

**READ** **VITAL INFORMATION** **READ**  
**PROTOCOL FOR REMOTE HEARINGS IN DOMESTIC AND CIVIL CASES**

ALL matters tried before the court including but not limited to temporary hearings, bench trials, motion hearings, adoptions and contempt actions, shall be heard by videoconference utilizing Cisco Webex. A participant needs only an email address, internet access and a device with a camera and microphone (e.g., smartphone, laptop) to participate by video. Participants who do not have access to the necessary video equipment may appear by audio only. The court will set up the hearing and notify all participants how to join as long as the court has the contact information required to be provided.

**Request for Hearing**

All requests must be in writing submitted by mail or via email to the administrative assistant. The court will send you a date and time for the Webex hearing. NOTE: temporary and contempt hearings involving dire emergency, such as imminent loss of shelter or basic necessities, violence, child endangerment and similar emergent situations shall receive priority. The request shall set forth the nature of such emergency. Due to covid-19, incarceration for contempt may be impracticable; consequently, filing of contempt petitions is discouraged.

**Service Requirements**

The party making the request for a hearing shall serve upon the opposing party a copy of these Instructions and Pre-hearing Report form, together with a link to the documents on the [chathamcourts.org](http://chathamcourts.org) website.

**Reporting and Recording of Proceedings**

Superior Court does not supply court reporters in domestic and civil cases. A party may secure a duly certified court reporter to take down the proceedings and shall make any necessary arrangements for the court reporter's presence at the Webex hearing.<sup>1</sup> The party securing the court reporter must notify the judge's staff of the contact information for the Webex hearing at the time of submitting the Pre-hearing Report described below.

**ALL CASES ON STANDBY**

**Time limits**

Hearings will be scheduled at one-hour intervals. The parties shall have equal time for presentation of evidence and argument unless a party forfeits the allotted time. All cases scheduled for the day are on standby. Counsel, parties and witnesses must be able to join the Webex meeting at all times between 9:00 a.m. and 5:00 p.m. Failure to join the hearing from the outset may preclude participation. Additional sessions will be scheduled as needed to complete the hearing.

**Pre-hearing Report**

Each party shall file and serve upon the opposing party and the court, via email, the following at least 5 days prior to the temporary hearing or final bench trial date. The PTR is not required in contempt actions.

1. Each party's portion of the Pre-hearing Report in the form attached;
2. Proposed marked exhibits with exhibit list;
3. Requests for relief with specificity
4. Proposed orders, proposed parenting plans and child support worksheets and addenda.
5. A copy of a current Domestic Relations Financial Affidavit

Failure — without a legal excuse — to provide the report and exhibits in a timely manner will constitute grounds for a continuance or other sanctions, at the court's discretion.

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<sup>1</sup> Uniform Superior Court Rule 9.1 and 9.2, as amended and clarified by the Supreme Court State of Emergency Orders, provides that upon express consent of the parties, the video hearing may become the record and be used on appeal. Consistent with USCR 22, the parties shall not otherwise record the proceedings, unless leave is expressly granted by the court. As provided in Rule 22, "[u]nless otherwise ordered by the court, attorneys representing parties in a proceeding and self-represented parties may make audio recordings of the proceeding in a nondisruptive manner after announcing to the court and all parties that they are doing so. Recordings made pursuant to this paragraph may be used only in litigating the case or as otherwise allowed by the court or provided by law."

### **CIVIL CASES**

The procedures described above apply with respect to non-domestic civil bench trials, with the obvious exceptions as to the documents which must be produced. The court will notify counsel and parties if a PTO is required prior to the hearing. Non-domestic civil bench trials include magistrate court appeals.