

Rule 1.4.02 Appearances in Criminal, Traffic and Minor Violations Departments

- (a) Remote appearances in Criminal Cases are governed by California Penal Code §977.
 - i. A defendant in a criminal case deciding not to exercise the right to be physically present shall use local court form SUPCR 321, Waiver of Defendant's Personal Presence, to execute a written waiver of that right to appear remotely. Form SUPCR 321 shall be filed in open court prior to the proceeding or no less than five (5) court days prior to the proceeding when filing with the court.
- (b) Remote appearances for arraignments in Traffic and Minor Violation cases are allowed without court approval. Approval is required to appear remotely at trial. Use local form SUPTMV 025, Request and Order for Remote Appearance at Trial to request approval.
- (c) When appearing remotely, parties shall do so from a location with stable and continuous access to the Internet, free of distractions, and with the ability to focus on the proceedings at all times. Parties must appear by video at all times unless otherwise permitted by the Court to appear by audio-only in advance of the proceeding. Audio-only appearances are an option only if a party has no access to a device with video capabilities.

(Eff. 1/1/21) (Rev. 6/21/21) (Rev. 1/25/22)
(Rev. 7/1/22) (Rev. 1/1/27)