

394TH DISTRICT COURT VIRTUAL HEARING “ZOOM” PROTOCOLS

YOUR CASE HAS BEEN SET FOR A HEARING BEFORE THE 394TH DISTRICT COURT, VIA THE ZOOM MEETING APP. Failure to appear may result in sanctions being imposed, including your claims being denied, claims against you being granted, monetary sanctions or fines being assessed, issuance of a warrant or capias, and granting of a final default judgment or dismissal.

First, you must create a free Zoom account. Download and install the free Zoom client on your computer or tablet from the [Zoom.us](https://zoom.us) website by hovering over the Resources tab, and selecting “Download Zoom Client,” or on your smart phone by installing Zoom from the App Store. You must sign up using your real name. Logging in using a pseudonym, fake name, or other identifier may result in your case being moved to the end of docket, thus increasing your wait time.

Because the Zoom app works on all modern smart phones, tablets and computers, each participant is expected to appear *by video*, rather than merely by voice, except as a last resort. If you cannot connect by Zoom, you may join the Zoom hearing by calling the phone number contained in the Notice of Hearing. However, you will not be permitted to *testify* unless you appear on camera in Zoom.

Attorneys must appear on camera during hearings, and shall dress in traditional courtroom attire (including coat and tie). All other participants shall dress in business attire or “smart casual” (which is best described as what someone would wear to church or to meet your romantic partner’s parents). Hats and sunglasses must be removed. Persons dressed inappropriately may be ejected and excluded from the hearing.

Only counsel of record, litigants and their spouses (where specifically permitted by the rules), testifying experts, and witnesses while testifying will be permitted to enter the hearing. Witnesses will remain in the waiting room until it is their turn to testify. Witnesses who are not on camera to be placed under oath will not be permitted to testify.

If any party or witness will require a language interpreter for a hearing, you must inform the court coordinator at least seven days prior to the hearing. The Court will use the Zoom interpretation service, so attorneys must practice with the client or witness prior to the hearing, to avoid unnecessary delay or confusion.

Hearings are on the record through the use of the digital court recording system. The video and audio of this hearing are not part of the official record, and are not subject to disclosure by the Court. A transcript of these proceedings may be requested and purchased in the usual manner by the Court’s official court reporter, Verbatim Reporting & Transcription.

All virtual hearings in this Court are open for public viewing at the Court’s official YouTube channel: <https://www.youtube.com/c/394thDistrictCourtOfTexasLiveStream>. Recording, downloading or capturing video, audio, or images of the Zoom hearing or live stream is prohibited.

Instructions for Participating in the Zoom Virtual Courtroom:

1. Join the virtual courtroom a few minutes before the scheduled hearing time by clicking the link in the e-vite or clicking "Join a Meeting" in Zoom and entering the meeting code. If it asks you whether to open in the browser or open the Zoom app, always instruct it to open in the Zoom app. When you enter, select "Join by Computer Audio," even if you are connecting via smart phone. If you enter and you can't hear anyone else in the meeting when you see them speaking, verify in the call audio settings that you are connected to "Computer Audio."
2. Upon entering the room, your video will automatically be on and your audio muted, until the hearing begins. If you are having trouble connecting, call 432-837-5831 and the court coordinator will assist you.
3. You must be located in a quiet, well-lit area, preferably indoors, with minimal background noise. You will not be permitted to participate from a moving vehicle. You should be positioned so that there is no window or bright light source visible within the video frame. If your location or environment renders your participation impossible or untenable, or interferes with the Court's ability to conduct its proceedings, you may be ejected and excluded from the hearing.
4. When you first connect, you will remain in a virtual waiting room until your case is called. There may be other cases set at the same time as yours. Do not disconnect or exit the waiting room while you are waiting. When your case is reached, the Court will bring you and the other participants in your hearing into the virtual courtroom.
5. During the hearing, you may "slip notes" between client and lawyer, using the private chat feature. To do so, hit the "Chat" button at the bottom of the Zoom screen, and at the bottom of the Chat window, pull-down the recipient arrow and select your client's or lawyer's name. Be careful – chat messages sent to "Everyone" will be visible to all meeting participants, including the Court. Do not send private messages to the Court, the other party, or any witness. You are strongly encouraged to practice with this feature prior to joining the hearing.
6. While a witness is testifying, they shall not communicate with anyone else by any means. Do not refer to or look at any documents or items while testifying unless directed to do so by the Court. This includes web searches and written documentation. Your hands should be empty.
7. The Rule as to Witnesses is invoked in every hearing in the virtual courtroom. Do not communicate with witnesses by any means while the hearing is underway, or allow or encourage them to watch the live stream during the hearing. Witnesses who watch the live stream or violate the Rule will not be permitted to testify.
8. You may, upon request, meet privately with your client or attorney during a hearing. If your request is granted by the Court, you will be moved into a confidential breakout room to confer with your lawyer for a few moments. When you see the invitation to join the breakout room, you must click JOIN.
9. All exhibits and plea papers must be submitted to the court coordinator prior to the hearing, at 394th.jud.dist.court@gmail.com. The only formats that will be accepted are PDF for documents, JPG and PNG for images, and MP4 for videos. No DOC formats, zipped or archived files, or executable files will be accepted. If you have voluminous or large exhibits, please contact the court coordinator for a unique Dropbox link to upload your files. Rebuttal exhibits not anticipated and submitted prior to the hearing may be submitted

during the hearing through the Chat/File feature in Zoom or via e-mail to the court coordinator.

10. All exhibits should be named in this format: beginning with the first letter of the County, followed by the cause number, the exhibit number, and a short description, e.g. "B6023 P3 Plea Papers" for Brewster County Cause 6023 Petitioner's Exhibit 3, or "H2541 D4 Verizon Cell Records" for Hudspeth County Cause 2541 Defendant's Exhibit 4.

Additional instructions and admonishments may be given to you by the Court during the hearing.

Violation of these protocols may constitute contempt of court and result in a fine of up to \$500 and a jail term of up to 180 days.