



GUIDELINES FOR VIRTUAL HEARINGS IN VAN BUREN COUNTY COURTS

Court Address
212 E Paw Paw Street - Suite 212, Paw Paw, MI 49079

Court Telephone No.
(269) 657-8200

As you know, the COVID crisis has caused the court to conduct virtual proceedings whenever possible. While we all look forward to the day this crisis has passed, virtual technology is here to stay. Zoom is not ideal for every type of court matter, but you should expect that the courts will be using it for various conferences, motions, and hearings well beyond the cloud of COVID. With that in mind, here are some tips to help us all be successful with virtual courts now, and well into the future.

Technology:

1. Many of us don't know technology, don't like technology, and don't want technology. If you are in that category, you'll need to either learn technology or find someone who can help you during court sessions. The Michigan Rules of Professional Conduct advise that a lawyer should be familiar with any technology reasonably necessary to provide competent representation. [MRPC 1.1, comments](#). ("To maintain the requisite knowledge and skill, a lawyer should engage in continuing study and education, including the knowledge and skills regarding existing and developing technology that are reasonably necessary to provide competent representation for the client in a particular matter"). This February, the state bar issued an informal ethics opinion on a lawyer's obligation to protect client data from cybersecurity threats. The opinion starts with the observation that "[g]iven the realities of modern law practice," a lawyer has a duty under MRPC 1.1 "to be familiar with and use technology to the extent needed to provide a client with competent representation in a specific matter." [RI-381](#). The ABA's model rules also require "keep[ing] abreast of the benefits and risks associated with relevant technology. [Comment 8 to Model Rule 1.1](#). "[I]n order to keep abreast of changes in law practice in a digital age, lawyers necessarily need to understand basic features of relevant technology. For example, a lawyer would have difficulty providing competent legal services in today's environment without knowing how to use email or create an electronic document." [ABA Commission on Ethics 20/20 REPORT 105A \(Aug. 2012\)](#).
2. Instructions for appearing via Zoom can be found on our court's website under "Virtual Court Information" <https://www.vanburencountymi.gov/207/Virtual-Court-Information>. Basically, you can download the free app on your smartphone, or go to their website on a computer at "zoom.us". Click on "Join Meeting" at your scheduled time and enter the Meeting ID number for your court. Those numbers can be found here:

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|-------------------------|--------------|-------------------------|--------------|
| • Virtual Room 1 | 344 479 2441 | • Virtual Room 5 | 508 146 3510 |
| • Virtual Room 2 | 203 884 1510 | • Virtual Room A | 292 853 1976 |
| • Virtual Room 3 | 277 444 5820 | • Virtual Room B | 889 964 1503 |
| • Virtual Room 4 | 618 651 0072 | • Virtual Room C | 699 936 0614 |

You will have to join with the audio feature (“call using internet audio”) to use your device’s microphone and speaker. When you first join the meeting, you will be placed in a virtual “waiting room” on hold. Please be patient, as the hearing before yours might be still ongoing.

3. Practice makes perfect. If you or your client would like to participate in a practice session on Zoom to make sure you understand all the settings and features, or to test your internet connection, we are happy to accommodate. Just [contact court staff](#) and we will make the arrangements.
4. All the court hearings are being recorded and a video is available upon request. In Courtroom (Virtual Room) 1, we are broadcasting the video hearings live on the internet <https://www.youtube.com/channel/UCZJqfGik4Y0DFCDtNtzuC w>. This feature may be available in other courtrooms at the discretion of each judge. If you are in a courtroom with livestreaming and you think there is an important reason under the law to disconnect the livestreaming, you may ask your respective judge to terminate the broadcast for your case.
5. Please be sure to turn on the audio feature (“call using internet audio”) before your Zoom session and advise your clients to do the same.

General Principles:

1. Communication and Preparation are key: With Zoom hearings you will be allotted a window of time to conduct your hearing or conference. Others will likely be waiting in the Zoom “waiting room” for your matter to conclude. Now, more than ever, it is extremely important that you communicate with your opponent, client, victim, or other necessary parties before your allotted hearing time. The courts are available ahead of time to talk with the parties if you need to do that. Please contact court staff to arrange this.
2. If something comes up during the hearing that requires you to speak to your client in private, please let us know and you will be placed in a “breakout room” for a separate video conference that will not be observed or recorded in any way. Alternatively, your matter may be adjourned.
3. A Zoom Courtroom is an extension of the actual courtroom. If you wouldn’t say it, do it, or wear it in court, don’t on Zoom. Our Zoom etiquette rules can be found on our website in the virtual courtroom under Virtual Room Etiquette. <https://www.vanburencountymi.gov/207/Virtual-Court-Information>
4. To the extent that you can reasonably do so, please fill out all necessary forms/signatures and return them to the court before your hearing. You can find forms on our website in the virtual courtroom under Frequently Used Forms. <https://www.vanburencountymi.gov/212/Frequently-Used-Forms>. If there are documents you want a judge to review during the hearing, please contact the court to arrange for the judge to have those documents before the time of the hearing.
5. Mark your proposed exhibits and provide copies to the opposing party before your hearing. Copies of the marked exhibits should also be forwarded to the court before your hearing.

6. To the extent that you can do so, work out any stipulations regarding exhibits and other matters before your hearing and communicate that to the court.
7. So that we can troubleshoot any problems on the date of the hearing, or communicate with you about any last-minute changes, please give the court your preferred email address, fax, and phone number before your hearing.

Thank you for reviewing and following these guidelines. This has been an extraordinary time for all of us, both professionally and personally. By working together, we'll not only get through this, but find ways to be better at what we do. In the courts, we hope to be more efficient, flexible, and accessible to all. Please feel free to reach out to me, or to your respective court, if you have any questions or comments about these guidelines.

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