

**NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES
JUDGE ERITHE A. SMITH**

Notwithstanding the opening of the Courthouse to in-person proceedings, in light of the overwhelming support by the Bar for continued virtual appearances, Judge Smith will continue conducting hearings remotely using ZoomGov audio and video. However, beginning September 1, 2021, Judge Smith will allow the option for in-person hearings and/or hybrid proceedings for trial and evidentiary hearings *only* depending on the status of the pandemic. All other matters will be conducted remotely using ZoomGov audio and video until further notice. Please see the calendaring instructions which may be located in the Self-Calendaring section of this page for more details and effective dates.

Hearing participants may view and listen to hearings before Judge Smith using ZoomGov free of charge. Video and audio connection information for each hearing will be provided on Judge Smith's publicly posted hearing calendar, which may be viewed online at: <http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/?jid=ES> and selecting "Judge Smith" from the tab on the left side of the page. For more details on appearing via ZoomGov, please see the "Notice of Video and Telephonic Appearance Procedures" in the Telephonic Instructions section of this page.

BY MANDATE OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS, MEMBERS OF THE PUBLIC AND THE MEDIA MAY ONLY CONNECT TO THE ZOOMGOV AUDIO FEED, AND ONLY BY TELEPHONE. ACCESS TO THE VIDEO FEED BY THESE INDIVIDUALS IS PROHIBITED. IN THE CASE OF A TRIAL OR EVIDENTIARY HEARING, NO AUDIO ACCESS WILL BE PROVIDED.

A ZoomGov account is not necessary for remote access, and no pre-registration is required. Remote access through ZoomGov is free of charge. The audio portion of each hearing will be recorded electronically by the Court and constitute its official record.

ALL PERSONS (OTHER THAN AUTHORIZED COURT STAFF) ARE STRICTLY PROHIBITED FROM MAKING ANY AUDIO OR VIDEO RECORDING OF COURT PROCEEDINGS, BY ANY MEANS. VIOLATION OF THIS PROHIBITION MAY RESULT IN THE IMPOSITION OF MONETARY AND NON-MONETARY SANCTIONS.

Remote access is a privilege. Judge Smith reserves the right to suspend or discontinue any party's remote access privileges in her discretion. Further, although Judge Smith is pleased to make this accommodation available, any party or counsel that elects to appear remotely bears the risk of malfunction or disconnection from the hearing.

Tips for a Successful ZoomGov Court Experience

1. Test the video and audio capabilities of your computer or mobile device in advance of the hearing (i.e., at least one day in advance).

- a. You can do this by clicking on the ZoomGov meeting link posting for the hearing and/or check your video and audio using the ZoomGov app.
2. If you intend to speak at the hearing, please find a quiet place from which to participate.
3. If you are connecting to the hearing using a wireless device, you should situate yourself in a location with a strong wireless signal.
4. Dial in or connect **at least 10 minutes** prior to your hearing start time so that you have time to check in and make adjustments to your screen name, etc. before the hearing begins. This becomes very difficult if everyone waits until the last minute to dial in.
5. Unless and until it is your turn to speak, please mute your audio to minimize background noise.
 - a. If connected to ZoomGov audio by telephone, you can mute or unmute your connection by pressing *6 on your phone.
5. When you first speak—and each time you speak after someone else has spoken—please say your name. This may seem awkward but is essential to making a good court record. The only part of the hearing being recorded is the audio. If a transcript is requested, it is sometimes difficult for the transcriber to know who is speaking.
6. If you are participating by video, try to avoid having a window or bright background behind you. (You may, as a result, appear on video as a shadow.) If you cannot avoid the bright background, try using a desk lamp or other light source to brighten your face.
7. If you are participating by video using a personal computer, you may separately connect to the audio feed by telephone (for improved audio) using the call-in information provided for the hearing.
 - a. If you do this, please connect to the video feed first. In the ZoomGov app, you will be assigned a Participant Code. Use this code to associate your video and audio feeds.
8. If available, a headset-microphone often provides better sound quality for listening and speaking.
9. Participants and members of the public should at all times remember that although conducted remotely, these hearings are official court proceedings, and individuals should act accordingly.
 - a. If video is enabled, please wear attire consistent with the decorum of court proceedings.
 - b. ZoomGov permits the use of virtual backgrounds to safeguard your privacy. If you choose to use a virtual background, please avoid backgrounds that are offensive or distracting.

10. ZoomGov video participants are permitted to specify a display name. If using video, please specify your calendar number, first initial and last name, and client name (ex. 5, R. Smith, ABC Corp.) to assist the Court in creating a record of the proceedings.
11. Please refer to the Zoom Video Hearing Guide, accessible from the Court's main page, for further information.

Updated: December 19, 2023