

VIRTUAL (VIDEO) HEARINGS AND FUTURE SCHEDULING OF FAMILY COURT MATTERS

FROM: Judge Michael Albis, Chief Administrative Judge of the Family Division

DATE: June 17, 2020

The COVID-19 pandemic has kept many family court proceedings from happening. Health and safety concerns will continue to limit the court's ability to hold proceedings in-person. The use of video for many matters will allow courts to perform their functions, but in different ways than before. The following is a summary of current plans for new scheduling procedures as family court operations increase.

A. Starting Virtual (Video) Hearings

On or about June 24, 2020, judges will begin to hold virtual (video) family court hearings. Participants will join by internet video using the Microsoft Teams application (a free app similar to Zoom). You will be able to join the hearing from your home, place of work, or anywhere you can connect to the internet with a computer, tablet, or smartphone with a camera and microphone. (Participants who are unable to join via the internet will be able to ask for permission to join by telephone only, without video). The first group of hearings will be matters expected to require no more than one hour of court time, including final agreements and uncontested dissolutions of marriage (divorces). Hearings that may require more time, or that involve several witnesses or a good deal of written or photographic evidence, will be scheduled at a later date.

If your case is scheduled for a virtual (video) hearing, you will be sent a notice from the court asking for your email address, which we need in order to send you a link to join the hearing. The notice will also give you the chance to tell us dates you are unavailable for the hearing. After the court receives this information from all participants it will send another notice of the date and time of your virtual (video) hearing and instructions about how to participate in it.

The presiding family judge of each court will decide which cases will be heard. If you have an agreement you want the court to consider, or an issue that you think needs only a brief hearing, you may email the court's family caseflow coordinator, including a brief description of the issue or agreement. However, the court is not assigning dates for trials or longer hearings yet.

If you have an uncontested dissolution (divorce) or other final agreement, you also have the option of asking the court to act on your case without the need for a hearing at all. You can get more information [here](#).

B. Trials and Longer Hearings

In April, the Judicial Branch announced that all family trials and specially assigned hearings previously scheduled for May or June, 2020, would be continued to dates to be determined later. The same is now true for all matters that have already been scheduled for July 1, 2020, and later with some exceptions. Click [here](#) for more details.

This decision has been made so that all cases may be rescheduled fairly without making the parties in cases that were already scheduled go to the end of the scheduling line. It will also eliminate uncertainty for parties and attorneys whose trials and hearings were scheduled for the near future, but who didn't know whether their cases will go forward.

The scheduling of these and other longer hearings will begin after the Judicial Branch has been able to evaluate the new virtual hearing process and how it can be used for longer proceedings, along with the best available public health information and when it might be possible to start in-person hearings and trials again. Presiding family judges will then schedule matters after considering all relevant factors, including whether the hearing of a case was interrupted or postponed due to COVID-19.

C. Scheduling Interim Case Dates

After the court holds the hearings described in Section A, many cases will need more court time before they can be completed by agreement or trial. In the past, this court time was provided during the family short calendar.

But the pandemic has created urgent health reasons that prevent a return to the short calendar system. Social distancing and other health safety measures are not possible when dozens of cases appear on the same short calendar, with all parties and attorneys in all of the cases required to appear in court at the same time.

In place of short calendar, family courts will begin to use a new scheduling method in which cases are given preset specific case dates and times, with a reasonable block of time allotted for each. On your case's assigned date, the court may hear any outstanding temporary motions, reports from Family Services, or other issues that cannot wait until the end of the case. The process will also include a way to address urgent matters that arise in your case and cannot await your pre-assigned date. The new process will use virtual proceedings for as long as necessary given COVID-19 health concerns.

More information about the general process and specific cases will be provided as it becomes available. You will receive notice in your own case when the next court event is scheduled.