

Guide for Remote Dependency Hearings

Supplement to the Remote Proceedings Toolkit

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Authors:

Teri Deal, Ph.D.

Angela Sager, MPA

Grace Spulack, J.D.

Marie Contreras, J.D.

Miguel Trujillo

Designer:

Breanne Harris

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Introduction

ABOUT THE GUIDE FOR REMOTE DEPENDENCY HEARINGS

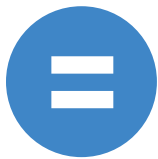
In 2022, the National Center for State Courts released the [Remote Proceeding Toolkit¹](#), which outlined policy guidelines, technology considerations, and other important information for courts implementing all types of remote proceedings. This guide expands on the principles of the Remote Proceeding Toolkit and provides unique considerations for courts when establishing policies, procedures, and best practices for remote dependency hearings. The Guide for Remote Dependency Hearings covers court policies, technology, hearing logistics and family engagement strategies, and safety and privacy considerations. It also includes an [assessment tool](#) for court teams to compare their practices to best practices and identify opportunities for improvement and two checklists, one for [judicial officers](#) and one for [attorneys](#).

NEED FOR CLEAR PROTOCOLS FOR REMOTE DEPENDENCY HEARINGS

Courts overseeing dependency cases have a unique responsibility to ensure cases are heard in a timely manner and handled with fairness. Remote dependency hearings, when appropriate, offer several benefits: improved access to justice, reduced family stress, and fewer barriers to attendance. They also promote greater flexibility for families, their support people, and court professionals. However, to fully realize these advantages, courts must establish clear, transparent policies and protocols. The practices described in the Guide for Remote Dependency Hearings help parties and professionals understand how to best prepare for remote hearings, what to expect during remote hearings, and how to support meaningful family engagement.

GUIDING PRINCIPLES

The Remote Proceeding Toolkit points to [six Guiding Principles](#) for remote hearing policies: equal access, due process, transparency, fairness, standardization, and safety. These Guiding Principles also apply to remote dependency hearings.



Equal Access: Courts should make attending remote child welfare hearings as easy as walking into a courtroom. Courts must ensure that families have access to necessary technology and accommodations to participate in hearings and have ways to connect with their attorney during the hearing, just as they would in an in-person proceeding.



Due Process: All parties should receive fair and equal treatment. No one should be at a disadvantage due to lack of technology tools or skills, and the hearing must adhere to legal standards including the Adoption and Safe Family Act (ASFA) timelines.



Transparency: Clear and publicly available remote hearing policies protect the rights and interests of children and parents. Transparency requires providing plain language instructions on accessing the online platform, the hearing schedule, and expectations for participation.



Fairness: Remote hearings should ensure all families receive equal, impartial, and unbiased treatment. Courts must ensure that all participants have adequate options to participate in the hearing, whether they appear remotely or in person.



Standardization: Standardized policies for remote dependency hearings ensures all families will encounter similar processes across the jurisdiction. This begins with clearly defining which types of dependency cases can be heard remotely and which must be in-person. Comprehensive training and documented guidelines for court staff help maintain uniformity and fairness.



Safety: Prioritizing safety in remote hearings begins with clearly articulating the court's guidelines for safeguarding personal information, such as using unique meeting links and not allowing videorecording. It extends to creating a welcoming virtual environment where families can fully participate.

SECTION 1

Court Policies, Rules, and Operating Procedures

DESIGNING REMOTE DEPENDENCY POLICIES, RULES, AND OPERATING PROCEDURES

Well-designed court policies, rules, and operating procedures guide judicial officers and court professionals in leading more standardized, effective, and meaningful hearings. Documenting expectations for remote dependency hearings in court policy promotes standardization, transparency, and fairness. Many courts have general remote hearing policies relevant to all case types; however, dependency hearings require additional considerations due to their sensitive nature. This section focuses on internal court policies, rules, and operating procedures specific to dependency hearings.

