

Procedures for Virtual Court Proceedings (by Zoom and Phone)
Child Protection Court of the Concho Valley
Judge Elizabeth Watkins

Court Staff

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Pursuant to Texas Rules of Civil Procedure 21d and 500.10 and Amendments to the Texas Rules of Civil Procedure 21, 500.2, 501.4, and 505.1, The Child Protection Court of Concho Valley may provide Zoom links to conduct court proceedings virtually. The CPC of Concho Valley will conduct non-contested court proceedings virtually, and essential court proceedings (as defined by the Texas Supreme Court and pursuant to CDC guidelines) in person. A participant to any such court proceeding held virtually is subject to the guidelines set out below, the procedures for in person court proceedings and contested matters can be found in the Court’s Standing Rules on the CPC of Concho Valley webpage.

PROCEDURES FOR PARTICIPANTS

CPC of Concho Valley will be using Zoom conferencing for virtual court proceedings. Zoom is free to download, and you and/or your witnesses will need to download Zoom at www.zoom.us, or download the free app directly to your cell phone. The CPC Court will email you a link and password prior to the court proceeding. Easy “How To” instructions are attached to this information page.

You **MUST** have a reliable and stable internet connection to participate via Zoom. These proceedings are taken down word for word by an Official Court Reporter and the connection must be constant for the record to be clear. If you do not have access to a reliable and stable internet connection, you may either be required to appear in person or a computer will be provided in the courtroom that can be used by a participant.

TO APPEAR ON CAMERA FOR THE VIRTUAL COURT PROCEEDING YOU NEED:

- (1) a computer with internet access and a camera,
- (2) a laptop with internet access and a camera, or
- (3) a smartphone with a camera.

TO SCHEDULE A VIRTUAL COURT PROCEEDING:

Subject to Court availability, a participant must email the court coordinator, Mandy Archer, at mandy.archer@txcourts.gov by noon at least three business days before the court proceeding or as soon as the request is known. The subject line of the email should say: Virtual Court Proceeding Request – [Insert Cause No. of Case]. The request should copy opposing counsel and self-represented parties and include names and emails of all parties and witnesses participating. The Court will be the host of the proceeding and will email all those participating a link and password for the court proceeding with a backup phone number to call in if needed. Please note – at the time of the virtual court proceeding, if you are unable to use the link to log in, call the provided backup phone line so the Court can take the necessary actions to secure your participation. It may be necessary to re-schedule the court proceedings in person to allow for all participants equal access.

USING EXHIBITS AT THE VIRTUAL COURT PROCEEDING:

If you intend to offer any exhibits during the virtual court proceeding, you must email an exhibit list to all parties, the court coordinator Mandy Archer, mandy.archer@txcourts.gov and the court reporter April Drake, april.drake@co.tom-green.tx.us by noon three days before the court proceeding or as soon as they are available. The subject line of the email should say: Zoom Court Proceeding Exhibits of (Plaintiff/Petitioner/State or Defendant/Respondent) – Cause No. The documents must be in PDF format and pre-marked (or saved) by Exhibit No. Save each exhibit as a separate PDF and name each PDF for presentation during the court proceeding. You may temporarily be made the “co-host” of the virtual proceeding in order to screen share your exhibit. Please request the appropriate permission from the Court prior to attempting to screen share. The parties must still prove up any exhibits during the trial/court proceeding. All audio and video exhibits must be saved in mp4 format and saved as exhibits named accordingly.

