

Guidelines for Virtual Evidentiary Hearings in

Division 12

- All Virtual Evidentiary Hearings will be done via Microsoft Teams®
- Hearing requests must be made by email to the Judicial Assistant, Lauren Burrows, at CTJALB1@ocnjcc.org, and must include the number of witnesses each side intends to call and the total hearing time requested.
- By making a request for a Virtual Evidentiary Hearing, the State and Defense have previously agreed to the following:

- If Defendant is in custody, Defense Counsel waives the Defendant's appearance.
- All witnesses will appear via video to be sworn-in by the clerk, (they may appear without video, but counsel must make arrangements to have a notary present with the witness to administer the oath).

**Please note that while Microsoft Teams® allows video appearances via smartphone, a strong Wi-Fi/Internet connection is required for both the audio and video feed to be of such quality that it can be used for the purposes of taking testimony and making an accurate record.*

- Defendants and Victims who are not testifying, and are merely observing, are permitted to appear via Microsoft Teams® without the necessity of video.
- All exhibits will be submitted by email to the Judicial Assistant, with opposing counsel copied on the email, 24 hours prior to the hearing (**exhibits submitted less than 24 hours prior to the scheduled hearing time will not be accepted**).
- If exhibits total more than 25 pages combined, they will also be printed and delivered to the Court's chambers at least 24 hours prior to the hearing.
- A separate evidence log will be submitted along with any exhibits. The log will include a brief description of the exhibit and a letter assigned to each exhibit for identification purposes, as indicated in the sample below:

Defense Evidence Log	
Description	Exhibit
<i>Officer Smith Police Report</i>	<i>A</i>

- All requests for Judicial Notice will be done in accordance with Florida Rules of Evidence. (Please refer to *F.R.E. 90.202, 90.203 and 90.204*).