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FILED

IN THE JUSTICE COURT OF EUREKA TOWNSHIP

COUNTY OF EUREKA, STATE OF NEVADA

JUL 31 2020

EUREKA JUSTICE COURT
DEPT. Eureka & Berne
BY [Signature]

IN THE ADMINISTRATIVE MATTER OF: ADMINISTRATIVE ORDER 20-06

**HEARINGS HELD VIA
VIDEOCONFERENCE IN RESPONSE
TO COVID-19**

WHEREAS Nevada continues to cope with the effects of the Coronavirus Disease (COVID-19); and

WHEREAS the presiding judge of the Eureka County Justice Court has various responsibilities including supervising the administrative business of the Court, ensuring the quality and continuity of court services, and otherwise facilitating the business of the Court; and

WHEREAS the Court, in order to maintain social distancing and still accommodate the Court calendar, has with some regularity conducted hearings through use of videoconference; therefore

IT IS HEREBY ORDERED that the following procedures shall be used for hearings held via videoconference.

IT IS FURTHER ORDERED that any changes to these procedures shall be addressed on the record for consideration by all parties and the Court.

ACTIONS TO BE TAKEN PRIOR TO HEARING:

- I. NOTICE OF HEARING: The Court shall provide to the parties all information necessary to appear at a hearing via videoconference in the following manner:

- 1 a. The Court will issue an order allowing or directing appearances via
2 videoconference. The order shall contain the necessary information for
3 parties to appear.
4
- 5 b. Court staff will email the meeting code/invitation and password to all parties.
6 If a party does not have the ability to join by video, court staff may provide
7 information necessary for the party to participate via phone.
8
- 9 c. To ensure access of court proceedings to the public, the Court shall post
10 hearing information on the courtroom door the day of the scheduled hearing.
11 Should the demand for public viewing exceed the number of participants
12 allowed by the videoconferencing service, the Court may choose to live-
13 stream the proceedings.

14 II. CONSENT TO VIRTUAL HEARING: Parties objecting to a virtual hearing shall
15 advise the Court no later than five (5) days prior to a scheduled hearing, so that the
16 Court and parties may consider the objection.
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18 III. PARTY IDENTIFICATION: A party may be required to provide to the Court
19 personal identifying information such as: name, citation or case number, address,
20 phone and email as well as a copy of the party's driver's license or ID card.
21

22 IV. ATTENDANCE OF WITNESSES: Witnesses who are subpoenaed to appear at a
23 hearing are expected to report in person to the designated court. Videoconferencing
24 equipment will be set up in the courtroom for witness participation during the
25 hearing. All witnesses are expected to advise the bailiff or court personnel of their
26 presence upon arrival, and are encouraged to practice social distancing while in
27 attendance.
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1 V. EXHIBITS: All documentary evidence which may be offered during a hearing must
2 be marked and submitted to the Court the day prior to the scheduled hearing. The
3 party submitting the proposed exhibits shall provide duplicates of the marked exhibits
4 to opposing counsel. The Clerk of the Court will provide duplicates of the proposed
5 exhibits to the bailiff prior to the hearing. The bailiff, when requested to do so by the
6 Court or the parties, shall hand the identified exhibit(s) to a witness.
7

8 CONDUCTING THE HEARING:

9 I. EXCLUSION OF WITNESSES: Witnesses will be expected to follow the rule of
10 exclusion during the hearing. The bailiff shall ensure that witnesses follow the
11 rule until they have been excused by both parties.
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13 II. PRESENCE OF THE DEFENDANT:

14 a. Out of custody: Defendants who are not in custody may choose to participate
15 through use of videoconferencing technology set up at the Eureka or
16 Beowawe courtroom or may participate elsewhere on their own device.
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18 Defendants shall advise the Court at least twenty-four (24) hours prior to the
19 hearing whether they will be using the court's videoconferencing technology
20 or their own.
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22 b. In custody: In custody defendants shall participate via videoconference from
23 the Eureka County Jail. Defense counsel shall advise the Court if they wish to
24 participate via videoconference from the Jail so that an appropriate room is
25 available for both counsel and the defendant. Arrangements can be made to
26 have the defendant and defense counsel participate via videoconference from
27 the Eureka courtroom as well.
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1 III. ATTORNEY-CLIENT COMMUNICATIONS: For hearings where defense
2 counsel is not physically present with a defendant, the Court will set up a
3 videoconferencing “breakout room” to allow for private attorney-client
4 communications during the hearing.
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6 IV. PRESENCE OF THE VICTIM: Upon request, victims have a constitutional and
7 statutory right to be present at hearings. For those cases involving a victim, the
8 victim’s right to be present will be addressed on the record.
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10 V. ORDER AND DECORUM: The hearing is live and being recorded. All
11 courtroom standards, including decorum, demeanor and dress code shall apply
12 during the hearings. Disruptive participants may have their video disabled, be
13 muted by the Court, or ultimately removed from a proceeding.

14 This Order takes effect immediately and shall continue until it is modified or rescinded
15 by a subsequent order.

16 Dated this 31st day of July, 2020.
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19 DOROTHY ROWLEY
20 Justice of the Peace
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