

## Remote Hearings for Restraining Orders

COVID-19 caused court closures that no one could have anticipated. Many courts offered remote hearings, also called virtual hearings, to make the judicial process accessible for litigants. Since then, the use of technology within the court system has continued. This guide offers some things to consider if a remote hearing is available for your case.

### Technology Requirements

It's essential to make sure you have access to appropriate technology and internet bandwidth. "Appropriate" means that it would allow you to participate fully in the hearing. Not having the right technology could affect your case dramatically. If you don't have the equipment needed, you can reach out to the court clerk or self-help center in the courthouse to see if they can identify available options. Some things you may want to consider before attending a virtual hearing are:

- Is the equipment easy for you to use? Can you see and hear clearly through it? Do you need to look for another option?
- Is your internet reliable? What happens if the internet fails at the time of your hearing? Do you have a backup plan if this happens?
- Would the physical location where you'd be logging into the hearing provide the privacy needed to speak freely?
- If you are using headphones, can you hear clearly? Did you test the microphone to make sure others can hear you when you speak?
- If you are uncomfortable with a virtual hearing, contact the court clerk to see if other options are available.

### The Videoconferencing Platform

The courthouse you're working with probably has a specific video-conferencing platform they use for virtual hearings. Can you find out what platform they are using ahead of time? Once you know what platform will be used, you may want to consider the following:

- Download the platform (app) beforehand and create an account, if necessary. Can you test it free of charge before your hearing?
- Can you access the platform from your phone, tablet, or computer? If you have more than one device, test them all to see which one works best for you.

- Some platforms use more bandwidth than others. Is your internet still reliable while you use this platform?
- How will the video-conferencing link will be sent to you? When will you receive it? Let the court know if you don't receive it by the expected date.
- How comfortable do you feel with this technology? Are you comfortable enough that you will be able to pay attention during the hearing instead of trying to figure out how the platform works?
- Are you able to navigate the platform without additional help? If you need help using the platform, could someone help you through it during the hearing?

### Other Considerations

- If your primary language is not English, will an interpreter also be in the virtual hearing? Does the platform allow you to change the language of the settings to your native language?
- Are you using the platform's closed captions or translations? Are they high quality? You may want to test this with a friend.
- If you face problems with your equipment during the hearing, please speak up and tell the judge. It's important to be able to participate in the hearing fully.
- [Presenting evidence](#) in a virtual hearing may be more complicated. The judge may require all documents to be scanned, emailed, or mailed beforehand. You will want to ask the court clerk about this well before the hearing date.
- Will being on camera expose a confidential location to the abuser? If so, plan to participate from a different location. For example, say you are hiding at your mom's house. The abuser may hear your mom's voice in the background, and this will reveal where you are. Plan for your safety with a [domestic violence advocate](#) before the hearing.

### Getting help before and during the hearing

Just because the hearing is virtual, it doesn't mean you can't have a lawyer represent you. You can contact a [legal services organization](#) to look for a lawyer. The court clerk may also be able to tell you whether there is a self-help desk or other program within the court that can help prepare you. Lastly, if you are a survivor of domestic violence, you can also reach out to a [local domestic violence organization](#) to see if an advocate can help you prepare for the virtual hearing or even support you during the hearing.

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