



SELF-HELP RESOURCE CENTER
Superior Court for the State of California, County of San Bernardino
REMOTE APPEARANCES

Appearing Remotely for a Hearing:

To request to appear remotely for a hearing, party(s) shall notify all opposing parties on the case of their intentions to appear remotely for a given hearing with appropriate advance notice. Notice to opposing party may be given informally, which can include by telephone, email or text message.

Remote Appearance Forms:

RA-010: Notice of Remote Appearance; RA-015: Opposition to Remote Proceeding ; RA-020: Order Regarding Remote Appearance

For non-evidentiary hearings:

Hearings with at least three (3) court days' notice:

A party choosing to appear remotely in a proceeding for which a party gives or receives notice of the proceeding at least three (3) court days before the hearing date, must provide notice of the party's intent to appear remotely at least two court days before the proceeding. Notice to the court must be given by filing a Notice of Remote Appearance (form RA-010). Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received no later than two (2) court days before the proceeding.

Hearings with less than three (3) court days' notice:

A moving party or applicant choosing to appear remotely in a proceeding for which a party gives or receives notice of less than three (3) court days must provide notice of the party's intent to appear remotely at the same time as providing notice of the application or other moving papers. Notice to the court must be given by filing a Notice of Remote Appearance (form RA-010). Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received with notice of the moving papers.

Notice by other parties:

Any party choosing to appear remotely at a hearing with less than three (3) court days' notice, other than an applicant or moving party, must provide notice of their intent to appear remotely to the court and all other parties that have appeared in the action, no later than 2:00 p.m. on the court day before the proceeding.

The notice to the court may be given orally or in writing by filing Notice of Remote Appearance (form RA-010). Notice to the other parties may be in writing, electronically, or orally in a way reasonably calculated to ensure notice is received no later than 2:00 p.m. on the court day before the proceeding.

A party may use Notice of Remote Appearance (form RA-010) to provide proof to the court that notice to other parties was given.



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Trials or Evidentiary Hearings (Inc. LLT Trial and Small Claims Trial):

Evidentiary Hearings or trials with at least 15 court days' notice and small claims trials:

A party choosing to appear remotely at a small claims trial or an evidentiary hearing or trial for which a party gives or receives notice of the proceeding at least 15 court days before the hearing or trial date must provide notice of the party's intent to appear remotely at least 10 court days before the hearing or trial. Notice to the court must be given by filing a Notice of Remote Appearance (form RA-010). Notice to the other parties may be in writing, electronically, or orally in a way reasonably calculated to ensure notice is received at least 10 court days before the proceeding. A party may use Notice of Remote Appearance (form RA-010) to provide proof to the court that notice to other parties was given.

Evidentiary Hearings or trials with less than 15 court days' notice and small claims trials:

A party choosing to appear remotely in an evidentiary hearing or trial for which a party gives or receives notice of the proceeding less than 15 court days before the hearing or trial date, including hearings on restraining orders or protective orders, must provide notice of the party's intent to appear remotely in one of the following ways:

- 1) Notice to the court must be given by filing a Notice of Remote Appearance (form RA-010). Notice to the other parties may be provided in writing, electronically, or orally in a way reasonably calculated to ensure notice is received with notice of the moving papers.
- 2) By filing a Notice of Remote Appearance (form RA-010) and providing notice to the other parties in writing, electronically, or orally in a way reasonably calculated to ensure notice is received at least five (5) court days before the proceeding.

Opposition to remote proceedings:

A party may make a showing to the court as to why a remote appearance or remote testimony should not be allowed, by serving and filing an Opposition to Remote Proceedings at Evidentiary Hearing or Trial (form RA-015): At least five (5) court days before the proceeding when a party gives or receives at least 15 court days' notice; or At least noon the court day before the proceeding when a party gives or receives less than 15 court days' notice.

To make arrangements to appear telephonically through CourtCall, you may contact CourtCall at (888) 882-6878 or visit their website at www.courtcall.com.

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR <i>(name)</i> :	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT: OTHER CASE NAME:		
NOTICE OF REMOTE APPEARANCE		CASE NUMBER:

You must use this form to tell the court you intend to appear remotely in a civil case, unless the court's website describes an online process for giving notice. You may also use it to give the required notice to all other parties in the case. (Do not use this form in a juvenile dependency proceeding.)

Check the court's website for information about how to appear remotely, including the departments and types of cases or proceedings that allow remote appearances and ways to appear remotely in their departments for such appearances.

See page 3 of this form for more information, including deadlines for giving notice and for opposing a remote appearance if this notice is for an evidentiary hearing or trial.

A person appearing remotely should conduct themselves as though appearing in court in person.

