SAMPLE

\_\_\_\_\_\_\_\_ County Video Appearance Colloquy

To protect a defendant’s rights and the court record, the court should follow these procedures on the record before beginning any video proceeding:

1. Judge/Commissioner should identify the person appearing remotely and then identify themselves and their branch (i.e. Hello Mr. Smith I am Judge STATE FULL NAME, BRANCH, COUNTY appearing to you by means of video conferencing).
2. Colloquy:
3. “Can you hear me?”
4. “Can you see me?”
5. “If at any time there is a problem with your ability to physically hear or see what is transpiring in court today you are to immediately inform the court by speaking into the microphone.”
6. “Do you understand that you are testifying in regards to your case today by means of video in a court of law?”
7. “Do you object to the use of video in making your presentation?” If yes, the court needs to rule on that objection.
8. “Even though your testimony and participation in this case is occurring from a remote location, the same rules and decorum are applicable as if you were physically present.”
9. “Who is in the room with you at this time?”
10. “If at any time anyone in your room, other than your counsel, tells you what to say or tries to influence your answers in any way, you are to immediately inform the court.”
11. Identify for those appearing from a remote location any person in the courtroom who may not be visible to them. If the litigant or counsel wishes to be able to view a particular individual, the court should accommodate that request, if appropriate.
12. Make a determination and make a record as to whether the equipment to be used and the remote location(s) meet the minimum standards for video appearances approved by the court or local rules. If so, state the following: I have concluded that the quality of sound and video meets the court’s minimum standards for video appearances.