

## MOTION FOR REMOTE HEARING - VIDEO

Fairfax County General District Court – rev. 5/3/2021

Case No. \_\_\_\_\_

### REQUIRED INFORMATION:

\_\_\_\_\_  
Petitioner/Plaintiff/Commonwealth

\_\_\_\_\_  
Defendant/Respondent

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Phone #

**Hearing Date Information:** This case is set to be heard on: \_\_\_\_\_ at \_\_\_\_\_ AM/PM in Courtroom \_\_\_\_\_

**Motion In Open Court:** To be heard on \_\_\_\_\_

*This motion must be heard in open court if there is not agreement between the parties for video.*

**Reason for remote hearing/trial request:** \_\_\_\_\_

**All exhibits, pictures, documents, and anything intended to be presented at hearing/trial must be exchanged by the parties and filed with the Court in hard copy two (2) business days before the hearing/trial.**

BY SIGNING THIS FORM, YOU ARE CERTIFYING THAT YOU HAVE READ THE VIDEO HEARING POLICIES AND PROCEDURES ON PAGE TWO, AND HAVE COMPLIED WITH ALL NOTICE REQUIREMENTS OF THE GENERAL DISTRICT COURT ORDER FOR TEMPORARY PROCEDURE FOR VIDEO OR TELEPHONE HEARINGS.

**Requesting Party:** \_\_\_\_\_, ☐ Petitioner/Plaintiff ☐ Defendant/Respondent  
☐ Attorney ☐ Self-Represented

### Have ALL PARTICIPANTS agreed to holding a hearing using video?

- ☐ Yes – Please provide contact information for both parties. Without this information the Court may deny your motion.  
☐ No – This motion must be docketed and heard in open court at least four (4) business days before the scheduled hearing date for the underlying case.

### Who is appearing by video?

- ☐ All participants  
☐ Only one/some participants – Please list them below, including their relationship to the case (defendant, witness, etc.)

**Interpreter Needed:** ☐ Yes ☐ No (IF YES, CALL 703-246-3563 TO REQUEST SPANISH / 703-246-7530 FOR ALL OTHER LANGUAGE INTERPRETERS. THIS FORM DOES NOT SCHEDULE AN INTERPRETER FOR YOUR CASE.)

Language: \_\_\_\_\_

## ORDER

☐ Granted ☐ Denied ☐ Other \_\_\_\_\_

Judge \_\_\_\_\_ Entered \_\_\_\_\_

### Meeting Information

Meeting Address: \_\_\_\_\_@fairfaxgov.webex.com Host Code: \_\_\_\_\_

## MOTION FOR REMOTE HEARING BY VIDEO POLICIES AND PROCEDURES

When the remote appearance is agreed to, the Court will conduct a video hearing provided the parties file the Motion for Remote Hearing - Video at least four (4) business days prior to the hearing.

Motions for remote appearance by video that are opposed must be noticed for argument and heard before the Court at least four (4) business days prior to the hearing. Argument of the motion to permit the opposed remote appearance may be heard telephonically.

**Witnesses** are eligible to appear remotely **only if the party (or attorney for the party, if they are represented) that is requesting the appearance of the witness (not the witness) files this motion for the witness to appear remotely** at least four (4) business days in advance of the court date. If this motion is not agreed to by all parties, it must be noticed for argument and heard before the Court at least four (4) business days prior to the hearing. **Witnesses may not file this motion on their own behalf.**

The following matters are eligible for remote appearance by two-way electronic audio-visual communication system:

- Civil trials (also eligible for telephone – use the Motion for Remote Hearing – Phone)
- Protective order hearings
- Misdemeanor pleas\* and misdemeanor trials\*
- Preliminary hearings\*

\* PROVIDED that these pleas, trials, and hearings do not involve the following:

- Subsequent processing such as fingerprinting or DNA samples after conviction or because those processes were not accomplished at the time of arrest
- Active jail sentence
- Probation or Community Service
- Restitution Orders

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Effective April 27, 2021, the following procedures shall be utilized:

- 1) A Motion for Remote Hearing must be filled out **in its entirety** and filed with the Clerk's Office using this form and within the deadlines set forth above. Motions may be filed in the Clerk's Office, or by email to [GDCMail@fairfaxcounty.gov](mailto:GDCMail@fairfaxcounty.gov).
- 2) Motions to appear remotely **must** contain the name, email address, and telephone number of all parties to the case, or the attorney, if represented by counsel. If such pertinent information is not provided, the Court may deny your Motion.
- 3) For video conferences, hearings and trials via Webex, the Court will send an invitation in advance of the hearing with the date and time of the hearing to the email address/addresses for the two main parties of the case, as indicated at the top of this form. **It is the responsibility of those recipients to forward the email to any other parties who need to receive it.** Parties are responsible for joining the hearing at the appointed time.
- 4) The named parties, or their attorney, on this form are responsible for forwarding the video hearing invitation and ensuring that all participants have the available technology, internet connection quality, and appropriate environment to attend a hearing by Webex.
- 5) **Any and all documents and exhibits to be presented as evidence in the party's case in chief must** be provided to all parties, counsel and the Court at least two (2) business days prior to the scheduled proceeding with a certificate of delivery. The copies to the Court must be filed in the Clerk's office in hard copy. The Court will not accept these documents and exhibits via email and is not responsible for providing the documents and exhibits to the other parties. Documents and exhibits referenced as evidence using the Court's in-courtroom document camera during the hearing cannot be displayed to remote parties.
- 6) The proceeding, hearing, or trial may not be recorded. The parties may employ a professional court reporter.

The Court recommends the following to ensure a successful trial experience:

- Use a wired connection, if possible. If that is not available, use Wi-Fi. Use 3G/4G/5G only if no other option is available.
- Use a headset or earbuds, rather than a laptop microphone.
- Remember: You are attending a court proceeding. Please ensure your dress is professional and your environment is free of distractions. Appearing by Webex is equivalent to being in the courtroom. Courtroom decorum is expected by the Court.