MAINTAINING HEARING INTEGRITY IN REMOTE SETTINGS

Dependency hearings, whether conducted remotely or in person, must adhere to established timelines and procedural standards to maintain their integrity and fairness. High-quality dependency hearings involve the judicial officer and court participants meaningfully discussing critical case topics like child safety and well-being, progress on case plans, family time, contact with siblings and other family members, and reasonable efforts. Remote dependency hearing policies should emphasize practices that uphold the same level of thoroughness, seriousness and engagement as in-person hearings. They should also convey that remote hearings follow the same procedural rules as in-person hearings, including sworn testimony, handling of evidence, and creating an official record of the event. Although remote, these hearings remain a serious legal proceeding and demand the same level of formality.

Here is a [checklist for judges](#) to support high quality remote hearings.

COMPONENTS OF POLICIES FOR REMOTE DEPENDENCY HEARINGS

1. Types of Hearings that Can Occur Remotely
2. Accessibility Requirements
3. Submitting and Sharing Evidence and Documents
4. Expectations for Camera Use and Hearing Participation
5. Contingency Plans and Protocols for Disruptions
6. Data Collection and Feedback Loops

Types of Hearings that Can Occur Remotely

Ideally, parents and children should have the choice to attend their hearing in person or remotely. As stated in the [Remote Proceeding Toolkit](#), in-person attendance should always be an option. It is the attorney's responsibility to advocate for their client's right to attend hearings in the manner that works best for their client; however, the options may be limited by the court's policies, which determine the types of hearings that can be held remotely and who makes the decision about how a proceeding will be conducted. There may be state law, including case law, that impacts how and whether certain case types or hearing types can be heard remotely. Given the complex, sensitive nature of dependency hearings, court policies should define which hearings may be held remotely and which hearings must be held in person. In a recent NCSC study², most attorneys and case workers shared that their preference for in-person versus remote dependency hearings depended on the type of hearing.

Hearings that may better be suited for in person include:

- Adjudication hearings (particularly if contested);
- Hearings involving complex evidentiary presentations or multiple exhibits;
- Hearings anticipated to be lengthy proceedings;
- Hearings that may impact critical constitutional rights, such as removal of the child or termination of parental rights.



In 2021, [the Florida Bar's Juvenile Court Rules Committee provided recommendations](#) on the types of dependency and delinquency proceedings³ that are a better fit for remote platforms in their courts.

The Supreme Court of Colorado Office of the Chief Justice also adopted and issued a virtual proceedings policy⁴ in August of 2023, laying out the type of hearings to be held in person and those that can allow for the flexible remote appearance of participants.

Minnesota also created their own Judicial Branch's policies and procedures⁵ with specific instructions on the types of dependency hearings that can be held remotely or in person.

Accessibility Requirements

Families participating in remote dependency hearings should be able to access the same accommodations as they would for in-person hearings. The Americans with Disabilities Act requires that courts provide reasonable accommodations to individuals with disabilities, including in remote hearings. Because children with disabilities are at least three times more likely to be abused or neglected than their peers without disabilities, many of the children participating in dependency hearings may need accommodations to be able to engage meaningfully[1]. Accommodations for families may look different in the virtual platform.

Similarly, court policies should describe the process to request an interpreter for a remote hearing, including how interpretation works in a remote hearing, who is responsible for managing remote interpretation, and how to access the interpretation channel on the platform during the hearing.

Court policies should detail:

- How accommodation requests will be handled in remote hearings;
- The process for requesting accommodations for these hearings;
- When in-person hearings may be required to address access needs.

Submitting and Sharing Evidence and Documents

Court policies should outline all acceptable ways exhibits, evidence, and documents can be shared with parties and the court prior to and during a hearing, with special consideration in dependency cases for privacy and security of information. Dependency hearings commonly involve sharing multiple types of documents with the court, including child welfare agency reports, mental health and substance use assessments, service provider reports, and medical or school records. These reports provide information critical to child safety and compliance with family service plans.

Policies should address:

- How proposed evidence will be shared with all parties prior to hearing;
- How evidence will be shared during a hearing if it is not possible to share beforehand.

