

401st District Court
Rules for Remote Proceedings
Updated 2/23/2021

The Governor has declared a state of emergency and, in response, the Texas Supreme Court and the Office of Court Administration (OCA) have significantly limited in-courtroom activity. However, technology and state law allows options not previously available. Reference is made to the Collin County District Court Joint Statement Regarding Health and Safety Concerns. As the emergency recedes and more in-courtroom activity is permitted, we will be more able to accommodate essential in-person hearings. However, for the foreseeable future the 401st District Court will conduct hearings and, to the extent possible, trials using remote technology. These Rules modify the Court's standard Policies and Procedures to the extent required to make effective and efficient use of the technology to conduct "virtual" hearings.

PROCEDURES FOR LITIGANTS:

The 401st will be using Zoom video conferencing. It is free to download off the Internet or you can download the app directly to your cell phone. The Court will email you a link to the hearing when it is set. Your computer must have internet access, a video camera and a microphone. A headset is preferable. **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 (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, the court reporter (creamy@co.collin.tx.us) and the Court Coordinator (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. **The Russell A. Steindam Courts Building is open to the public. All hearings set to be heard in the 401st District Court are streamed by video in the 401st courtroom.**