

INSIGHTS + NEWS

Client Alert: Your Best Foot Forward – How to Prepare for Virtual Court Hearings and DCF Visits

BY LYNETTE PACZKOWSKI • MAY 7, 2020

COVID-19 has forced most, if not all, of us to adjust our daily lives and routines. The legal system has not been spared from the difficult task of quickly finding alternative and new ways of doing things, including conducting hearings telephonically or virtually. For families with Department of Children and Families (*DCF*) involvement, it may also mean virtual home visits.

What can be done to prepare for these hearings and visits?

1. Determine where you are going to participate. To the extent possible, find a quiet, private area of your home with a neutral background.
2. Test your technology and equipment in advance.
3. If you anticipate needing to discuss or present documents, make sure that everyone has copies of those documents or that you can otherwise share your screen for people to view them.
4. If it is a DCF visit, expect that the goal will still be to obtain information about your family's daily functioning, progress towards Action Plan goals, and ongoing needs. You should also expect DCF to ask to see and speak to each member of your household. DCF may also ask you to conduct a virtual tour of your home.
5. If it is a Court hearing and you are represented by counsel, discuss with your attorney how the two of you can communicate privately during the hearing if needed.

When participating in these remote hearings and conferences:

1. Dress the part and as though you are attending court in-person.
2. If telephonic, identify yourself each time you speak.
3. Mute yourself when you are not speaking. Remember that if you are not muted, anything you say will be heard by all participants. In the case of Court hearings that are being recorded, those comments will become a permanent part of the record.
4. If there are multiple participants in a video conference, use the "gallery view" or its equivalent to see all participants. Technology is not perfect, and sometimes the display in "speaker view" is not always of the person primarily speaking.
5. Do not record the hearing or conference without the express permission of all participants. If you receive a notification that you are being recorded by a participant other than the Court you have the right to object.

6. When on a video conference, close out of non-relevant tabs and windows before sharing your screen.