The [Remote Proceeding Toolkit](#) provides more general information on evidence sharing in remote hearings. See the Joint Technology Committee's [Managing Evidence for Virtual Hearings](#)⁶ for more information on best practices in handling evidence before, during, and after remote hearings.

Expectations for Camera Use and Hearing Participation

Clear expectations for conduct and communication in remote hearings help parties prepare for effective virtual participation. Standardized expectations promote consistency across courtrooms and support fairness for all families. Courts may vary in their expectations for which parties appear by camera; however, in dependency hearings, judicial officers should be on camera so that participants are able to see their faces. This fosters a more welcoming and transparent environment.

Court policy should clarify how expectations for camera use and hearing participation are shared with children and families, whether through their attorney or attached to the hearing notice.

The court policy should outline:

- Expectations for camera and microphone use;
 - Whether joining via telephone or audio only is allowed;
 - Whether it is permissible for someone to attend remotely from a public space;
 - Whether the court, parties, witnesses or other participants have the discretion to turn off their cameras during the hearing.

Contingency Plans and Protocols for Disruptions

Policies should clarify how courts will handle potential disruptions during remote hearings, including technical issues and participant disturbances, to ensure all participants are able to meaningfully participate and due process rights are respected. Strategies for handling disruptions vary from court to court and may depend on the type of disruption. Some courts have a designated court technology point person available to troubleshoot technical issues. Other courts inform participants at the beginning of the hearing that if a technology issue arises, the court will take a short recess until it is resolved and share instructions on how to rejoin the hearing.

When the disruption is caused by a participant, the court should aim for a calm resolution that does not disrupt the flow of the hearing, such as reminders about courtroom expectations and speaking out of turn. If disruptive behavior continues after a warning, placing someone in a breakout room temporarily, using the mute feature, or removing them from the hearing may be the last resorts to control the courtroom.

Protocols for responding to hearing disruptions should:

- Identify an individual who participants can contact if they experience a technology issue that prevents them from participating in the hearing;
- Outline alternative public access points if internet access is limited, such as libraries or court kiosks;
- Define the circumstances that would require a hearing to be rescheduled - including hearings already in progress;
- Specify how participants will be notified of continued or rescheduled hearings;
- Describe a continuum of responses to disruptions caused by participants, including de-escalation techniques;
- Require the court to notify participants of what could happen if they are disruptive to ensure participants understand the court's expectations.

The Thirteenth Judicial Circuit Court of Florida provides these [written procedures](#)³³ for hybrid hearings in dependency court with specific guidance for participants including information on non-compliance with the court's requirements.

