



ILLINOIS JUDICIAL BRANCH

Bench Card: Remote Case Participant Safety and Independence

Oct. 2025 v.1

Remote hearings can increase access to justice in a wide variety of proceedings. They can also pose unique safety concerns in certain situations, particularly those involving allegations of domestic violence. This bench card addresses remote Case Participant safety and independence during remote proceedings. For general guidance and tips about remote proceedings, visit: ilcourts.info/remote-resources.

Considerations for setting up remote hearings

- **Determine whether to:**
 - **Only allow Chat with hosts.** Case Participants can use the Chat feature to harass or intimidate others, and some may assume it is private and accidentally disclose confidential information.
 - **Disable virtual backgrounds.** Courts may assess whether someone is in danger or improperly influenced by seeing their actual background. However, showing backgrounds may disclose a remote Case Participant's location and put them in danger and create a risk for implicit bias.
 - **Enable customized waiting room settings.** Consider sharing waiting room instructions that let remote Case Participants know what to do if they are concerned about safety, privacy, or improper influence.
 - **Use breakout rooms.** Breakout rooms can be used for confidential communication between parties and their lawyers or advocates. Court staff can also conduct confidential check-ins to ensure remote Case Participant safety and privately collect contact information via breakout rooms.
 - **Require remote Case Participants' video to be on.** The court can observe non-verbal cues and verify that the environment is safe and private.
- **Inform remote Case Participants about:**
 - Resources and community organizations if safety and undue influence are a concern,
 - The option to appear from a friend or neighbor's home, library, or locked parked car,
 - How they can contact the court if they need to leave unexpectedly before entering the remote courtroom.

At the beginning of an *ex parte* remote hearing with only one party present

- Ask if the remote Case Participant is appearing from a safe location and if it is a safe time to talk.
 - Consider a generic introduction in case a remote Case Participant or their device is being monitored.

Sample script: Hi, this is Ann from Boone County. Is this a safe time to talk? Are you able to participate in this proceeding freely and without pressure from anyone?

- Confirm that no opposing parties or respondents are present and/or may enter the location soon.
 - Ask remote Case Participants to inform the Court if an opposing party or respondent later enters their location.
- Court staff may request location information privately before beginning the remote hearing to ensure a remote Case Participant's safety.
- Provide an estimate of how long the remote Case Participant may be on the phone or video call.
- Share resources when appropriate.

At the beginning of a remote hearing with all parties present

- Admonish all parties that they should not attempt to improperly influence or coerce the other parties or witnesses.
- When appropriate, court staff should confirm that remote Case Participants are appearing from separate locations and may ask them to show their surroundings in private **and** independently.
 - Court staff can manage breakout rooms for this purpose.
 - Asking a remote Case Participant to show their surroundings in open court could unintentionally reveal location information to an abuser (or others).
 - Do not leave victims and alleged perpetrators alone together whether the proceedings are held remotely, in-person, or a hybrid of the two.

During the remote hearing

- Stay alert to safety concerns by monitoring verbal and nonverbal cues (e.g., body language, facial expressions, conduct, tone of voice) and look for signs of discomfort, distress, or hesitation.
- Let remote Case Participants know how to inform the court if any safety and/or privacy concerns arise during the hearing (e.g., using Chat).
- Allow remote Case Participants to confidentially communicate with lawyers and advocates and regularly ask if this is needed during the hearing.
- Explain the impact of a remote Case Participant's decisions (e.g., voluntarily dismissing an order of protection), and that decisions should be made freely without fear, coercion, intimidation, or undue influence or pressure.

If a concern arises

- Depending on the issue, be prepared to:
 - Contact local authorities.
 - Address an opposing party or respondent who may enter a location after a remote proceeding has started.
 - Continue the proceeding and/or ask remote Case Participants to appear in a different manner.
 - Connect remote Case Participants with resources (e.g., DV advocates who can help with safety plans or provide a safe and private space to appear from).

Resources

- To find your local domestic violence victim service agency, visit: ilcadv.org/get-help
- For the Illinois Domestic Violence Hotline: Text or call 877-TO END DV (available 24/7/365)
- Local resources below [local courts to add below]:

Model script for an *ex parte* remote hearing on an emergency order of protection petition

[After the petitioners enter the virtual courtroom]

- *Court:* Hello, this is Johnson County. Is it a safe time for everyone to talk?
- *Petitioners:* Yes.
- *Court:* Is everyone in a safe place and able to participate freely and without pressure from anyone?
- *Petitioners:* Yes.
- *Court:* Good afternoon, all. My name is Judge Lee.
 - We will start with 2025 OP 5, then 7, and then 8. Each case will get my attention. While it is hard to estimate, based on my experience, I believe I will get to your case in the next hour. Once your case is finished, you may leave the meeting.
 - Please stay muted until your case is called. If there is an emergency, please use the raise hand feature or come off mute to let me know.
- *Court:* First is 2025 OP 5, Jane Doe v. John Smith.
 - Ms. Doe, do you have time to participate in the hearing? Is John Smith nearby or do you expect him to arrive where you are?
- *Jane Doe:* He's not home now, but I'm not sure. He is at work, but he sometimes stops by to check on me.
- *Court:* If he comes home, please let me know. What is the safest way for the court to contact you if we get interrupted?
- *Jane Doe:* Can you please email me at the email address on my court documents?
 - *[Note: Asking for contact information in open court can pose a risk. Use direct messages via the Chat feature, email, or private breakout room.]*

[After the EOP is granted]

- *Court:* The next court date is July 10 at 10 a.m. and the date and time is also on your order.
- You can come to the courthouse, or you can appear by Zoom, whichever you prefer. Use the same Zoom meeting information for your next hearing on July 10th. Do you have that information?
- What questions can I answer? What can I clarify?
- If you'd like to connect to resources and services before July 10th, contact our local DV advocacy organization at 987-654-3210 or visit localdvorg.org.
- *[For courts with advocates available at the courthouse]* You can visit the Advocates Office located in room 231 in the courthouse.
- The clerk will prepare your order and send it to the safe email address you provided. Please give the clerk some time to prepare your order. Check both your inbox and spam folders.