1. The person who intends to appear remotely is *(check and complete all that apply)*:
 - Plaintiff/Petitioner *(name)*:
 - Attorney for Plaintiff/Petitioner *(name)*:
 - Defendant/Respondent *(name)*:
 - Attorney for Defendant/Respondent *(name)*:
 - Other *(name and role in case)*:

2. The person or persons in 1 intends to appear remotely *(check one)*:
 - a. Throughout the case.
 - b. At the proceeding described below, including on any later dates if the proceeding is continued *(describe)*:
 Type of proceeding:
 Set on *(date)*: at *(time)*: in *(department)*:
 Before *(name of judicial officer, if known)*:

3. The person intends to appear by *(check court's website for method that may be used)*:
 - Videoconference Audio only (including telephone)

4. For evidentiary hearing or trial only (where testimony may be given): the party requests the following additional aspects of the proceeding be conducted remotely *(describe what the party wants to be done remotely and why; attach form MC-25 if more space is needed)*:

PLAINTIFF: DEFENDANT:	CASE NUMBER:
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5. I agree to keep the proceeding confidential to the same extent as would be required if I were appearing in person.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE)

Notice to Other Parties

Anyone intending to appear remotely must provide notice to all other parties by the deadlines stated in Cal. Rules of Court, rule 3.672, and described on the next page. Notice may be provided orally, electronically, or by giving the other parties this form in a way to ensure it is received by the applicable deadline. The party must tell the court this was done either by filing a proof of service (this may be done on forms POS-040 or POS-050 for electronic service) or by completing and signing the declaration below.

Declaration of Notice

I gave notice that I intend to appear remotely to the other parties or persons entitled to receive notice in this case as stated below. Complete one item below for each person notice was given to, and enter one of the following options for "Method of notice" in c.

- **Mail:** By mailing them a copy of this form (write the mailing address in d.)
- **Overnight delivery:** By having a copy of this form delivered overnight (write the delivery address in d.)
- **Electronic notice:** By e-mail or text message (write the e-mail or phone number in d.)
- **Phone:** By telling them over the telephone or leaving them voice mail (write the phone number in d.), or
- **In person:** By giving them a copy of this form in person, or by telling them orally in person (write the address in d.)

- | | |
|--|--|
| 1. <input type="checkbox"/> Plaintiff/Petitioner
a. Name:
b. Date of notice:
c. Method of notice:
d. Address (mailing, in-person, or email) or phone number: | 2. <input type="checkbox"/> Attorney for:
a. Name:
b. Date of notice:
c. Method of notice:
d. Address (mailing, in-person, or email) or phone number: |
| 3. <input type="checkbox"/> Defendant/Respondent
a. Name:
b. Date of notice:
c. Method of notice:
d. Address (mailing, in-person, or email) or phone number: | 4. <input type="checkbox"/> Attorney for:
a. Name:
b. Date of notice:
c. Method of notice:
d. Address (mailing, in-person, or email) phone number: |
| 5. <input type="checkbox"/> Other (specify):
a. Name:
b. Date of notice:
c. Method of notice:
d. Address (mailing, in-person, or email) or phone number: | 6. <input type="checkbox"/> Attorney for:
a. Name:
b. Date of notice:
c. Method of notice:
d. Address (mailing, in-person, or email) phone number: |
| 7. <input type="checkbox"/> Other (specify):
a. Name:
b. Date of notice:
c. Method of notice:
d. Address (mailing, in-person, or email) or phone number: | 7. <input type="checkbox"/> Other (specify):
a. Name:
b. Date of notice:
c. Method of notice:
d. Address (mailing, in-person, or email) or phone number: |

If more people were given notice, check here, attach form MC-025, titled as Attachment Notice, and add the information about how and when notice was given to each person.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE)

Instructions for Giving Notice of Remote Appearance

(This page does not need to be filed.)

1. Court online procedures. Before using this form, check the court's website to see if that court has an online procedure for providing notice to the court of your intent to appear remotely instead. You can find a link to the website for each court at:

2. How to use this form. This form is intended for use in civil cases only (any cases not criminal or petitions for habeas corpus, other than petitions under Welf. & Inst. Code, § 5000 et seq.), to provide written notice of intent to appear remotely, to a court and the parties, as described in Code of Civil Procedure section 367.75. It is not needed in juvenile dependency hearings.

Check the court's website to determine how remote appearances work in that court before completing this form. If the court does not have an online procedure for giving notice to the court of intent to appear remotely, complete and file this form to give the court notice. If you intend to appear remotely throughout the case, you only need to file it once (check item 2a).

3. Notice to others. You may also use this form to show that you gave notice to other parties. You must give notice of your intent to appear remotely to all parties and other persons who are entitled to notice of the proceeding. (If you checked item 2a, you only need to give notice once. Otherwise, give notice to the court and others before each proceeding you intend to appear at remotely.) You can describe how and when you gave notice in the Declaration of Notice on page 2, or by filing a proof of service with the court.

