

The Court now calls Cause No - \_\_\_\_\_. Please state your appearances for the record.

Hello and welcome. We are conducting this hearing via electronic means. This is a virtual courtroom and you should treat this hearing as though you were in a real courtroom. The Court finds that, in advance of this hearing, all Parties have been provided with the: **“COURT ORDERED ELECTRONIC HEARING POLICIES AND ADMONISHMENTS FOR THE 126<sup>th</sup> JUDICIAL DISTRICT COURT.”** In the interest of judicial economy and to dispense with the need to read each of these into the record today, the court now takes judicial notice of the fact that the court-ordered policies and admonishments were distributed to all Attorneys, pro se litigants and the Guardian ad Litem(s) in advance of the hearing and have been filed of record in this matter.

The Court notes that all opening statements were ordered to be provided at least a full business day in advance and the Court finds that it has now reviewed all opening statements received by the deadline. With that, we proceed to the presentation of evidence and the Court divides the time for this hearing as follows due to the alignment of parties on the issues to be presented today:

\_\_\_\_\_. \_\_\_\_\_, you may call your first witness.

IN THE INTEREST OF \_\_\_\_\_ § IN THE DISTRICT COURT OF  
\_\_\_\_\_ § TRAVIS COUNTY, TEXAS  
CHILD(REN) § \_\_\_\_\_ JUDICIAL DISTRICT

**COURT ORDERED ELECTRONIC HEARING POLICIES AND ADMONISHMENTS  
FOR THE 126<sup>th</sup> JUDICIAL DISTRICT COURT**

The Court finds that an electronic hearing has been set in this matter for \_\_\_\_\_ (Date). In advance of this scheduled electronic hearing, **the Court now ORDERS** that all attorneys, pro se litigants and guardian ad litem(s), and parties SHALL comply with the following mandatory policies and admonishments:

**I. IN ADVANCE OF THE HEARING:**

- (1) ZOOM: Please note that this electronic hearing will be conducted live via Zoom. All attorneys, guardian ad litem(s), pro se litigants and other participants should familiarize themselves with the functions of Zoom and make certain in advance that they have the ability to connect with the hearing via Zoom. Participants do not have to create a Zoom account to join an electronic hearing with Zoom. Zoom access is available at no cost at <https://www.zoom.us> or participants can download the Zoom app directly to a cell phone or simply click on the URL link contained in the hearing invitation and have internet access.
- (2) JOINING THE HEARING: Court staff will send all attorneys, pro se litigants and guardian ad litem(s) a URL link to join the hearing in advance. **To participate in this Zoom hearing:**
  - i. Your computer must have internet access (such as Wi-Fi) and at the very least audio / microphone. It is also helpful to have a video camera and/or a headset with microphone. You can also participate via telephone, but please notify court staff in advance if you plan to do so in order for Court staff to know the phone number being used in advance of the hearing.
  - ii. Parties can alternatively join the hearing via their cellphones using the Zoom app available in the App Stores of their phones.
  - iii. Participants should make sure their devices are fully charged.
- (3) PARTICIPANTS: Prior to the hearing, Attorneys, pro se litigants and Guardian ad Litem(s) are responsible for making sure they invite anyone else they desire to participate in the hearing, including clients and witnesses. They may do so by forwarding them the Zoom conferencing URL link. Please do not email the

Court's Judicial Executive Assistant and ask her to add anyone to the email thread or the video hearing.

- (4) **OPENING STATEMENTS: It is ORDERED** that all opening statements must be made in writing and are due to the Court a minimum of one full business day in advance of the time of your electronic hearing (i.e. no later than the same time as the hearing start time on the business day that is immediately prior to the hearing). You may provide your opening statement to the Court via email to [Rene.Salinas@traviscountytx.gov](mailto:Rene.Salinas@traviscountytx.gov). You must also file your opening statement of record with the District Clerk. Providing opening statements in advance will save time in the hearing for the presentation of evidence and will allow the Court to assess the alignment of the parties in advance of the hearing for time keeping purposes.
- (5) **BROADCASTING:** Zoom Hearings will not be broadcast on YouTube unless a specific request is made in advance and approved by the Court. If a party wishes to request that the hearing be broadcast, please include such request in your written opening statement and include argument in support of the request for broadcasting.
- (6) **EXHIBITS:** Parties who intend to offer any exhibits during the hearing must tender the exhibits by email a minimum of one full business day in advance of the hearing (i.e. no later than the same time as the hearing start time on the business day that is immediately prior to the hearing) to:
  - i. The court reporter ([Caroline.Chapman@traviscountytx.gov](mailto:Caroline.Chapman@traviscountytx.gov));
  - ii. The Judicial Executive Assistant ([Rene.Salinas@traviscountytx.gov](mailto:Rene.Salinas@traviscountytx.gov)); and
  - iii. All other parties.

Exhibits must be pre-marked and clearly labeled with Party's role in the case (i.e. Petitioner's Exhibit #1) so they can be placed in BOX and available for other counsels to see and prepare any objections.

The exhibit documents must be in PDF format. The Court may choose not to consider any exhibits not emailed to the court reporter in a timely manner. If you fail to comply with this requirement, the court reporter may not maintain these documents in the record.

Attorneys are admonished not to expect to tender exhibits via the Zoom Chat function during the hearing unless the exhibit could not have been anticipated in advance of the hearing and is primarily being used as a rebuttal exhibit.

