

35TH DISTRICT COURT
POLICY/PROCEDURE MANUAL

Page 1 of 2

Date: 2/16/22

SUBJECT: Virtual Hearing Policy

Section: Administration

1. **Preliminary Examination hearings** shall be held in person unless otherwise agreed to by the judge and all parties to the matter.
2. **All Probable Cause Conference (PCC) hearings for in-custody defendants** shall be virtual by Zoom. The court does not accept responsibility for any jail facility's failure to produce a defendant at a hearing.
3. **The first Probable Cause Conference (PCC) hearing for out-of-custody defendants** may be held virtually by Zoom **ONLY** when the following requirements have been met:
 - a. The defense attorney has contacted and consulted with their client prior to the PCC hearing. Waiting to speak to client for the first time in the court's Zoom breakout room does not satisfy this requirement.
 - b. All discovery has been requested, provided by the prosecutor, and reviewed by the defense attorney prior to the PCC hearing.
 - c. The defense attorney has verified with their client that they have the ability and technology to participate in a Zoom hearing. Defendants who are unable to Zoom must appear in person.
 - d. No later than 2:00pm the day prior to the PCC hearing the defense attorney must email the respective Judge's clerk (emails below) confirming the above requirements have been met; otherwise, the parties shall be required to appear in person.

Deputy Clerk for Judge Gerou: judgegeroucourtclerk@35thdistrictcourt.org
Deputy Clerk for Judge Lowe: judgelowecourtclerk@35thdistrictcourt.org
Deputy Clerk for Judge Plakas: judgeplakascourtclerk@35thdistrictcourt.org
4. **All Subsequent or Adjourned Probable Cause Conferences** shall be conducted in person.
5. **All parties to ANY court hearing must complete the Electronic Check-In** found on the court's website at 35thdistrictcourt.org

35TH DISTRICT COURT
POLICY/PROCEDURE MANUAL

Page 2 of 2

Date: 2/16/22

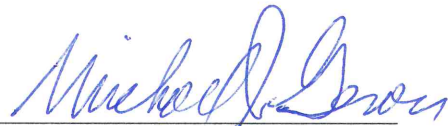
SUBJECT: Virtual Hearing Policy

Section: Administration

Court Decorum observed during all Zoom hearings:

- Zoom hearings are court proceedings and thus appropriate conduct and attire is required.
- The judge has authority over the proceeding and participants just the same as they do when they are present in the physical courtroom.
- Participants should use a private and quiet room that will be free of interruptions so the court reporter can get an accurate record. (Outdoor, in-vehicle, or public places are not appropriate)
- Video hearings require good, consistent lighting; avoid rooms with bright windows and/or back-lighting.
- Participants should place their mobile devices on a solid surface with the camera at eye level so that the court has a full view of the participants face. Do not hand-hold mobile devices or lay phones or tablets flat on a desk or tabletop.
- The mobile device used in Zoom hearings must be labeled with the defendants' legal name clearly stated for the court records.
- The Court reserves the right to terminate any Zoom hearing if the video experience is unacceptable.

Effective Date: February 16, 2022



Michael J. Gerou P38777
Chief Judge
35th District Court