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8 **MONTANA FIRST JUDICIAL DISTRICT COURT**
9 **LEWIS AND CLARK COUNTY**

10 In the Matter of Remote Appearances by
11 Audio or Video Communication in
12 Departments Three and Four.

Cause No.: DV-2023-11

13 **STANDING ORDER**
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16 Pursuant to this Court's statutory authority over the conduct of
17 proceedings before it under Mont. Code Ann. §§ 3-1-111 and 3-1-402, and this
18 Court's inherent authority to control matters of trial administration in the interests
19 of fairness and justice, *Schuff v. A.T. Klemens & Son*, 2000 MT 357, ¶ 35, 303
20 Mont. 274, 16 P.3d 1002, the Court enters the following order regarding remote
21 appearances in all DC and DN cases in Departments Three and Four:

22 1. Attorneys who reside or have their principal place of
23 business within 30 miles of the Lewis and Clark County Courthouse may not
24 appear for court hearings by Zoom or other remote audio or video means unless
25 they file a motion as soon as reasonably practicable in advance of the hearing and

1 obtain leave of Court. Motions shall comply with the Uniform District Court
2 Rules and the local rules of this Court, including the requirements that the motion
3 be accompanied with a proposed order and that opposing counsel be contacted
4 for their position. Motions will only be granted for good cause shown.

5 2. Leave for attorneys to appear remotely for contested merits
6 hearings and trials is disfavored and will only be granted upon a compelling
7 showing of need.

8 3. In criminal cases, criminal defendants may not appear by
9 Zoom or other remote means for trials, and they may not appear by Zoom or
10 other remote means for change of plea hearings, pretrial conferences, or
11 sentencing hearings except upon a prior written motion and leave of Court for
12 good cause shown. Witnesses in criminal cases may only appear by Zoom or
13 other remote means upon either written stipulation of the parties, signed by the
14 Defendant, or a showing that remote appearance will not violate the statutory and
15 constitutional requirements regarding face-to-face confrontation.

16 **IT IS SO ORDERED.**

17 DATED this 8th day of September, 2023

18 /s/ Christopher D. Abbott
19 CHRISTOPHER D. ABBOTT
20 District Court Judge

21 /s/ Kathy C. Seeley
22 KATHY C. SEELEY
23 District Court Judge
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