

IN THE UTAH SIXTH JUDICIAL DISTRICT AND JUVENILE COURTS

---

STANDING ORDER:

DIGITAL EVIDENCE PLAN and REMOTE HEARING  
REQUIREMENTS  
(Effective after April 1, 2024)

---

This order standardizes the process and requirements within the Sixth Judicial District for the following:

- 1) Evidence presentation at all hearings; and
- 2) Remote hearing attendance by attorneys, parties, and witnesses.

**Digital Evidence Plan for Remote, Hybrid, and In-Person Hearings**

To promote uniformity all evidence (other than witness testimony and objects) used in any hearing must be in a digital format, consistent with this Order. Attorneys and unrepresented parties are responsible for all evidence presentation and must prepare all exhibits in a format that can be viewed on electronic devices.

Any exhibit that might be offered into evidence or used at a hearing must be submitted to the court before the hearing, as explained below. Proposed exhibits must be emailed to the court clerk, with the emails copied to opposing counsel (or the opposing party if they are unrepresented). For large files or more than 10 exhibits, parties should submit the exhibits to the court clerk using a shared Google Drive folder. If any files are added to the shared Google Drive folder later, you must notify the court clerk by email that additional files have been added, or the exhibit might not be available for your hearing.\*

If there is no scheduling order in the case with specific deadlines, all proposed exhibits must be submitted at least two business days before the hearing. Preliminary hearings are not subject to the two business day requirement unless specifically ordered by the Court.

\*Manti Office- please contact the clerk's office to confirm the technological capabilities and process for your hearing.

Each proposed exhibit should be a separate file and the file should be named according to the case designation of the party submitting the exhibit.

Petitioner's/Plaintiff's/Prosecutor's exhibits will be marked from 1 - 200.

Respondent's/Defendant's exhibits will be marked from 201-400. Do not identify the substance of the exhibit in the file name or add any other identifying information to the file name. An exhibit list must also be submitted with the exhibits which provides both the exhibit number and a description of the exhibit.

When possible, all proposed exhibits should be submitted in a Portable Document Format (PDF). If the exhibit cannot be submitted as a PDF file, the following formats are also approved: JPEG, PNG, and MP4. If a proposed exhibit cannot be submitted in one of the approved file formats, the party must contact the court clerk for additional instructions to ensure that the exhibit can be viewed at the hearing.

Unless authorized by a rule of procedure (e.g., attachments to a motion for summary judgment or a motion to enforce), exhibits should never be filed in the case, and should always be submitted according to the process outlined above.

If a witness will testify remotely about an exhibit, the parties must show the exhibit to the witness and court using the "presenter" or "share" function in Webex. Unless necessary, avoid sharing your entire screen and share only the exhibit file.

If a hearing is entirely remote and all participants are participating remotely, witnesses may also testify remotely without prior court approval. But if a hearing is either in-person or hybrid (with some participants appearing remotely and some person), witnesses must testify in-person unless previously excused by stipulation of the parties, or by the court under existing rules of procedure.

A walk-through process is available on the Utah Courts website.

### **Attorneys Appearing Remotely**

Attorneys must adjust their login credentials and always log in to the hearing with "Attorney" as part of their login name (e.g., "Attorney Doe" or "Attorney Jane Doe"). That allows the judge to know you are present and call your matters sooner.

Attorneys must appear at each hearing by video, unless previously excused by the judge. As with in-person court proceedings, if an attorney wants to appear only by audio—such as by telephone or without video turned on—they must file a motion and proposed order before the hearing, requesting an audio-only appearance. Attorneys should turn on video when they are ready to proceed with their cases and turn off video if they are not ready to proceed.

Attorneys must use a microphone that minimizes background noise, prevents feedback, and allows a clear audio record. They must also appear from a location with sufficient internet bandwidth to ensure a clear audio record without interruptions.

Attorneys who cannot meet those requirements should appear at the courthouse and use an available workstation there.

Attorneys are responsible to provide links for court hearings to their clients and witnesses. They must also make sure that their witnesses and clients appear at the hearing either by video (when allowed) or from a courthouse location.

Attorneys must be on time for hearings and must not attend hearings in multiple courts simultaneously unless they can manage appropriate, timely, and responsive communication with each court.

### **Parties and Witnesses Appearing Remotely**

When appearing remotely parties and witnesses must appear by video and log in to the hearing with their full name. The judge must observe the parties addressing the court, as if they were present in the courtroom. If a participant cannot attend the hearing by video because they do not have a reliable internet connection or necessary technology, they must attend the hearing at the courthouse, using one of the available workstations. If a party or witness needs to use a workstation in the courthouse they need to contact the court one business day before the hearing to arrange for a workstation.

Parties and witnesses must be prepared to have their case called. When their case is called the video feature must be enabled so that the judge can see those participating in the hearing.

**Courtroom Decorum**

Virtual court has the same decorum requirements as in-person court. Attorneys and parties should find a quiet place to attend the hearing where they will not be distracted. Attorneys and parties will not engage in distracting behavior such as walking around, eating, or drinking during their hearing. All participants must wear clothing that is appropriate for a court hearing.

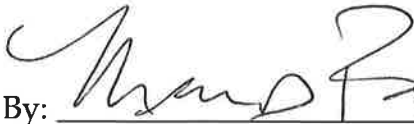
It is expected that no other obligations (ex, work or personal matters) will interfere with a participant's ability to attend their court hearing as directed.

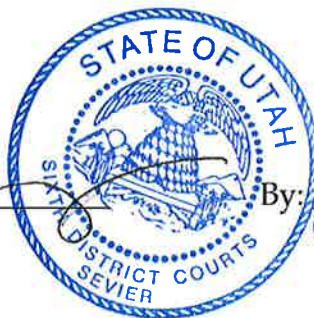
**As a Reminder**


Virtual hearings are an extension of the courtroom. Attorneys and other participants should be present and ready to address the court. Statements should be directed to the court and not to the other parties. Attorneys should wait until the court requests a statement or a response to avoid parties speaking over each other, which can cause confusion in the recording of the proceeding.

Virtual court hearings are convenient and save time. Nonetheless, they may still require several hours, so all parties must plan accordingly.

Dated 03/20/2024

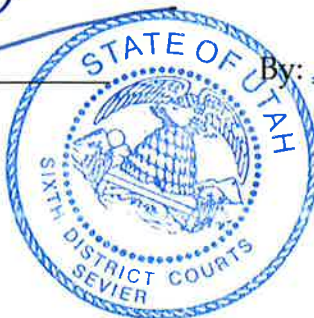
By:   
Marvin D. Bagley  
District Court Judge




By:   
Brody L. Keisel  
Juvenile Court Judge



By:   
Mandy Larsen  
District Court Judge



By:   
Alex Goble  
Juvenile Court Judge

