

## Land Court Standing Order 1-20: Videoconferencing of Court Events

### I. Introduction.

This standing order is promulgated pursuant to the Trial Court Revised Policy for Videoconferencing, revised November 2019 (“Policy”). The Policy recognizes that the use of videoconferencing across the courts of the Commonwealth may provide resource and cost savings, and enhance access to justice, including, in certain cases, where witnesses and other participants are incarcerated, unable to appear personally in court, or located outside of the Commonwealth or at substantial distance from the courtroom.

The Policy provides that any department of the Trial Court may, by standing order, permit the use of videoconferencing in court event types designated by the departmental Chief Justice. This standing order identifies court events in the Land Court for which videoconferencing may, in appropriate cases, be permitted.

### II. Designation of Land Court Case Events; Procedure.

- A. The Land Court Department will permit the use of videoconferencing in any court events in any case type within the court’s jurisdiction where that use is determined by the judge presiding over the case, in his or her discretion, to be lawful and appropriate. Use of videoconferencing must take place in accordance with all applicable laws, rules, and guidelines, including, by way of example, the applicable rules and law of procedure and evidence. The judge will consider all appropriate factors, including but not limited to the factors set out in the Policy, when determining whether use of videoconferencing would be appropriate and proper in a particular court event. This standing order does not create any right to the use of videoconferencing in any particular case or case event where the presiding judge determines, in his or her discretion, that it would not be appropriate to do so.
- B. Requests to use videoconferencing in a particular court event may be proposed to the court by one or more of the parties, or videoconferencing use may be raised by the presiding judge. Parties requesting the use of videoconferencing are strongly encouraged to do so well in advance of the event, to afford adequate opportunity for necessary arrangements to be made.
- C. This standing order in no way affects or limits the availability or use of conventional telephone audio conferencing which the Land Court employs regularly.
- D. In all cases where videoconferencing has been authorized by the presiding judge, the event will proceed on the record, with the audio content recorded by electronic means.
- E. The Land Court Department may promulgate standard forms and procedures for use in requesting, considering, and in appropriate cases authorizing, the use of videoconferencing in court events.
- F. “Judge,” as used in this standing order, includes (a) the Chief Justice and the Associate Justices of the Land Court Department, and (b) the Land Court’s Recorder and Deputy Recorder when they are hearing and deciding cases for tax foreclosure and for redemption from tax titles pursuant to chapter sixty.

*Adopted February 24, 2020; effective April 1, 2020.*