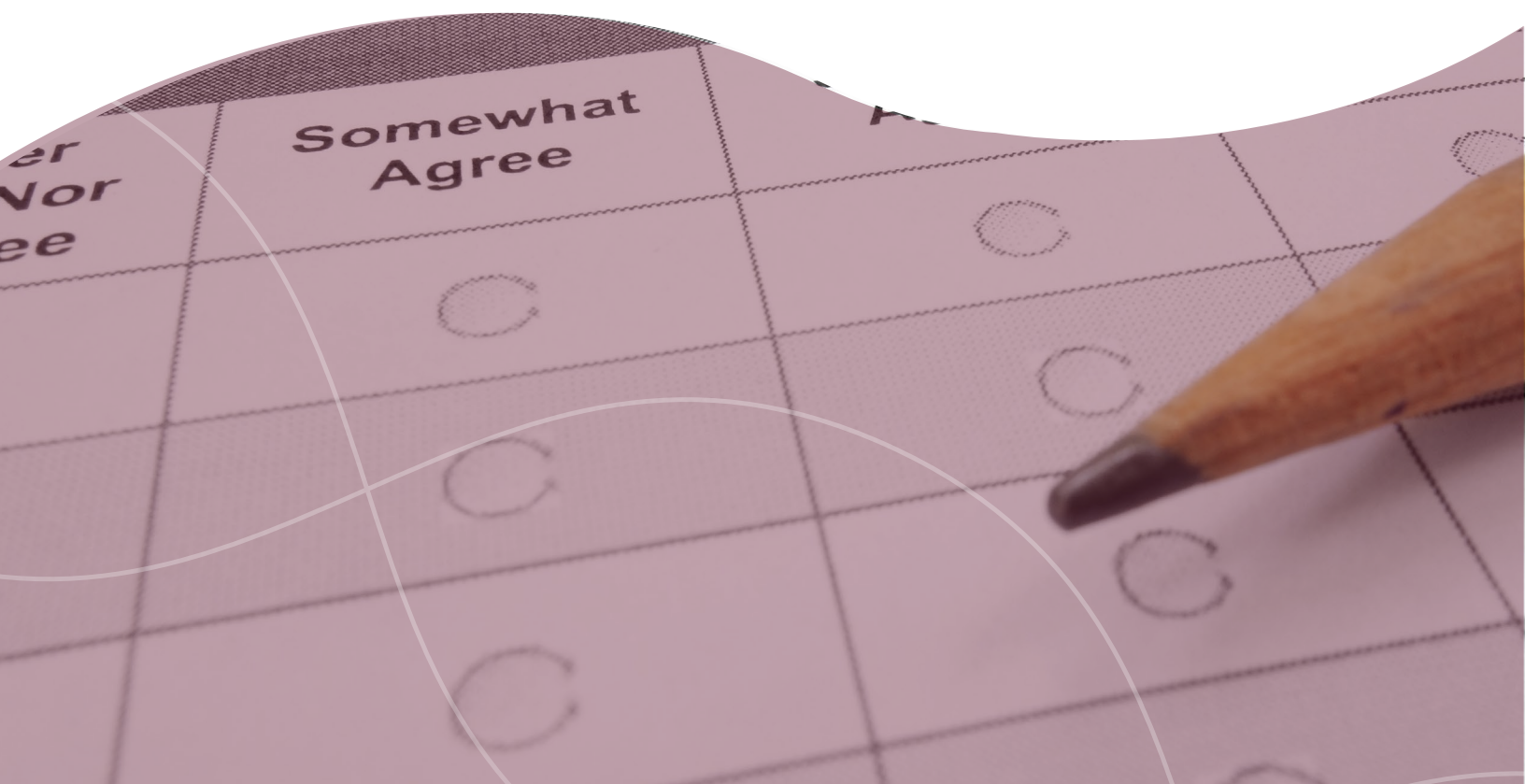


Data Collection and Feedback Loops

Practices related to remote hearings should be living documents; they require continued assessment as new technology and best practices are updated. A court's policy on remote dependency hearings should detail data collection requirements that allow the court to assess the effectiveness of their remote dependency hearings and revise policies to improve practices. This is especially important for dependency hearings given the number of individuals present in these hearings, the relatively high number of hearings per case, and [findings that increased appearance and engagement of parents contribute to faster permanency for children](#)⁷.

Valuable data points to collect and analyze include method of hearing (i.e., in-person, virtual, hybrid), individuals in attendance, type of hearing, length of hearing, and any technological issues.

Courts can collect feedback from hearing participants through surveys, and there are examples in the [Remote Proceeding Toolkit](#). It is important to engage families in improving processes in dependency courts, and remote hearings offer an opportunity to learn what works well for families and what doesn't, like any barriers they experience. In addition to the surveys recommended for all court users, court policies may also include guidance on collecting feedback from families through public forums, focus groups, and discussions with parent representation or parent partners. [Learn more about the insights of parent partners on virtual hearing here](#)⁸.



SECTION 2

Technology

The technology used for remote hearings must support meaningful participation for multiple attendees, due process, and fairness. This means the online communication platform must be easy to use, and courts must provide clear instructions on how to use them to reduce barriers to participation, promote a more supportive environment for children and families, and enable participants to focus on the substance of the proceedings, while minimizing the stress of managing complex technology⁹. This section provides recommendations on online communication platforms used for remote dependency hearings.

