

Circuit Court of the _____ Judicial Circuit

Courthouse(s) located at _____

Local Circuit Rule on Attending Court Remotely by Phone or Video

(a) Purpose.

The purpose of this Local Rule is to provide information to the public about attending court by phone or video. The definitions in Supreme Court Rule 45 *[add hyperlink to amended rule]* apply to this Local Rule.

(b) How to Appear Remotely.

You may have the option to attend your court date by phone or video. This is called a remote court appearance, remote court date, or appearing remotely *[modify to include any terms that may be used by your circuit or familiar to your case participants (e.g., Zoom court)]*.

If you are attending by video, you can find the Zoom Meeting ID, Password, and Link for all courtrooms at *[insert URL, hyperlink, and any other locations where this information can be found or modify to fit the videoconferencing platform you use]*.

If you are attending by phone only (without video), you can find the dial-in information at *[insert URL, hyperlink, and any other location where this information can be found or modify to fit the teleconferencing platform you use]*.

[Add any other relevant information about joining a remote court date in your Circuit such as the availability of Zoom rooms or computers in the courthouse or in the community for remote court appearances.]

(c) Which Documents Must Include Remote Appearance Information.

All summonses, notices, and court orders setting court dates where case participants have the option to appear remotely shall include the following: *[at a minimum (1) the Zoom Meeting ID, Password, and Link or instructions for where to obtain this information, (2) dial-in information, and (3) the courthouse address and courtroom number]*.

[Circuits should add either specific language that must be included on these documents (for example, the [19th Judicial Circuit Administrative Order 22-10, Section 2.b. Notices of Motion](#)) or very plain and easy instructions on where court users can find information about remote appearances that must be included on these court documents.]

(d) How to Get Help Appearing Remotely.

If you need help appearing remotely contact: *[list the names, titles, contact information, and hours of availability for each relevant court staff or department who can assist. Provide as much specific information as possible for litigants to obtain timely assistance.]*

Visit ilcourts.info/AllRemoteCourtResources for remote court resources, including written instructions and short videos on how to Zoom from a computer and mobile device.

[Modify and add any relevant local resources.]

(e) When You Can Choose to Appear Remotely or in Person and When You Have to Ask for Permission to Appear Remotely.

(1) In Civil Matters:

- i. Except for the court dates listed below in **Section (e)(1)(ii)**, you can choose to appear remotely or in person without any advance approval from the judge in all court dates.
- ii. You must ask the judge presiding over the case for permission to appear remotely for the following court dates:
 - A. Hearings where evidence will be presented, except for *ex parte* evidentiary hearings where only one side of the case is presenting evidence (for example, emergency orders of protection and hearings on applications for waiver of court fees);
 - B. Settlement conferences;
 - C. Bench trials; and
 - D. Jury trials.

(2) In Criminal Matters That Do Not Involve the Possibility of Jail or Prison Time:

- i. Except for the court dates listed below in **Section (e)(2)(ii)**, you can choose to appear remotely or in person without any advance approval from the judge in all court dates.
- ii. You must ask the judge presiding over the case for permission to appear remotely for the following court dates:
 - A. Hearings where evidence will be presented, except for *ex parte* evidentiary hearings where only one side of the case is presenting evidence (for example, emergency orders of protection and hearings on applications for waiver of court assessments);
 - B. Settlement conferences;
 - C. Bench trials; and
 - D. Jury trials.

(3) In Juvenile Abuse, Neglect, and Dependency Matters:

- i. Except for the court dates listed below in **Section (e)(3)(ii)**, you can choose to appear remotely or in person without any advance approval from the judge in all court dates.
- ii. You must ask the judge presiding over the case for permission to appear remotely for the following court dates:

- A. Hearings where evidence will be presented, except for hearings on applications for waiver of court fees,
 - B. Adjudication hearings;
 - C. Permanency hearings;
 - D. Disposition hearings; and
 - E. Termination of parental rights hearings.
- (4) In Juvenile Intervention Matters:
- i. Except for the court dates listed below in **Section (e)(4)(ii)**, you can choose to appear remotely or in person without any advance approval from the judge in all court dates.
 - ii. You must ask the judge presiding over the case for permission to appear remotely for the following court dates:
 - A. Hearings where evidence will be presented, except for hearings on applications for waiver of court fees,
 - B. Adjudication hearings;
 - C. Permanency hearings;
 - D. Disposition hearings; and
 - E. Termination of parental rights hearings.
- (5) In Juvenile Delinquency Matters:
- i. You can choose to appear remotely or in person without any advance approval from the judge for the following court dates:
 - A. Initial appearances;
 - B. Initial or subsequent appearances at which continued detention of a minor will be determined;
 - C. Status hearings;
 - D. Waivers of a preliminary hearing;
 - E. Arraignments on an information or indictment at which a plea of not guilty will be entered;
 - F. Presentations of a jury waiver; and
 - G. Hearings where no evidence will be presented.
 - ii. You must ask the judge presiding over the case for permission to appear remotely and if you are the minor, the judge must accept your waiver of an in-person appearance in accordance with Supreme Court Rule 45(d)(2), for the following court dates:
 - A. Negotiated pleas;
 - B. Hearings where evidence will be presented, except for hearings on applications for waiver of court fees;
 - C. Sentencing hearings;
 - D. Probation revocation hearings;
 - E. Arraignments or other proceedings or appearances at which a plea of guilty will be entered; and
 - F. Bench trials or stipulated bench trials.
- (6) In Criminal Matters That Involve the Possibility of Jail or Prison Time:
- i. You can choose to appear remotely or in person without any advance approval from the judge for the following court dates:
 - A. Initial appearances;

