

CMLARLJ 4
VIDEO CONFERENCE PROCEEDINGS

1. Authorization: Preliminary appearances as defined by CrR 3.2 (B) and CrRLJ 3.2.1 (d), arraignments as defined by CrR 3.4 and 4.1 and CrRLJ 3.4 and 4.1, bail hearings as defined by CrR 3.2 and CrRLJ 3.2, and trial settings as defined by CrR 3.3 and CrRLJ 3.3 (f), conducted via video conference in which all participants can simultaneously see, hear, and speak with each other shall be deemed held in open court and in the defendant's presence for the purposes of any statute, court rule or policy. All video conference hearings conducted pursuant to the rule shall be public, and the public shall be able to simultaneously see and hear all participants and speak as permitted by the Court. Any party may request an in-person hearing under this section, which may be in the Court's discretion, be granted.

2. Agreement: Other trial court proceedings including the entry of a Statement of Defendant on Plea of Guilty as defined by CrR 4.2 and CrRLJ 4.2 may be conducted by video conference only by agreement of the parties, either in writing or on the record, and upon the approval of the Court pursuant to this local court rule. For purposes of video conference proceedings, the facsimile signatures of the defendant, counsel, interested parties and the Court shall be treated as if they were an original signature. This includes all orders on Judgment and Sentence, No Contact Orders, Statements of Defendant on Plea of Guilty, and other documents or pleadings as the Court shall determine are appropriate or necessary

3. Standards: The judge, counsel, all parties, and the public must be able to see and hear each other during video proceedings, and may speak as permitted by the Court. Video conference facilities must provide for confidential communications between attorney and client and security sufficient to protect the safety of all participants and observers. In interpreted proceedings, the interpreter must be located next to the defendant and the proceedings must be conducted to assure that the interpreter can hear all participants.
