

**Temporary Supplemental COVID Procedures for**  
**Ninth Circuit Domestic Relations Division 30**  
**Judge Joshua A. Mize**

Pursuant to current Ninth Circuit Standing Administrative Orders, domestic proceedings continue to be deemed “non-essential” and are being conducted remotely, with very few extraordinary exceptions. All proceedings in Divisions 30, unless specifically determined to be essential by the Judge, will be conducted via video conference until further notice. No parties/attorneys/court reporters will be allowed to attend in person at the Orange County Courthouse.

**All procedures set forth in the Division 30 Procedures remain the same unless altered by these Temporary Supplemental Procedures.**

**EX PARTE AND SHORT MATTERS**

A proposed Order should be sent to the Court by email to 30orange@ocnjcc.org at least three business days prior to the hearing. All other ex parte and short matters procedures remain the same.

**HEARINGS**

Unless otherwise specified by the Court, the Court will use Zoom to conduct Court proceedings. The Zoom information for all hearings is as follows:

<https://zoom.us/my/orange30>

Meeting ID: 4078360000

To Appear via Telephone dial +1 646-876-9923 or +1 301-715-8592.

All Notices of Hearing must include the following language:

All Parties MUST appear via Zoom Video Conference. When it is time for your hearing cut and paste this address into your internet browser: [www.zoom.us/my/orange30](https://www.zoom.us/my/orange30) or from the Zoom app use Meeting ID# 4078360000. You will then wait in a waiting room until your Hearing is called and the Judge joins the Conference. To appear via telephone dial +1 646-876-9923 or +1 301-715-8592 and use Meeting ID# 4078360000.

**Preparing Evidence for the Videoconference**

1. **No later than 3 business days before the hearing**, counsel and/or pro se parties shall exchange any and all exhibits and have a substantive, good faith telephone conference to address stipulations and objections to the admissibility of any exhibits. This is the same requirements as set forth in Administrative Order Establishing Ninth Judicial Circuit Court Domestic Court Guidelines, Admin. Order No. 2014-19, which may be found at [www.ninthcircuit.org](http://www.ninthcircuit.org).

2. After the substantive, good faith telephone conference and **no later than 2 business days before the hearing**, the parties are to email those exhibits to the Judicial Assistant at 30orange@ocnjcc.org. Each exhibit shall be provided as a separate file, and marked clearly (i.e. Petitioner's Exhibit A, Respondent's Exhibit A, etc...). Voluminous exhibits should be emailed in the form of a link to a file hosting service such as DropBox, Google Drive, or OneDrive.

3. If there are objections to the admissibility of any exhibits, the party raising the objection shall identify the exhibit and identify the ground(s) of any objection. Such objections shall be emailed to the Judicial Assistant at 30orange@ocnjcc.org, with the opposing side copied on any such correspondence.

### **Preparing Witnesses for the Videoconference**

1. Pursuant to current COVID-19 CDC guidelines and orders from all levels of government, all participants must abide by social distancing requirements and limit in-person contact. As such, witnesses do not need to be present with the attorneys or self-represented parties during the videoconference hearing and it is preferred that such witnesses participate in the videoconference hearing remotely from their own home or office.

2. In the event the rule of sequestration is invoked, the witnesses will be sent to the virtual waiting room until they are called to testify.

3. The witness must be provided copies of all pre-marked exhibits prior to the hearing.

4. The witness shall be instructed not to look or refer to any other document or device during his or her testimony.

5. Counsel and/or self-represented party is responsible for providing these instructions to any witnesses and ensuring their compliance.

6. Witness are discouraged from being the same physical space as the attorney or self-represented party. However, in the event a witness or party testifying is in the same physical same as the attorney or pro se party questioning the witness, the witness must be at least 6 feet away from any other person in the room and the camera shall be directed at the witness. The attorney or self-represented party may not assist the witness with answers in any way, including but not limited to gestures, notes, or facial expressions, other otherwise impact or influence the witness' testimony "off camera."

### **Procedures During the Videoconference Hearing**

1. At the beginning of the videoconference hearing, the judge will call the case and instruct all participants when to announce themselves for purposes of the record.

2. All participants shall place their microphones on mute unless they are speaking or wish to make an objection.

3. All efforts shall be undertaken not to interrupt other speakers during the videoconference hearing, unless it is necessary to assert an objection.

4. If an interpreter is necessary, all participants shall be speak slowly, in short complete sentences or questions, and allow time for translation. No one shall respond to a question posed by another participant until the question has been translated.

5. Participants MAY NOT record the video conference absent leave of the Court.

6. All participants are required to ensure that no children are able hear or see the videoconference hearings.

7. All participants are required to identify anyone that may be observing the proceedings with them. This is essential for the rule of sequestration to be effective and ensure the credibility of testimony.

## **Questions**

We recognize that these are new procedures and challenging times for everyone. We are here to help and do our best to make sure your case is timely heard. Please do not hesitate to contact the judicial assistant if our office can assist you with any questions about these temporary procedures or preparations for the videoconference. With practice and patience, we will all get more proficient with these new technologies and platforms. Thank you for your commitment to your clients, our legal community and profession.