- B. Status hearings;
 - C. Waivers of a preliminary hearing;
 - D. Arraignments on an information or indictment at which a plea of not guilty will be entered;
 - E. Presentations of a jury waiver;
 - F. Hearings where no evidence will be presented; and
 - G. Hearings conducted under the Sexually Violence Persons Commitment Act (725 ILCS 207/1 et seq.) at which no witness testimony will be taken.
- ii. You must ask the judge presiding over the case for permission to appear remotely, and if you are the defendant, the judge also must accept your waiver of an in-person appearance in accordance with Supreme Court Rule 45(d)(2), for the following court dates:
- A. Negotiated pleas;
 - B. Hearings where evidence will be presented, except for hearings on applications for waiver of court assessments;
 - C. Sentencing hearings;
 - D. Probation revocation hearings;
 - E. Arraignments or other proceedings or appearances at which a plea of guilty will be entered;
 - F. Hearings conducted under the Sexually Dangerous Persons Act (725 ILCS 205/0.01 et seq.); and
 - G. Bench trials or stipulated bench trials.

[If your Circuit determines an in-person appearance is necessary for a particular case type or proceeding type under Supreme Court Rule 45(b)(2), add that exception in this section under the appropriate case grouping. When exercising discretion under Paragraph (b)(2), Circuits shall consider whether the exemption is necessary and the impact it may have on the ability of all case participants to participate in the court proceedings and on the ability of lawyers to efficiently and cost effectively serve people, particularly those in need.]

(f) When You Must Appear in Person.

In criminal matters that involve the possibility of jail or prison time, jury trials must be held in person, except that witnesses may be allowed to testify remotely with the approval of the judge presiding over the case and with the agreement of the parties.

A judge presiding over a case may order you or another case participant to appear in person for reasons specific to the case, including failure to act in accordance with **Section (h)** during a remote court date. The judge must tell you on the record if you are required to attend a future court date in person.

(g) How to Ask for Permission to Appear Remotely When Approval is Required.

[Add the specific steps for requesting permission to appear remotely when approval to do so is required. Be as clear and plain as possible. The process should not be burdensome or

complicated, and requests should be liberally granted in accordance with Supreme Court Rules 45 and 241, the Illinois Supreme Court Policy on Remote Appearances in Civil Matters, and the Americans with Disabilities Act (ADA). This section should also include how case participants can get help requesting permission to appear remotely, including contact information for law librarians, self-help centers, and Illinois JusticeCorps fellows, as well as links to any resources or forms.]

(h) How to Act When Appearing Remotely.

A remote court appearance is a court appearance, and you must act the same way you would if you were appearing in person in the courtroom. All the same rules regarding demeanor, language, dress, civility, and respect apply to all remote court dates and to all case participants, including the judge presiding over the case, court staff, lawyers, litigants, and witnesses.

(1) How to Get Ready

You should use best efforts to appear remotely from a quiet place without distractions. If you are appearing by video, unsuitable filters or backgrounds must be removed.

You should make sure you have a stable internet or phone connection, fully charged device, and functioning video and/or audio.

(2) How to Dress When Appearing by Video

You should dress as if you are attending court in person in the courtroom. Hats or headwear are not permitted except for religious or medical reasons, and sunglasses must be removed.

(3) How to Identify Yourself

If you are appearing by video, you should use best efforts to make sure you are properly named on screen. *[Add any specific naming convention such as last name comma first name or last name space case number and whether case participants should include their prefixes (e.g., Mr./Ms./Mrs./Mx.) and/or pronouns (e.g., he/him, she/her, they/them).]* Nicknames and pre-assigned names such as “PHONE123” do not help the court identify who should be allowed into the remote courtroom and may result in a delay in admission. For help, please see **Section (d)** above.

If you are calling into a remote court appearance, you should identify yourself when asked, and the host of the remote court date will rename you so that your phone number does not appear. If you are appearing on Zoom by phone only, you can dial *6 to mute and unmute yourself and *9 to raise and lower your hand.

(4) How to Participate in the Remote Proceeding

You should remain muted until your case is called or you are asked to unmute. Any members of the public or media participating in the proceeding must remain muted and not interfere with the remote court date unless asked to speak.

As with any court date, you must be courteous, civil, and respectful to all case participants. Only one person may speak at a time, and case participants shall not speak over one another.

If you are appearing by video, you should leave your video on unless you are directed otherwise. *[Add any local preference for virtual or blurred backgrounds and/or the need to see actual backgrounds, when applicable.]*

Eating, drinking, or chewing gum is not allowed without the court's permission, and the use of tobacco or vaping products is prohibited

You should use best efforts to remain in one place while appearing remotely, and avoid moving around (for example, appearing from a moving vehicle or pacing) or stepping away without permission.

All electronic devices aside from the one you are using for the remote court date should be turned off or silenced and notifications should be muted.

If the judge presiding over the case determines that you or another case participant is behaving in a disruptive or abusive manner, the judge will give a warning and an opportunity to make changes. However, if the behavior continues, the judge may mute or remove you and/or the other case participants or order you and/or the other case participants to appear in person.

(5) Recording

You may not record or take any pictures or screen shots, or otherwise capture an image or recording of a remote court date without the court's permission.

(i) Where the Local Rule and Any Amendments Will Be Shared.

Information in this Local Rule and any amendments shall be posted on the Circuit Court's website, Circuit Clerk's website, in public areas of the courthouse and community, and *[modify and/or add any other locations this information will be available]*.

Information in this Local Rule and any amendments to it shall be shared with: *[add list of entities this rule will be shared with, including any justice partners, law enforcement agencies, government stakeholders, community organizations, bar associations, the Administrative Office of the Illinois Courts, and others.]*