Title 1. General and Administrative Rules

Chapter 1. General and Administrative Rules

1.90. Remote proceedings

(a)   Application

This rule applies to all civil matters other than family law matters.

(b)   Discretion to order remote proceedings

To the extent consistent with current law, the court may conduct proceedings, including trials, remotely.

>   (1)   Proceedings that may be conducted remotely
>
>   (A)   All juvenile dependency proceedings will be conducted consistent with subdivision (h) of Code of Civil Procedure section 367.75.
>
>   (B)   Subject to the exceptions below, all non-criminal trials and evidentiary hearings other than small claims and civil harassment hearings will be conducted remotely unless (i) the court orders otherwise, or (ii) a party makes a showing as to why the trial or hearing should not be conducted remotely by emailing said showing to the assigned department and to all parties and others entitled to notice no later than five court days before the hearing.
>
>   (C)   For purposes of this rule, evidentiary hearings to be conducted remotely include:
>   - Jury trials
>   - Court trials
>   - Evidence Code 402 and 403 hearings
>   - Preliminary injunction hearings where live testimony is offered
>   - In Probate cases:
>   o Any case designated on the calendar as Probate Non-Jury Trial
>   o Court trials on any contested petition
>   o Petitions to establish birth, death, or marriage
>   o Petitions for conservatorship
>   o Petitions for guardianship

(D)   Any party who intends to appear in person at any hearing must inform all parties and others entitled to notice and must email the assigned department no later than the pretrial conference, if any, or, if there is no pretrial conference, no later than five court days before the hearing.

(2)   Proceedings that may not be conducted remotely

(A)   Unless otherwise ordered by the Court, all non-evidentiary hearings will be conducted in person. For purposes of this rule, "non-evidentiary hearings" means settlement conferences; pretrial conferences; motions; civil appeals, including unlawful detainer appeals; and Probate matters not enumerated in subsection (b)(1)(C). Notwithstanding the foregoing, parties may appear remotely at non-evidentiary hearings as provided in Code of Civil Procedure section 367.75.

(B)   With the exception of Probate matters, requests or agreements to appear remotely may be made by emailing the assigned department no later than five court days before the hearing or orally at any hearing. In Probate matters,   requests or agreements to appear remotely must be made by filing a *Notice of Remote Appearance* (Judicial Council of California Form RA-010).

(C)   At any time during a case, a party may provide notice to the Court and to all other parties and others entitled to notice that the party intends to appear remotely for the duration of the case. That notice must be made no later than five court days before the next scheduled hearing in the case.

(3)   A remote appearance by a self-represented party will be construed to be an agreement to appear remotely under Code of Civil Procedure section 367.75(g).

(4)   Self-represented parties with questions about in-person or remote hearings may email the court at ExecutiveOffice@alameda.courts.ca.gov.

(c)   Technology and conduct in remote proceedings

Remote proceedings may be conducted through telephonic or videoconference applications. Parties and counsel must comply with directions provided by the court regarding specific remote technology and participant conduct.

(d)   Prohibition on recording or transmitting remote proceedings

Participants may not record or transmit any portion of remote proceedings without advance written permission of the judicial officer.

(e)   Violations

Any violation of this rule may result in sanctions, including but not limited to termination or continuance of the proceedings.

Rule 1.90 amended effective April 30, 2022; previously amended effective January 1, 2022; Rule 1.90 adopted effective February 8, 2021.