GENERAL GUIDANCE FOR SELECTING ONLINE COMMUNICATION PLATFORMS FOR REMOTE HEARINGS

User Friendly Technology

Platform Tools

Platform Security

Secure Communication Features

Evidence and Document Sharing Capabilities

Hardware and Courtroom Set-Up

User-Friendly Technology

User-friendly online communication platforms enable equitable access to remote dependency hearings for all participants, including families, attorneys, and court professionals. Minimum requirements and functionalities of user-friendly platforms include:

- Easily downloadable requiring minimal technical knowledge;
- Compatibility with various devices, including mobile devices with different operating systems such as smart phones and tablets;
- No-cost to access for court users;
- Straightforward, intuitive navigation that uses plain language designed for users with varying levels of technological literacy.

Because dependency hearings often involve several professionals, family members, and supports, the online communication platform should allow users to see multiple participants at once, regardless of the device they use to access the platform. NCSC's study of remote dependency hearings found that parents were more likely to join remote hearings using a smartphone than attorneys, who often join using a stationary computer. For this reason, courts should test their platform on smartphones so they see what hearing participants see¹⁰. The [Remote Proceeding Toolkit](#) has additional information on selecting a remote proceeding platform.

Platform Tools

Since dependency hearings often involve children, families, service providers, and others who may not be familiar with video conferencing or routine court procedures, it is important that participants can easily locate and use features like the mute and camera buttons, hand-raising and chat features, and changing their displayed name. Courts should make sure the platform offers basic accessibility and language access features such as captioning, the ability to interact with screen readers, and interpretation channels.

Platform Security

Due to the confidential nature of dependency hearings, courts must ensure that any platform conforms to basic security measures so that confidential information is not exposed by security breaches related to the platform and platform operations. This includes ensuring basic cybersecurity practices and reviewing how the platform collects and shares data. Court operating procedures to prevent unauthorized individuals from accessing dependency hearings are discussed in Chapter 4 .

See NCSC's [cybersecurity resources](#)¹¹ and [whitepaper on contracting for digital services](#)¹² for more information.



Secure Communication Features

Online communication platforms should also have functionality that allows participants to communicate privately with their attorney and for children to speak privately with the judicial officer, if appropriate. Tools such as breakout rooms or chat capabilities can be used for confidential communication, as long as they are secure. These features can also be helpful for post-hearing discussions between parties and their attorneys or for caseworkers/service providers to plan next steps. Use caution when relying on chat features exclusively for attorney-client communication during hearings. Due to potential security concerns and the inability for clients to access chat history after the hearing, it's recommended to have alternative communication methods available, such as email or text messaging.

Evidence and Document Sharing-Capabilities

Online communication platforms used for dependency hearings must have the capability to securely share documents and evidence during hearings. This may be done through screen-sharing or uploading documents. See Chapter 3 for more information on evidence and remote dependency hearings. General information about evidence and remote proceedings can be found in the [Remote Proceeding Toolkit](#) and the Joint Technology Committee's [Managing Evidence in Virtual Hearings](#).

Hardware and Courtroom Set-Up

Courts that offer remote dependency hearings should invest in technological infrastructure that provides a stable, high-speed internet connection and reliable video and audio quality. This includes courtroom cameras, microphones, and document cameras. In hybrid hearings, when some participants are remote and some are in person, cameras and microphones should be positioned to clearly capture the in-person participant(s) and allow remote participants to see and hear everyone.

Court staff should test courtroom technology and connectivity before hearings to ensure optimal audio, video and connection quality.

TECHNOLOGY INSTRUCTIONS

Clear instructions for operating the online communication platform help all hearing participants effectively use it during remote hearings. Some platforms provide easy to understand [guidance](#)¹³ for their unique platform features. Courts should provide this level of guidance to help parties familiarize themselves with platform features. Technology instructions should incorporate visual aids to illustrate the user-interface (i.e., what the participants will see) and should be available in multiple languages to ensure accessibility.

