
DIGEST

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HB 663 Original

2024 Regular Session

Green

Abstract: Permits court proceedings to be conducted via remote technology.

Proposed law provides that, in civil cases, when a party has provided notice to the court and all other parties that it intends to appear remotely, a party may appear remotely and the court may conduct conferences, hearings, and proceedings, in whole or in part, through the use of remote technology.

Proposed law provides that the court may require a party or witness to appear in person at a conference, hearing, or proceeding if any of the conditions are present:

- (1) The court with jurisdiction over the case does not have the technology necessary to conduct the conference, hearing, or proceeding remotely.
- (2) The court has the requisite technology, but the quality of the technology or audibility at a conference, hearing, or proceeding prevents the effective management or resolution of the conference, hearing, or proceeding.
- (3) The court determines on that an in-person appearance would materially assist in the determination of the conference, hearing, or proceeding or in the effective management or resolution of the particular case.
- (4) The quality of the technology or audibility at a conference, hearing, or proceeding inhibits the court reporter's ability to accurately prepare a transcript of the conference, hearing, or proceeding.
- (5) The quality of the technology or audibility at a conference, hearing, or proceeding prevents an attorney from being able to provide effective representation to the attorney's client.
- (6) The quality of the technology or audibility at a conference, hearing, or proceeding inhibits an interpreter's ability to provide language access to a court user or authorized individual.

Proposed law provides that upon its own motion or the motion of any party, the court may conduct a trial or evidentiary hearing, in whole or in part, through the use of remote technology, absent a showing by the opposing party as to why a remote appearance or testimony should not be allowed.

Proposed law provides that if the court conducts a trial, in whole or in part, through the use of remote technology, the court reporter shall be physically present in the courtroom.

Proposed law provides that if the court conducts a trial, in whole or in part, through the use of remote technology, upon request of a party or the court, the interpreter shall be physically present in the courtroom.

Proposed law provides that before the court with jurisdiction over the case may proceed with a remote conference, hearing, proceeding, or trial, the court shall have a process for a party, witness, court reporter, interpreter, or other court personnel to alert the court of technology or audibility issues that arise during the conference, hearing, proceeding, or trial.

Proposed law provides that the court shall require that a remote appearance by a party or witness have the necessary privacy and security appropriate for the conference, hearing, proceeding, or trial.

Proposed law provides that the court shall inform all parties, particularly parties without legal representation, about the potential technological or audibility issues that could arise when using remote technology, which may require a delay of or halt the conference, hearing, proceeding, or trial. Provides further that the court shall make information available to self-represented parties regarding the options for appearing in person and through the use of remote technology.

Proposed law provides that the court shall not require a party to appear through the use of remote technology. If the court permits an appearance through remote technology, the court must ensure that technology in the courtroom enables all parties, whether appearing remotely or in person, to fully participate in the conference, hearing, or proceeding.

Present law provides that a hearing on any motion or exception may be conducted by any audio-visual means at the discretion of the court. Provides further that if witness testimony is necessary, a party may request that the hearing be conducted in person.

Present law provides that a judge trial may be conducted by any audio-visual means with the consent of all parties and permission of the court.

Proposed law repeals present law.

(Adds C.C.P. Art. 195.2; Repeals C.C.P. Art. 195.1)