4. When to file and give notice to others.

California Rules of Court, rule 3.672(g) and (h) state the deadlines by which you have to give notice of intent to appear remotely to the other parties and the court. (You can give notice earlier.) There are different deadlines :

For motions and proceedings in which people cannot testify

If a party gives or receives *at least 3 court days' notice* of the proceeding (including all regularly noticed motions):

- At least 2 court days before the proceeding.

If a party gives or receives *less than 3 court days' notice* of the proceeding (including ex parte applications):

- With the moving papers, if the notice to appear remotely is by the party that is asking for the hearing; or
- By 2 p.m. the court day before the hearing if the notice to appear remotely is by any other party.

Note: If a party misses these deadlines, they may still ask the court for permission to appear remotely.

For trials, including small claims trials, and hearings in which people may testify (evidentiary hearings)

If a party gives or receives *at least 15 court days' notice* of a trial or hearing date, and for all small claims trials:

- At least 10 court days before the trial or hearing date.

If a party gives or receives *less than 15 days' notice* of the trial or hearing (including hearings on protective orders):

- With the moving papers or at least 5 court days before the hearing, if the notice to appear remotely is by the party that is asking for the hearing; or
- By 2 p.m. the court day before the hearing if the notice to appear remotely is by any other party.

Note: If a party misses these deadlines, they may still ask the court for permission to appear remotely.

5. Opposition to remote appearances at trial or evidentiary hearing. If a party or witness has given notice of intent to appear remotely at a trial or evidentiary hearing (hearing at which people may testify), other parties in the action may oppose the remote appearance by filing *Opposition to Remote Proceeding at Evidentiary Hearing or Trial* (form RA-015). The opposition must be served on parties and other persons entitled to receive notice of the proceedings, by the deadlines summarized on that form. (Cal. Rules of Court, rule 3.672(h)(3).)

6. In-person appearance. A court may require any person to appear in person instead of remotely. (Code Civ. Proc., § 367.75(b).)

7. Recordings. No person may record a proceeding without first getting approval from the judge. (Cal. Rules of Court, rule 1.150(c).)

8. Accommodations for disability. If a party needs an accommodation for a disability, use form MC-410, *Disability Accommodations Request*, to tell the court about their needs. See form MC-410-INFO for more information.

9. Request for interpreter. If a party does not speak English well, ask the court clerk as soon as possible for a court-provided interpreter. Form INT-300, *Request for an Interpreter*, or a local court form may be used to request an interpreter. If no court interpreter is available, it may be necessary to reschedule the hearing or trial.

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
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Instructions

1. **Opposition to remote proceedings.** If a court has set a trial or evidentiary hearing (a hearing at which a party may testify under oath) to be conducted remotely, or if another party or a witness has given notice of their intent to appear remotely at a trial or an evidentiary hearing, parties may oppose the remote appearance or remote testimony by serving and filing this form. Parties may also use it if they want a court ruling in advance that a party or witness must appear in person. (Code Civ. Proc., § 367.75; Cal. Rules of Court, rule 3.672(h)(3).)

2. **How to use this form.** This form is to explain to the court and the other parties the reasons for opposing a remote appearance or remote testimony at a trial or evidentiary hearing. If the opposition is to the testimony of certain individuals, item 3 should include their names and an explanation of why the opposing party believes their remote testimony or remote appearance should not be allowed. This form may **not** be used in juvenile dependency cases. (A party may file form RA-030 for those cases.)

3. **Service and filing.** The opposition must be filed with the court and served on all parties and other persons entitled to receive notice of the proceedings. California Rules of Court, rule 3.672(h)(3) states when the opposition must be served and filed. There are different deadlines based on how much notice parties have of the trial or evidentiary hearing:

- At least 5 court days before the trial or hearing date if a party gave or received at least 15 court days' notice of the trial or hearing date; or
- By at least noon the court day before the hearing or trial date if a party gave or received less than 15 court days' notice of the trial or hearing date.

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NUMBER: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR <i>(name)</i> : _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PLAINTIFF: _____ DEFENDANT: _____ OTHER CASE NAME: _____	
ORDER REGARDING REMOTE APPEARANCE	CASE NUMBER: _____

The court makes the following orders regarding remote appearances:

1. This order applies to the proceeding described below, including on any later dates if the proceeding is continued:

Type of proceeding: _____

Set on *(date)*: _____ at *(time)*: _____ in *(department)*: _____

2. **Participant to appear in person.**

The following persons are required to appear or testify in person:

Name	Role in Case
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3. **Participant may appear through remote technology.**

a. The following persons may appear or testify through remote technology, subject to any requirement in b:

Name	Role in Case
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b. If the following technology is not used, an in-person appearance is required. *(See the court's website for specific information about the platforms used and how to appear remotely.)*

- i. videoconference only
- ii. audio only (including telephone)
- iii. videoconference or audio

4. **Other Orders.**

Date: _____

JUDGE OR JUDICIAL OFFICER

