

401st District Court
Rules for Remote Proceedings
3/18/2020

The Governor has declared a state of emergency and the Office of Court Administration (OCA) has suggested that all non-critical court proceedings should be suspended. However, technology and state law allows options not previously available. As such the 401st District Court of Collin County will continue to conduct hearings if the parties have the technology and desire to do so. The following restrictions and limitations will apply but should be similar to what is required for an in-person hearing. Any non-essential requests for a courtroom hearing will be considered but likely postponed per the current Collin County District Court Joint Statement Regarding Health and Safety Concerns. It is anticipated most parties will agree to a “virtual” hearing.

PROCEDURES FOR LITIGANTS:

The 401st will be using Zoom Video Conferencing. It is free to download at <https://zoom.us/> or you can download the app directly to your cell phone. The Court will email you a link to the hearing. Your computer must have internet access, a video camera and a microphone, preferably by way of a headset. **IF YOU CAN ONLY PARTICIPATE VIA TELEPHONE YOU MUST COORDINATE IT THE DAY BEFORE WITH THE COURT COORDINATOR NO LATER THAN 12:00 PM.**

Ensure the Court Coordinator, Tammy Sharkey at tlsharkey@co.collin.tx.us has the email of all participating parties to the case at the time of scheduling the hearing. The Court will be the “host” of all hearings.

If you intend to offer any exhibits during the hearing you need to email them to all parties, Court Reporter, Kim Tinsley at ktinsley@co.collin.tx.us and Court Coordinator, Tammy Sharkey at tlsharkey@co.collin.tx.us not later than 12:00 p.m. the day before the hearing. The subject of the email should be the full cause number and “ – Plaintiff Exhibits” (or cause number “ – Defendant Exhibits”). The documents must be in .pdf format. The Court cannot consider any exhibits not emailed to the court reporter in a timely manner. If you fail to follow this requirement the court reporter will not maintain these documents in the record.

Documents which have been e-filed and accepted into the Courts file need not be re-sent to the Court.

PROCEDURES FOR WITNESSES:

Witnesses **MUST** appear by video conferencing. The attorney calling the witness is responsible for ensuring that the witness has a separate video and audio feed. Attorneys should not attempt to “share” a connection with a witness. 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 attorney 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.

FOR THE PUBLIC:

THE OPEN COURTS PROVISION OF TEXAS LAW ALLOWS ALL TEXANS ACCESS TO COURT PROCEEDINGS. AS SUCH ANYONE MAY EMAIL THE COURT COORDINATOR AT tlsharkey@co.collin.tx.us TO GET THE ACCESS CODE TO A HEARINGS. IF YOU ARE VIEWING PLEASE MUTE YOUR CONNECTION TO PREVENT DISRUPTION TO THE PROCEEDINGS. THE PUBLIC MAY VIEW OR LISTEN TO PROCEEDINGS BUT **VIDEO OR AUDIO RECORDING IS PROHIBITED.**