Florida's 10th Judicial Circuit provides instructional videos for using Microsoft Teams on a desktop and mobile device¹⁴.

The Remote and Virtual Hearings Technology Considerations document contains examples of courts using technology to address the needs of participants in remote hearings¹⁵.

Hawaii provides general guidance to court users on how to join remote hearings based on the participant's available technology¹⁶.

COURT TECHNOLOGY POINT PERSON

In a [survey](#) of judges in one state, more than half reported that they were wholly or partly responsible for managing technology during remote hearings¹⁷. This means that judicial officers must divide their attention between attending to the parties and troubleshooting technology. For this reason, courts should designate a staff person to serve as the technology point person during remote dependency hearings. This allows judicial officers to focus on the substantive legal aspects of a remote dependency hearing and offers hearing participants a single point of contact for any technology challenges they experience. Some courts have the resources to create an entirely new position for this purpose, while others may assign existing court staff to be the technology point person for professionals and families before and during remote proceedings. Hearing notices and instructions should include the name and contact information for the technology point person or technology hotline. This information should be shared again during remote proceedings so that children and families know who and how to ask for assistance.



Technology Access for Children and Families

Courts holding remote dependency hearings must take steps to ensure all participants have means to access the necessary technology. This may include:

- Offering space in a courthouse where participants can connect to the hearing if they do not have a device, internet access, or a safe, private space to connect to the hearing;
- Identifying community spaces that offer devices for checkout or free Wi-Fi (e.g., libraries, community centers, schools) and providing that information with hearing notices;
- Partnering with local legal service, social service, or community organizations to set up kiosks where participants can connect to a court hearing using a device in a community space. Some examples of this are [Legal Kiosks¹⁸](#) in Minnesota and the [Laptop Access Station¹⁹](#) in Hawaii.

The [Remote Proceeding Toolkit](#) includes other examples of how jurisdictions have worked to reduce equipment barriers.

See NCSC's [Digital Divide Considerations³⁴](#) for strategies to improve technology access for participation in remote hearings.

SECTION 3

Hearing Logistics and Family Engagement Strategies

This section builds on guidance in [Module 5 of the Remote Proceeding Toolkit](#) and highlights key considerations before, during, and after remote dependency hearings and it includes suggestions for remote family engagement strategies.

BEFORE HEARINGS

Scheduling Remote Dependency Hearings

Dependency hearings often take longer than other types of hearings due to the complexity of cases, the number of participants, and the sensitivity of the issues involved. Remote dependency hearings often require even more time with potential technology challenges and the need to allocate extra time for client/attorney communication²⁰. It is important to schedule dependency hearings for enough time to allow for thorough discussions about child safety, permanency and wellbeing²¹.

Time certain scheduling is the best practice for effectively managing child abuse and neglect cases²². Each hearing receives a unique start time with time certain scheduling. Fixed hearing times eliminate stressful waits and can improve attendance for parents and children, and for remote hearings, they can help parents and children fit hearings into their work/ school day and reduce access barriers like running out of battery or minutes.

Given the sensitive nature of dependency cases, each hearing should be assigned a unique meeting link provided only to those involved in the case. While a general link may offer convenience for court staff or professionals attending multiple hearings in a single day, it also poses a security risk by potentially allowing unauthorized individuals access to the virtual courtroom, which could lead to confidentiality breaches and disruptions. When scheduling remote dependency hearings, schedule each hearing for its own time slot, for an appropriate amount of time, and with its own unique meeting link.



Hearing Notices

Clear and comprehensive hearing notices ensure participants are well-informed and prepared for hearings. The checklist below describes key components of remote dependency hearing notices. Although much of this information is good practice for any remote hearing, clear hearing notices can help alleviate discomfort and anxiety due to not knowing what to expect in hearings that are already emotionally charged. For more information about hearing notices in remote proceedings generally, see the [Remote Proceeding Toolkit](#).

