaker, speaking over others cuts off their audio. The usual vigorous back-and-forth between counsel

needs to be slowed down so all can be heard, allowing the Court to make appropriate rulings.

- H. You may confer with or provide notes to your client using the private chat feature. To do so, hit the "CHAT" button, and at the bottom of the chat window, pull-down the recipient arrow and select your client's name. You may not chat, text, or in any way confer with your client during his or her testimony. You are not to use the private chat feature with any non-client witnesses or opposing counsel.
- I. If you need to have a private conversation with client, the Court will move you both into a separate, confidential "breakout room," while keeping the primary meeting open. The Court will not at any time enter the breakout room, and conversations in these rooms are not recorded in any way. When you are ready to return to the virtual courtroom **be sure to click "return to main session,"** as opposed to "leave meeting."
- J. The Court may also use breakout rooms for sidebar discussions with counsel and for private discussions between you and opposing counsel.
- K. Each party is responsible for having their witnesses in the virtual waiting room at least 5 minutes before the scheduled time.
- L. If witnesses are to be sequestered, the Court will move them back to the virtual waiting room, and then recall them when it is time for them to testify. Sequestered witnesses are not permitted to watch the public livestream (if any) during the hearing, or otherwise view or listen to the proceedings in breach of the sequestration.
 - 1. You, your client, and other witnesses are further prohibited from communicating with a sequestered witness in any fashion, whether via the chat feature, telephone, text, e-mail, or otherwise.
 - 2. Testifying witnesses are not to hold or refer to notes, paperwork, or other materials while testifying.
- M. There is to be no communication with your client via the chat feature while they are testifying.
- N. All exhibits to be considered by the Court must be submitted in accordance with AO-16-2020. Unanticipated rebuttal evidence may be submitted during the hearing through the "CHAT FILES" feature.
- O. Proceedings will be on the record. The Court's standing rules prohibiting video and audio recording in the courtroom, along with the ban on the use of cellphones generally, remain in effect. All proceedings are being recorded by the Court Reporter, and transcripts may be requested as with any other proceeding.

- P. No one is to annotate anyone else's shared screen unless expressly permitted or directed by the Court to do so.

III. WITNESSES

- A. You have been called to appear before the Court as a witness via Zoom meeting. The meeting will serve as the virtual courtroom. Instructions for how to download the Zoom app are in Section IV, below, including the range of devices able to use it.
- B. You must be alone in the room from which you are appearing. Friends or family members who wish to view the proceedings must do so from the public livestream, if available.
- C. The Meeting ID and password are included in the Notice. Join the meeting at least 5 minutes before the scheduled time. Unless prior approval has been granted by the Court, you must appear by video, as opposed to voice only.
- D. When you join the meeting you will be in a virtual waiting room with all other parties, attorneys and witnesses. There may be several cases set on the docket at that time. When the case you are testifying in is called, the Court will bring you into the virtual courtroom.
- E. When you enter the virtual courtroom, your video will automatically be on and your audio muted, until the proceedings begin. You will need to unmute your audio by clicking the microphone icon. When you are called upon to speak, start talking, pause for a moment, and then continue, so give the audio time to "catch up." Be careful and courteous when others are speaking; if you cough, rustle papers, or otherwise make noise, you may cut them off.
- F. Proceedings will be on the record. The Court's standing rules prohibiting video and audio recording in the courtroom, along with the ban on the use of cellphones generally, remain in effect. You are prohibited from recording the proceedings in any way. All proceedings are being recorded by the Court Reporter.
- G. You may not use the chat feature to message anyone in the virtual courtroom, including, without limitation, other witnesses and the party for whom you are testifying or their attorney. If anyone other than the Court attempts to contact you via the chat feature, notify the Court immediately.
- H. If witnesses are to be sequestered, the Court will move you back to the virtual waiting room, and then recall you when it is time for you to testify. Sequestered witnesses are not permitted to watch the public livestream (if any) during the hearing, or otherwise view or listen to the proceedings in breach of the sequestration.
 - 1. Attorneys, parties, and other witnesses are further prohibited from communicating with you in any fashion while you are sequestered, whether via the chat feature, telephone, text, e-mail, or otherwise.

- 2. You are not permitted to hold or refer to notes, paperwork, or other materials while testifying. All testimony must be from memory, unless otherwise directed by the Court.

- I. The Court may use breakout rooms for sidebar discussions with counsel. The Court may shift you back to the virtual waiting room while such discussions occur, and will bring you back into the virtual courtroom when ready.
- J. **Do not leave the meeting under any circumstances until the proceedings are concluded.** This would be the same as walking out of court in the middle of a hearing without being dismissed.

