

Virtual Preferences and Procedures
The Honorable Judge William D. Sites
Polk County Family Division/Section No. 02

Virtual Hearing Link: [Click here to enter Polk Family Division 02 Virtual Courtroom](#)

I. GENERAL PREFERENCES AND PROCEDURES

- A. Please see Judge Sites General Preferences and Procedures for complete information. This document is intended to cover only the Preferences and Procedures that apply specifically to virtual hearings.

II. APPROVAL FOR VIRTUAL APPEARANCES

- A. All contested evidentiary matters shall be heard in person. Requests for virtual appearance at a contested evidentiary hearing must be made by written motion identifying the basis for the request and which participant needs to appear virtually.
- B. The hearing room is set up to conduct hybrid hearings, if necessary, so approval for one participant to appear virtually at a contested evidentiary hearing does not change the in-person nature of the hearing for other participants.
- C. There are many platforms providing the capability to conduct virtual court proceedings, however, the Court is prepared and equipped to conduct such hearings effectively using the Microsoft Teams platform.
- D. Virtual appearances are approved for any uncontested or non-evidentiary matters set for 15 minutes or less. Prior approval is not necessary for virtual appearance at these hearings. For example, Motions to Compel, Pretrial Hearings, Case Management Conferences, Final Hearings with MSA or Mediated Agreement may all be set for virtual hearing.
- E. It is the responsibility of any participant who will be participating virtually to ensure that they are able to connect to the virtual hearing room link with audio and video capabilities.

III. NOTICING VIRTUAL HEARINGS

- A. A party calling a case up for hearing should provide the Court and all other parties a Notice of Hearing or Order Setting Hearing which includes the following information:

A link to the “Polk Family Division 02 Virtual Courtroom” can be found at the following website: <http://www.jud10.flcourts.org/virtual-courtroom-links/polk-family>. The link is also accessible from Court Administration’s web site through this procedure: Navigate through the browser to <http://www.jud10.flcourts.org/> On the right side of the page, click “Click here for Polk County Virtual Courtroom Link”, then click “Polk Family”, then click “Click here to enter Polk Family Division 02 Virtual Courtroom”.

- B. The following ADA Notice must be included in all notices of hearing or orders setting hearing:

If you are a person with a disability who needs any accommodation in Order to participate in this proceeding, you are entitled, at no cost to you, To the provision of certain assistance. Please contact the Office of the Court Administrator, (863) 534-4686, at least 7 days before your Scheduled court appearance or immediately upon receiving this notification if the time before the schedule appearance is less than 7 days; if you are hearing or voice impaired, call TDD (863) 534-7777 or Florida Relay Service 711.

- C. Any party who is using a court reporter in a virtual hearing is responsible for providing the court reporter the hyperlink and teleconference information.

IV. SUBMISSION OF CASELAW AND OTHER PREHEARING MATERIALS FOR VIRTUAL HEARINGS

- A. No later than **72 hours** in advance of any hearing (excluding holidays and weekends), all parties must submit to the court courtesy copies of caselaw or any other materials the party intends to rely upon or refer to during the virtual hearing.
- B. Prehearing materials should be submitted in electronic format and attached to an email forwarded to wwatson@jud10.flcourts.org, and copied to all other parties.
- C. Each submitted item should be submitted as a separate attachment with a file name including the case number and a brief description clearly delineating the nature of the item. Example: “00DR0000 Husb Prop Fin Judg.”
- D. Please contact the court before using a method other than email to transmit prehearing materials.

V. APPEARANCES AT VIRTUAL HEARINGS

- A. Appearance through videoconference of counsel, parties, and other court participants is favored. Those appearing by video should keep their cameras activated throughout the hearing unless otherwise directed.
- B. Non-testifying court participants may, if necessary, appear by telephone.
- C. The Court may utilize a virtual “lobby” when calling a docket. Please be patient while waiting in the lobby.
- D. Persons appearing by videoconference in virtual proceedings should accurately enter their first and last name digitally if prompted to do so before being admitted to a virtual courtroom.

VI. WITNESSES AND TESTIMONY AT VIRTUAL HEARINGS

- A. Persons authorized to administer the Oath of Witness, including judges, must have audio-visual communication with the witness.
- B. Credibility of witnesses cannot be effectively assessed without audio-visual communication.
- C. Witnesses appearing in virtual court proceedings must appear by videoconference technology.
- D. Any party calling a witness who is appearing virtually is responsible for providing the witness the hyperlink for accessing the virtual courtroom.

VII. EVIDENCE FOR VIRTUAL HEARINGS

- A. If any exhibits are to be introduced during the virtual hearing, they must be provided to the Court (copying opposing counsel) at least **72 hours** in advance of the hearing (excluding holidays and weekends), and pre-marked as per Administrative Order 5-20.8. If your exhibits are under 25 pages, you may provide them via email. If your exhibits are over 25 pages or contain audio-video evidence, please provide them via hard copy (US mail, express mail, or hand delivery to the mailroom).

Example:

Case No. _____
Party _____ Exhibit No. _____
Admitted _____ Excluded _____
Date _____

- B. The Court is prepared and equipped to allow for publishing documentary, photographic, and audio-video evidence during virtual court proceedings through screen-sharing technology, if necessary.

VIII. CLIENT CONSULTATION AT VIRTUAL HEARINGS

- A. Client consultation is permitted during virtual court proceedings.
- B. Client consultation must occur through a separate connection such as telephone, email, or text. Attorneys and their clients may mute their microphones and cancel their camera when engaging in attorney client consultation. With permission, attorneys and their clients may temporarily disconnect from the virtual hearing space if necessary, to engage in consultation.

IX. VIRTUAL COURTROOM ETIQUETTE

- A. Dress appropriately for court.
- B. Eliminate distractions as much as possible. Appearances should be made from an interior location free from excessive background noise.
- C. To minimize distractions, log in or call a few minutes before the scheduled hearing begins. Identify yourself when in the virtual meeting with your real name, and if you are appearing by phone, please disclose your identity immediately upon inquiry.
- D. Mute your microphone before entering the virtual courtroom. Keep your mic muted when not speaking and do not speak out of turn.
- E. When appearing by video, do not deactivate your camera unless authorized by the Court.
- F. Court-provided remote technology includes a “chat” feature. The chat feature should not be utilized without express authorization from the Court.

- G. If asked to unmute your microphone, activate your camera, or otherwise identify yourself, do so. Participants who refuse to comply with instructions may be removed from the virtual hearing space and not allowed to rejoin.
- H. Do not engage in other business or activity while participating in or observing a virtual court proceeding, such as reading the newspaper, smoking, chewing tobacco, or eating. Non-alcoholic drinks will be permitted.
- I. Anyone who engages in unruly or disrespectful conduct may be removed from the virtual hearing space and not allowed to rejoin.
- J. In general, show the same courtesy and respect you would in an in person setting.