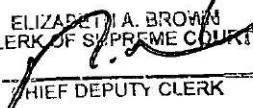


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FEB 12 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ADKT 613

EXHIBIT A

**AMENDMENT TO RULE 4 OF SUPREME COURT RULES PART IX-B,
(A) RULES GOVERNING APPEARANCE BY TELEPHONIC
TRANSMISSION EQUIPMENT FOR CIVIL AND
FAMILY COURT PROCEEDINGS**

Rule 4. Remote appearances.

1. A remote appearance is defined as a court appearance made by a party using a device capable of real-time simultaneous audio and video capabilities. Except as provided in Rule 4(2) and Rule 4(4), parties shall be allowed to appear remotely before a judicial officer or judge, master, commissioner, or special master in accordance with the Rules of Virtual Advocacy promulgated by the Commission to Study Best Practices for Virtual Advocacy and as amended thereafter.

2. Court discretion to modify rule. In accordance with the Rules of Virtual Advocacy 3(p), if a party's internet connection is poor and the court is unable to view, hear, or understand an attorney or litigant, the court reserves the right to hear from the party telephonically, continue the matter, or take the matter off calendar, or pursue any other remedy that the court deems appropriate.

3. Notice by party. A party may request to appear remotely for a presumptively in-person hearing as defined by the "Presumptive Appearance Case Type" lists, Exhibits A-D to the Rules of Virtual Advocacy, but must follow the procedures for making such a request as set forth within the Rules of Virtual Advocacy, and:

(a) A party must provide notice to all parties and the court as soon as practicable but at least 48 hours prior to the applicable hearing or trial that

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sets forth good cause for the party, attorney, or witness to appear remotely; and

(b) A party must give notice by personal delivery, fax transmission, express mail, electronic mail, text message or by electronic service through the court's online docketing system (if available), or other means reasonably calculated to ensure delivery to the parties and the court. Copies of any exhibits that a party participating remotely intends to present at the hearing shall be delivered to the court and all parties either by personal delivery, fax transmission, or electronic mail by at least noon on the court day prior to any such proceeding.

(c) A party may object to the virtual appearance by filing a written objection or may object orally at the relevant hearing.

(d) The court, on a showing of good cause and at its discretion, may permit a party to appear by video or telephonic transmission equipment at a proceeding even if a party has not given the notice required under Rule 4(3)(a) or (b) and may permit a party to appear virtually when exigent circumstances exist.

(e) A party wishing to appear in person as opposed to remotely for a presumptively virtual appearance may do so without giving notice.

4. Notice by court. After a party has requested a remote appearance in accordance with the Rules of Virtual Advocacy, if the court rejects the request and requires the personal appearance of the party, the court must give reasonable notice to all parties before the hearing and may continue the hearing if necessary to accommodate the personal appearance.

5. Audibility and procedure.

(a) The court must ensure that the statements of participants are audible to all other participants and the court staff and that the statements made by a participant are identified as being made by that participant.

(b) Upon convening a remote proceeding, the judge shall:

(1) Recite the date, time, case name, case number, names and locations of parties and counsel, and the type of hearing;

(2) Ascertain that all statements of all parties are audible to all participants; and

(3) Give instructions on how the hearing is to be conducted, including notice that in order to preserve the record, speakers must identify themselves each time they speak.

6. Reporting. All proceedings involving remote appearances must be reported to the same extent and in the same manner as if the participants had appeared in person.

7. Information on remote appearances. The court must publish a notice providing parties with the particular information necessary for them to appear remotely at proceedings in that court under this rule.

8. Public access. The right of public access to court proceedings must be preserved in accordance with law.