

GUIDELINES AND PROCEDURES FOR REMOTE HEARINGS
CIRCUIT COURT FOR HARFORD COUNTY

The Circuit Court for Harford County conducts certain proceedings by remote platforms, such as uncontested divorce hearings, scheduling conferences, and certain proceedings scheduled before the Juvenile Court and a family law magistrate.

The Court may on its own initiative or on motion permit other judicial proceedings to be conducted remotely or permit one or more participants to participate by remote electronic means. A party requesting a remote proceeding or for a party/witness to appear remotely must file a motion in accordance with Maryland Rules 21-201, 21-301 and 3-513.1. A sample Motion for Remote Proceeding or to Appear Remotely can be found on the Maryland Judiciary website.

The following applies to hearings held on a remote platform or if a witness has been approved to appear remotely:

1. Attorneys and self-represented litigants: With all initial filings, add your email address to your contact information and the telephone number you can be reached at on the day of the hearing. With existing cases, update your contact information by filing with the Clerk of the Court your email address and telephone number.
2. All remote hearings will be initiated by the Court sending out to counsel of record, or self-represented litigants, an email invitation for a remote hearing using Zoom for Government. Once you receive notice of the Zoom hearing download any necessary application to your electronic device before the hearing to ensure it is properly working and that there are no issues (e.g. camera working, sound check, sufficient internet connectivity).
3. It will be the attorneys' responsibility to forward the email link for the remote hearing to their clients and witnesses. Self-represented litigants will also be required to forward the email link for the remote hearing to any witness. In the event the witnesses are to be sequestered, see No. 4 below.
4. Witnesses: Prior to the hearing the attorneys and self-represented litigants should file with the Clerk of the Court a list of witnesses, with full names, email addresses and telephone numbers. If a party requests to have the witnesses sequestered, and an email hearing link was sent by the party to the witness, the witness will remain in a virtual waiting room until called to testify by a party. Alternatively, during the hearing the judge/magistrate may choose to add the witness once the witness is called to testify by a party.
5. All participants in a video remote hearing should join the remote hearing using their first and last names. **All participants are expected to be seen and heard (audio and video function must be enabled on their devices)**. In the event a witness (including a party

who will be testifying) does not have access to video function, the attorney or self-represented litigant must file a request with the Court to have the witness appear telephonically prior to the scheduled hearing.

6. Participants in the remote hearing should eliminate any distractions at their locations. All cell phones and other electronic devices should be on silent and may not be used during the hearing, unless permitted by the judge/magistrate. No other person should be present in the room with the participant.
7. All participants are expected to conduct themselves as if they were in the courtroom. Attorneys are expected to abide by the Maryland Attorneys' Professional Rules of Conduct and maintain professionalism in both their appearance and conduct.
8. **WITNESS APPEARING REMOTELY**: For all proceedings that are held in-person but a witness has been approved by the judge/magistrate to appear remotely, the party calling the witness must ensure that the witness will have access to all documents that will be used during the witness' testimony.
9. **Exhibits**: **At least two days prior to a hearing**, the parties shall prepare and file with the Clerk of the Court proposed exhibits as follows:
 - a. File with the Clerk of the Court, an Exhibit List that lists all the exhibits being offered by the party, which includes the name of the exhibit and the exhibit number;
 - b. Each proposed exhibit **shall be filed separately**. Prior to filing the proposed exhibit it should be marked to reflect the party offering the exhibit and the number (e.g. P1, D1, State 1, Pet. 1 or Resp. 1). The numbers on the exhibits should be consistent with the numbers assigned on the Exhibit List;
 - c. For a multi-page document, each page should be numbered prior to the exhibit being filed.
 - d. If an exhibit is a video, audio recording or non-documentary item, prior to the start of the hearing the party offering the exhibit must take steps to have the exhibit delivered to the judge/magistrate, except as otherwise ordered by the judge/magistrate.
10. **Orders**: If the remote hearing concerns a pending motion, prior to the hearing the parties shall prepare and file proposed orders with the Clerk of the Court.
11. Remote hearings are official court proceedings and will be recorded by the Court. The independent recording of any proceedings by any participant, including attorneys, is prohibited by the Maryland Rules. No electronic device may be used to receive, transmit, or record sound, visual images, data, or other information. An individual who willfully

violates the Maryland Rules may be found in contempt of court and sanctioned in accordance with the Maryland Rules under Title 16, Chapter 200.

12. During the remote hearings, all participants should mute their audio function and unmute only when speaking. This will limit the amount of noise interference during the hearings.
13. In the event a represented party has issues entering a remote hearing, the represented party should immediately contact his/her attorney who will then notify the presiding judge/magistrate. Self-represented litigants should contact the administrative assistant of the presiding judge/magistrate (contact information will be on the Zoom Link notification email). If a witness has issues entering a remote hearing, the witness should immediately notify the attorney or self-represented litigant who requested that the witness appear by Zoom.
14. It is the Court's intention to start all remote hearings at the scheduled time; however, unforeseen circumstances, technical difficulties, or other proceedings may cause a delay in the start time. All attorneys should notify their clients and witnesses that a delay may occur and that the hearing will start as soon as possible.
15. Criminal Cases/Juvenile Delinquency: In addition to numbers 1 – 14 above, the following procedures will also apply in all remote criminal/juvenile delinquency hearings:
 - a. Defendants/Respondents must have the ability to appear by video (telephone appearance will not be allowed).
 - b. Prior to any remote hearing commencing, either the judge/magistrate or attorney shall make an examination of the Defendant/Respondent on the record, in accordance with Maryland Rule 21-301(c)(2), to ensure that the Defendant/Respondent is knowingly and voluntarily waiving: 1) the right to be physically present in the courtroom, 2) to have the hearing conducted in-person in a courtroom, and/or 3) to have witnesses appear in person.
 - c. With crime victims, the State should inform the judge whether the victim will be appearing for the remote proceedings or if the appearance is being waived.
 - d. If the criminal proceedings involves a guilty plea, the attorney must review the Waiver of Rights (WOR) form with the Defendant prior to the hearing, and: 1) the Defendant must initial and sign the WOR; 2) the attorney must also sign the WOR and; 3) the attorney must file it with the Clerk of the Court before the hearing.
 - e. Interpreter cases - the WOR will be done on the record with the interpreter.
 - f. Violations of Probation hearings – if a remote violation of probation hearing is held, all parties and witnesses may appear remotely, including the agent. An agent may request to appear remotely either by Zoom or telephonically when an agent is unable to appear for an in-person hearing, subject to any objections raised by either the State or Defendant.

16. These guidelines and procedures will be revised as circumstances warrant.

/S/ Yolanda L. Curtin
Administrative Judge
Circuit Court for Harford County

Revised: September 25, 2024