IV. ZOOM MEETING APP

- A. Visit zoom.us and create an account. You must use your real name in setting up your Zoom account. You should also download and install the app on your computer, tablet, or smartphone, depending on the device or devices you intend to use for your appearance. (You can do this by clicking Resources, and selecting Install Client or App). If you cannot figure out how to do it, just remember this—when you attempt to host or join a meeting, Zoom will ask you whether to open the meeting in the browser or open/install the Zoom app. *Instruct it to open in the Zoom app and allow it to install the program.* It is crucial that you install the program/app rather than relying on the web browser, as the web browser does not have all the features of the app necessary to function as a virtual courtroom.
- B. Note that while Zoom also has an alternative option to use a telephone to call in to a meeting and appear by audio only, you may not appear in this manner without the prior approval of the Court.

EXHIBIT B

Notice for Proceedings Conducted Via ACT
in the Magisterial District Courts

Please see attached.

YOU ARE HEREBY ORDERED TO APPEAR BEFORE THE MAGISTERIAL DISTRICT COURT REMOTELY VIA VIDEO. FAILURE TO APPEAR REMOTELY IS THE SAME AS FAILURE TO APPEAR IN COURTChoose an item..

IF YOU HAVE TECHNOLOGY ISSUES THAT MAY PREVENT YOU FROM APPEARING REMOTELY, OR HAVE ANY QUESTIONS REGARDING THIS NOTICE, CALL THE COURT AT THE NUMBER SHOWN ABOVE AS SOON AS POSSIBLE.

Click or tap here to enter text.:

Per the enclosed Notice, you are hereby ordered to appear before the Court for a Choose an item. at Click or tap here to enter text. on Click or tap here to enter text., 2020. Due to the COVID-19 emergency, the proceeding will be conducted remotely, via the Zoom meeting app. Zoom can be used from any computer, smartphone, or tablet that is equipped with a camera and microphone and has internet access.

To use Zoom, visit zoom.us and create an account. You must use your real name in setting up your Zoom account. You should also download and install the app on the device you intend to use for your appearance. (You can do this by clicking Resources, and selecting Install Client or App). If you cannot figure out how to do it, just remember this—when you attempt to host or join a meeting, Zoom will ask you whether to open the meeting in the browser or open/install the Zoom app. Instruct it to open in the Zoom app and allow it to install the program. It is crucial that you install the program/app rather than relying on the web browser, as the web browser does not have all the features of the app necessary to function as a virtual courtroom.

The Meeting ID and password are below. Join the meeting at least 5 minutes before the scheduled time. When you join the meeting you will be in a virtual waiting room with all other parties. When your case is called, the Court will bring you into the meeting. When you enter the meeting, your video will automatically be on and your audio muted. You will need to unmute your audio by clicking the microphone icon.

Meeting ID: Click or tap here to enter text. **Password:** Click or tap here to enter text.

You must appear by video, as opposed to voice only. Unless you are appearing with your attorney, you must appear alone. Adult family members who would ordinarily be allowed to be present in the courtroom (i.e., those who are not witnesses) may be in the room with you, but cannot participate unless called on, and must remain quiet and not interrupt. Children should not be present. Any variations from these rules must be approved by the Court prior to the proceeding.

Notice Date: April 28, 2020

Magisterial District Judge

EXHIBIT C

Remote Signature Certification Form for Proceedings Conducted
Via ACT in the Magisterial District Courts

Please see attached.



REMOTE SIGNATURE CERTIFICATION

PURSUANT TO 20th JUDICIAL DISTRICT ADMINISTRATIVE ORDER AO-18-2020
DURING COVID-19 JUDICIAL EMERGENCY

Mag. Dist. No.: Choose an item.

MDJ Name: Choose an item.

Commonwealth

v.

Click or tap here to enter text.

Docket No.: Click or tap here to enter text.

OTN: Click or tap here to enter text.

I, the undersigned Magistrate District Judge, hereby certify that the above-named defendant appeared remotely before me via advanced communication technology, which was Zoom telephone Polycom video, at the date and time specified below, and undertook the following action:

- Waived his/her right to a preliminary hearing
- Was released on bail or on his/her own recognizance, and agreed to terms of release
- Waived his/her right to counsel
- Other: _____

The attached document(s) has/have been signed by me on defendant's behalf to accomplish the above action(s), as defendant was unable to sign them due to having appeared remotely. I further certify that I colloquied defendant in regard to the above action(s) just as I would if he/she had appeared before me in person, that I gave notice to defendant that I signed the attached document(s) on defendant's behalf during the proceeding held at the below date and time (while such defendant could hear, and if on video, see me), and that I gave notice to defendant that such signature has the same force and effect as if defendant signed the document himself/herself.

Hearing Date: Click or tap to enter a date.

Time: Click or tap here to enter text.

Defendant's Attorney: Click or tap here to enter text., Esq.
(if represented)

Magisterial District Judge