PROCEDURES FOR WITNESSES

Any party may request a witness appear virtually. This can be done to accommodate witnesses located long distances from the Court, in an institution, or professionals whose schedule may necessitate a virtual appearance. For any regularly scheduled in person proceeding, if a party is requesting a witness appear virtually, they must file the appropriate motion and/or request and receive an order of the Court allowing such appearance. The Court may waive the requirement for a motion upon a finding of good cause for the virtual witness appearance. However, when time permits, a motion should be filed. Witnesses should appear by video conferencing at the set time when provided the virtual Zoom link. If a witness does not have the capability for video conferencing and can only call in on the phone, then the witness cannot testify regarding any exhibits. The party calling the witness is responsible for ensuring the witness has a separate video and audio feed. Parties should not attempt to “share” a connection with a witness (3 way calls). All witnesses should be prepared to present a valid form of identification to verify their identity to the Court over the video feed. It is the responsibility of the party 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. If the witness is an inmate at an institution, it is the party who wishes to secure their participation via Zoom to request and notify the Court of the need for an Order to Appear (this excludes inmates who are parties to the suit). Witnesses are expected to join the Zoom meeting at the scheduled time of the court proceeding/trial. Witnesses will remain in the virtual waiting room until called to testify, just as witnesses would remain outside of the courtroom until they are called to the witness stand.

FOR THE PUBLIC

The open courts provisions of the Texas law allows all Texans access to court proceedings. Virtual court proceedings will be available to watch live on the Child Protection Court of the Concho Valley YouTube channel. VIDEO OR AUDIO RECORDING IS PROHIBITED. The public may view the proceeding while occurring live but is prohibited from recording the proceeding. Anyone who records the proceedings, other than the official court reporter, may be held in contempt of Court.

HOW TO USE ZOOM

If you are not familiar with Zoom, it is a video conferencing platform. You must install Zoom on a PC or use the free app for Zoom available for download on your smart phone. You will need to sign up, but the free “basic” plan will be sufficient for court proceedings. Please make sure you have Zoom ready and tested BEFORE the time of your trial/court proceeding. You can find more information on Zoom’s website www.zoom.com.

Once you click on the link provided by The Court in the Zoom invitation email to join the meeting, you will be prompted for the password which is located below the link. Be sure to select “connect to computer audio” rather than “telephone” (if you are using a PC) and “join with video.” You will then be placed into a “waiting room.” The Court will accept you into the court proceeding once they confirm your identity. Your microphone should be muted upon entering. This can be controlled at the bottom of your screen. At the top right of the screen, you can control your “view” of the participants- gallery, active speaker.

If you are attending the court proceeding using the Zoom app, at least five minutes before the start time of the court proceeding, open the app, sign in and go to “Join Meeting”. Here is where you will enter the Meeting ID (found below the link). You will then be prompted for the password (directly below the Meeting ID). You will be asked to “Join with Video” and placed in a waiting room until your identity is confirmed, and the Court accepts you into the meeting. Be aware the option to mute/unmute and to change your view (speaker/gallery) are at the bottom. Please join muted and unmute yourself when speaking.

Keep in mind that the Court Reporter will be present for this court proceeding and will be taking down every word being spoken. Be sure to speak loudly, clearly and one person at a time. Please be familiar with the court rules on conduct and decorum located on the Court’s waiting room page and webpage. A copy is below:

WHETHER VIRTUAL OR IN PERSON the following conduct is NOT PERMITTED:

- 1) The use of tobacco or smoking of any kind;
- 2) Chewing gum, eating food, or drinking beverages other than those enclosed in bottles or containers with lids;
- 3) No consumption of alcoholic beverages;
- 4) No reading or using emails, text messages, Facebook, Instagram, snapchat or any other social media during the proceedings, the only exception would be communications between attorneys and clients during virtual procedures required by the court;
- 5) No food or food preparation;
- 6) No propping of feet on tables or chairs, moving from one place to another;
- 7) NO driving, participant must be in a set location for virtual appearances;
- 8) No obscene or inappropriate backdrops (please utilize background effects if necessary);
- 9) No talking that interferes with court proceedings;
- 10) Parties do not speak unless you are an officer of the court and/or you have been called upon as a witness, if you have a counter argument to make, please wait to be called upon, and in a virtual setting, raise the hand signal on the virtual platform to get noticed. DO NOT INTERRUPT;
- 11) Witnesses are not allowed to seek answers from anyone else during questioning. Do not speak to or call upon anyone else who may be present in the room with you. If parties must appear using the same virtual setting, they must remain silent unless called upon by the court or attorneys.
- 12) No use of any electronic device to record or photograph any court proceedings; Do not move any camera around to show any “evidence” or surroundings to the court;
- 13) No use of cell phones or any other electronic device, except by attorneys with permission of the court.