Key Components of Notices for Remote Dependency Hearings:

1. Hearing date and time

2. Instructions for Accessing the Hearing

- Clarify whether participants must attend remotely, must appear in person, or if they have a choice in how to attend;
- Unique hearing link or QR code;
- Instructions for participating by telephone if a person does not have a device they can use to connect using video;
- Clear instructions on how to join the hearing with visual aids like screenshots and written instructions;
- Encourage participants to plan to join the hearing from a quiet and confidential location.

3. Platform Instructions

- Specify whether participants need to download an app before the hearing;
- Clarify that participants can access the hearing on a variety of devices (smart phones, tablets or personal computers);
- Identify publicly accessible computers or Wi-Fi available to hearing participants (e.g., in courthouses, community kiosks, public libraries);
- Instructions including visuals about how to find the mute button, turn the camera on and off, and use virtual backgrounds.
- Callout Box: Technical Support:
- How to access technical support before and during hearings;
- Opportunities to practice using the technology before the hearing.

4. Check-in Process and Virtual Waiting Room:

- Encourage participants to log into the hearing early;
- Describe and include screenshots of what the participant will see when they join the hearing including waiting room, if applicable.

5. Expected conduct during the hearing

- Encourage the use of video when possible:
 - » Alert participants that their backgrounds are visible to everyone and encourage them to consider safety concerns that arise from others seeing their location. Let them know virtual backgrounds are allowed;
 - » Indicate whether individuals who are not parties to the case can attend to provide support.

6. Interpreter and Language Assistance

- Remind participants to tell the court in advance if they need interpreter services or other accommodations and provide clear instructions on how to make that request.

Allegan County, Michigan's Family Division has a [sample notice](#)²³ that provides general guidance for downloading remote platform applications to smaller devices. The Allegheny County (PA) Family Division adopted a [new addendum](#)²⁴ for their hearing notices, which includes information on whether the hearing will occur in person or remotely, along with general expectations for participants.

DURING THE HEARINGS

Engaging Virtually with Families

Research shows a connection between family members' participation in the child welfare process and improved outcomes²⁵. Allowing parents and children to have a voice in proceedings increases their perceptions of procedural fairness and the likelihood of their participation in the case plan. Judicial officers and court professionals should employ family engagement practices in remote hearings just as they would in in-person hearings. These strategies include allowing parents and children to be heard, addressing parents and children directly, and clarifying next steps in the process.

While remote hearings reduce logistical barriers to attending hearings, such as travel costs, childcare needs, and missing work, they present unique challenges for engaging individuals who appear remotely. This section describes how to implement family engagement strategies during remote hearings.

See, Hear, and Be Heard

Before starting the hearing, the judge should verify that all participants can see, hear, and be heard by asking each individual to state their name and confirm they can see and hear clearly. This is also a good time to remind participants how to alert the court if they experience issues with technology.

Speak directly
to parents and
children.

Greet parties, clarify the
hearing's purpose, and
outline the process.

Provide
opportunities
to be heard.

Introduction to the Hearing

Judicial officers should foster a welcoming court environment from the start of the hearing by greeting parties, clarifying the purpose of the hearing, and outlining the hearing process. It can also be helpful to acknowledge that remote hearings are a unique environment and confirm that the proceeding has the same level of seriousness as an in-person hearing. Explain to parties that court expectations are not only meant to reflect the seriousness of the proceedings, but are also meant to protect everyone's rights, safety, and emotional well-being.

When individuals participate in hearings remotely, they do not have the benefit of some visual cues that aid in understanding the complex dependency court process, like whose turn it is to speak. Clearly describing what will happen during the hearing and the decisions the court may make helps participants understand their role. Judicial officers should describe the process in plain language, avoiding legal jargon as much as possible.

The start of the hearing is another opportunity to provide instructions on how participants can request to speak, communicate privately with their attorney, or handle technological difficulties. Even though they may have received this information with their hearing notice, it is helpful to remind participants of these steps at the beginning of the hearing when stress and emotions are elevated.

