



**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
PHILADELPHIA COURT OF COMMON PLEAS
TRIAL DIVISION – CIVIL**

Thursday, July 16, 2020

NOTICE TO THE CIVIL BAR

**POLICIES AND PROTOCOLS FOR USE OF ADVANCED COMMUNICATION
TECHNOLOGY FOR COURT PROCEEDINGS IN CIVIL MATTERS**

Pursuant to paragraph 3 of Administrative Order, Amended No. 33 of 2020, dated May 21, 2020, the Court adopts the following Protocols and Policies for all proceedings in civil matters that will be held using Advanced Communication Technology:

1. Trial Division – Civil will use Zoom video conferencing services (“Zoom”) as the designated Advanced Communication Technology for certain proceedings in civil matters.
2. All participants – counsel, clients and witnesses – shall familiarize themselves with Zoom in advance of the proceeding.
3. When signing into Zoom, each participant shall use only their first and last name as their screen name along with an appropriate designation such as “plaintiff’s counsel, plaintiff or witness. For example, a proper screen name is “Jane Doe – plaintiff’s counsel.” The screen name cannot be an email address or nickname, e.g., southsidejohnny@gmail.com.
4. All participants must confirm that their computer audio is enabled and that their Internet connection is working properly and with sufficient signal strength. Where possible, participants should use a desktop computer rather than a mobile device. When using a mobile device, ensure that device is sufficiently charged and/or plugged into a power source.
5. Counsel shall make every effort to ensure that the witness/party can use Zoom and can view exhibits via Zoom. The camera should be positioned such that the person’s entire face and shoulders are visible.

6. During testimony by a party or witness, no one is permitted to communicate – via text or chat application or any other means – with the testifying witness except by way of on the record oral questions directed toward that witness.
7. If counsel is muted and has an objection or requests permission to address the Court, counsel should physically raise their hands so that the Court may recognize counsel.
8. If during the course of the proceeding it becomes necessary for counsel to consult with a client in private, counsel may raise their hand to request to be sent to a breakout room for a short time to have a private conversation.
9. If a participant’s video freezes and that participant is unable to restart video, the participant shall dial-in to the Zoom proceeding and use audio only.
10. Counsel and parties must treat the proceeding as if it were in open court so appropriate dress and decorum are required.
11. Counsel and parties must silence all other electronic devices.
12. No participant may use a virtual background without Court permission.
13. Participants are reminded that everyone must appear on camera during the entire hearing, whether or not they are speaking, unless the Court directs otherwise. Participants must limit or eliminate possible background distractions.
14. All participants must be able to review exhibits while also participating in a Zoom proceeding.
15. Pa. Rule of Judicial Administration No. 1910 provides that it “is unlawful and a criminal offense to use or operate a device to capture, record, transmit or broadcast a photograph, video, motion picture or audio of a proceeding or person within a judicial facility or in an area adjacent to or immediately surrounding a judicial facility without the approval of the court or presiding judicial officer or except as provided by rules of court.” The Zoom proceeding takes place in a virtual courtroom and constitutes a judicial facility. As such, any broadcasting, transmitting, video recording, audio recording, photographing, taking screenshots and/or otherwise saving or reproducing of the proceeding is strictly prohibited and is subject to penalties including contempt of court.

Honorable Jacqueline F. Allen
Administrative Judge, Trial Division

Honorable Arnold L. New
Supervising Judge, Trial Division – Civil

Honorable Gary S. Glazer
Supervising Judge, Trial Division – Commerce