- (7) **APPEARANCES / WAITING ROOM:** All participants should appear for the hearing by logging on through the Zoom URL link a minimum of 5 minutes in advance of the hearing start time so that the virtual courtroom can be set up. Participants must wait in a virtual waiting room until called into the hearing. Everyone should change his or her screen name for the hearing so that it matches

his or her real name. This will allow the Court to properly identify each individual for entry into the virtual courtroom.

- (8) **PREPARING WITNESSES AND CLIENTS:** Attorneys must prepare witnesses and clients in advance on what to expect in a Zoom hearing, including:
- i. Instruct your clients and witnesses that they may not record the hearing by any means and that they must comply with each of the policies in this court order.
  - ii. Remind your witness and your clients not to have any notes in their hands while they are testifying unless those notes are needed to refresh their memory, in which case this is only allowed after the Court grants approval for such use.
  - iii. Inform your clients and witnesses of the parameters of “The Rule”.
  - iv. Advise your witnesses in advance of the hearing that they will need to stand by in the virtual waiting room until they are called into the hearing to testify.

## **II. DURING THE HEARING:**

- (1) **CONDUCT / DECORUM:** Attorneys and others participating in this electronic hearing shall conduct themselves in the same manner they would if in a real courtroom. The same rules of decorum apply as in a live hearing at the courthouse, except that attorneys may remain seated when addressing the Court. The Travis County Local Rules are still in effect. In addition, the following decorum policies apply:
- i. Participants should state their names when called upon by the Court to do so. Participants should not interrupt the proceedings to announce departure if they have to leave early;
  - ii. Participants should not use speaker phones that force other callers to be distracted by things like background noise in the participant’s location such as TV, kids/grandkids, dogs, other phones or alarms ringing;
  - iii. Headphones may help you hear other speakers better and help prevent others from hearing whatever is going on in your background. Participants should test their speakers/audio prior to entering the Zoom hearing;
  - iv. Participants should mute the line until speaking, especially if you are using a speakerphone feature;
  - v. Participants should wait until the person currently talking stops before speaking and should be concise; and
  - vi. Attorneys must speak loudly/clearly and one-at-a-time for the court reporter to take a record.
- (2) **ZOOM CHAT FEATURE:** The Court will turn off the Zoom chat feature for this hearing. Attorneys desiring to use the Chat feature (such as to tender evidence) must expressly ask the Court for permission to use it, otherwise it will remain turned off for the duration of the hearing.

- (3) **RECORD / RECORDING:** The Court will not be recording this proceeding for any public use. The Court will not be saving any chat. The official record of this proceeding is the court reporter's record if a record is being made. Recording this proceeding is prohibited without express permission being granted. This applies to anyone participating in or observing the hearing. **Therefore, IT IS ORDERED** that anyone who is participating or watching this proceeding is prohibited from recording this proceeding by any means without express permission being granted by the Court, if you violate this Order, you may be subject to Contempt of Court or other punishment.
- (4) **CONFERRING:** Zoom has a breakout room feature in which participants can have private conversations in a virtual room separate from the main meeting room. If any attorney desires to confer privately with a witness or client during the hearing, the attorney should request permission from the court and request that the court set up a breakout room for this communication.
- (5) **SHARE FEATURE:** The Court will be using the Share feature in order to display any exhibits offered, admitted, and needed for use in the hearing.
- (6) **WITNESSES / THE RULE:** The Court is Sua Sponte invoking "The Rule" for this hearing. All witnesses shall remain in the waiting room until they are called to testify and the Judge will bring them into the virtual courtroom when it is their turn to testify. Each attorney and pro se litigant is responsible for admonishing his or her respective witnesses regarding "The Rule." Witnesses are required to log into Zoom using their real names or they will not be allowed to testify. There should also not be any communication with witnesses in violation of The Rule.

No participant in the hearing may communicate with any witness in any manner while the witness is giving testimony except for the attorneys who may question the witness orally only. The Court prohibits texting, calling, emailing, using Zoom private chat, or other forms of communication to the witness while they are testifying except for the attorneys asking questions of the witness on the Zoom hearing itself. **Therefore, IT IS ORDERED**, that no one may communicate with a witness while a witness is testifying except for the judge and the attorneys who will be orally questioning the witness. The witnesses shall turn off their phones, computers, laptops and any other device that they can access while testifying with the exception of those devices needed to participate in the hearing and testify. The witnesses shall not have anything in their hands while they are testifying, look at any notes, and shall only testify from memory except that they may look at documents as requested by the attorneys for the Court.

- (7) **TESTIMONY / MUTING / OBJECTIONS** - When not speaking, each participant shall "mute" his or her microphone. Please be mindful of not speaking over each other, or over the Judge. To state an objection, an attorney should raise his or her real or virtual hand to get the Court's attention so the Court may pause the testimony. After the Court

pauses testimony, the attorney may unmute himself or herself and state the “objection.” Witnesses shall stop testifying if they hear someone saying the word “objection.”

- (8) **JUDICIAL DISCRETION FOR PARTICIPATION:** The Judge retains full discretion over who is allowed to participate in a hearing. If anyone on the electronic hearing refuses to identify himself or herself, behaves inappropriately, or creates a distraction, the Judge may remove him or her from the hearing.

It is ORDERED that all attorneys, pro se litigants, guardian ad litem(s) and parties SHALL comply with the above mandatory policies and admonishments for the scheduled electronic hearing.

**SIGNED** this the \_\_\_\_\_ day of May, 2020.

---

JUDGE PRESIDING