

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

FILED

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WESTERN DISTRICT OF TEXAS  
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IN RE: REMOTE ACCESS TO COURT §  
PROCEEDINGS §  
§

STANDING ORDER REGARDING  
TELEPHONE OR VIDEO TELECONFERENCE HEARINGS

In response to the COVID-19 pandemic, federal judges, including the judges of the San Antonio Division of the United States District Court for the Western District of Texas, have increased their utilization of telephones and video teleconferencing for court hearings. This Standing Order establishes some general rules and policies for such hearings.

**No photographing, recording, or rebroadcasting is allowed.** Persons granted remote access to Court proceedings are reminded of the general prohibition against photographing, recording, or rebroadcasting federal court proceedings—including when proceedings are held by telephone or video teleconference. Written transcripts for telephone or video-teleconference hearings are available as for proceedings held in-person at the courthouse. Recording or rebroadcasting a federal court proceeding held by telephone or video teleconference is strictly prohibited. Violation of this prohibition may result in the denial of entry to future hearings or any other sanction deemed appropriate by the Court.

**Attendance via remote access is generally open to the public.** Although non-sealed hearings are open to the public, technological issues with maintaining the video and audio quality of hearings require that the general public obtain prior Court approval before being admitted to view or hear a telephone or video teleconference. Those granted approval to participate remotely by the Court must not forward the electronic link to non-participating colleagues or persons, and they must not post the link or dial-in information on any public forum. For purposes of this order crime victims are considered participants and dial-in information may be forwarded to them unless otherwise determined pursuant to 18 U.S.C. § 3771(a)(3).

**Remote access information is available from the Courtroom Deputy.** Any member of the public may access non-sealed telephone or video-teleconference proceedings and may do so by emailing a request to the hosting Judge's courtroom deputy. Instructions for how to participate will be forwarded by return email.

**Video hearings are official federal court proceedings.** Participants are reminded that telephone or video-teleconference hearings are official court proceedings, and all participants should conduct themselves accordingly.

- Participants must follow appropriate courtroom etiquette, although standing when addressing the Court is not typically necessary on a video teleconference.
- All participants must wear attire that is appropriate to a Court proceeding.
- Anyone wishing to participate must access the telephone or video teleconference at least 15 minutes before the scheduled start time.
- Participants must appear by video or telephone from an appropriate non-public location where the participant can focus without distraction. Participating on a telephone or video teleconference from a public, noisy, or echoing location is not appropriate, including from inside a vehicle or public restaurant.
- Cell phones and similar noise-making devices must be placed on mute or silent mode. Any computer or other device used to call-in to the telephone or video teleconference should not make sounds or otherwise disrupt the proceedings.
- Participants must avoid using devices such as laptops, tablets, or smartphones operating only via battery power; any device used to connect to a telephone or video teleconference should be plugged in during the conference.
- Open microphones or speakers, such as webcam microphones or microphones built into laptops, should not be used unless the audio quality has been previously tested and confirmed. Use of a high-quality headset (headphones with microphone) will often provide the best sound quality.
- Participants should avoid poor camera positioning and ensure that they are visible and appropriately displayed throughout a videoconference. Participants should ensure they have a high-quality internet connection for the hearing. Appropriate lighting should be utilized, and participants should avoid backlit light sources. The background behind participants should be appropriate to a court setting; participants should avoid cluttered backgrounds or those containing overly personal or inappropriate information.

**Exhibits are counsel's responsibility.** Counsel are responsible for the sharing of exhibits during a hearing. For hearings conducted using the Zoom video conference platform, Zoom support has a comprehensive guide on screen sharing that is posted on the Zoom website. Participants in a Zoom video conference with the Court (attorney, witness, case party, etc.) must prepare properly to ensure familiarity with the application's functionality. For security and enforcement of Court standards, the Court

may disable certain features such as chat, screen share, whiteboard, or any other feature that is unnecessary to a hearing.

This Order shall be effective immediately and remain in effect until modified or withdrawn.

**SO ORDERED** this 15<sup>th</sup> day of July, 2020.



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**ORLANDO L. GARCIA**  
Chief United States District Judge