Start of Hearing Checklist

- ☒ Ensure only approved participants are in the virtual hearing.
- ☒ Ensure everyone can see, hear and be heard.
- ☒ Provide clear instructions for technical difficulties and emergencies, safety, and privacy including information about quiet, private space, confidentiality requirements, and virtual backgrounds.
- ☒ Give information about hearing purpose and judicial process
- ☒ Remind participants that remote hearings have the same degree of seriousness as in-person hearings.
- ☒ Provide instructions on how to access closed captioning features and interpreter channels.
- ☒ Describe how parties can communicate confidentially with their attorneys.

Speak Directly to Parents and Children

During the court hearing, the judge should speak directly to parents and children using their name rather than generic terms like “mother” and “father.” This approach helps parents and children feel included in the hearing process. Their name should also be visible on their video thumbnail, but if it is not when they join, the court technology point person can change it for them or explain to them how to change it. Clear identification helps judges know the correct names to use and helps others in the hearing identify participants.

Provide Opportunities to be Heard

A key aspect of engaging families in dependency hearings is allowing them to be heard. Inviting parents and children to speak during the hearing, asking if they need anything, and if they have questions, increases their perceptions of procedural justice. Attorneys may feel uncomfortable when clients speak directly to the court in a remote hearing because they are not able to provide the same immediate feedback as they can in in-person hearings. For that reason, before giving a parent an opportunity to speak, the judge may warn them to be careful because what they say may affect their case. In addition, the judge can let attorneys know that they can object and how to do so in a remote setting. This balances family engagement with legal protections in remote hearings.

Engaging parents and children in dependency hearings is part of a trauma-responsive approach. For more strategies for implementing trauma-responsive remote hearings, see [Facilitating Trauma-Responsive Virtual Hearings for Dependency Cases](#).



Engaging Children in Remote Hearings

NCSC's study of child welfare hearings found that in more than 400 remote hearings observed, children were present only 4% of the time. Best practices call for children to be present in hearings, though many courts struggle with this practice. Remote hearings can make it easier for children and youth to participate because they may not have to miss long periods of school, travel to a courthouse, engage in person with family members or others who may be sources of stress or trauma, and can participate from a location where they feel safe and comfortable.

Judges and court personnel can encourage the child's attorney to make the court aware of any arrangements that can help a child feel more secure about attending the remote hearing. Courts can also share developmentally appropriate resources that can help children know what to expect before their hearing. Courts should also ensure that children receive accommodations for any disabilities to ensure that they are able to participate in and access the court hearing. In the remote context, this may include taking frequent breaks, providing extra time for children to process, allowing children to have comfort items with them, and allowing children to be off camera.

For more information about engaging children in remote hearings, see NCSC's [Facilitating Meaningful Child Engagement in Remote Dependency Hearings](#)²⁶.





Attorney/Client Communication

High-quality legal representation in dependency cases leads to improved outcomes for children and families^{27,28,29}. Attorneys frequently consult with their clients during hearings to address emerging issues, better understand their clients' wishes, and answer questions. In-person dependency hearings have natural opportunities for these conversations to happen before or after the proceeding; however, opportunities are more limited in remote settings.

[NCSC's study of virtual child welfare hearings](#)³⁰ found that most parents use their phone to attend remote dependency hearings. If they are using their phone to access the hearing, they cannot easily be on a call with their attorney. Therefore, courts should provide several different methods to enable confidential communication between attorneys and their clients during hearings, including breakout rooms, text communications, or recesses to allow private communication. Courts should discourage the use of the platform's chat function for any private or privileged communication, as it may not be secure.

The [Remote Proceeding Toolkit](#) offers general guidance on effective assistance of counsel in remote contexts.


Protocols for Attorney/Client Communication

Here is a [checklist to support attorneys](#) in helping their clients prepare for a remote hearing.

The Thirteenth Judicial Circuit Court of Florida provides these [written procedures](#)³⁵ for hybrid hearings in dependency court with specific guidance for attorneys.

Handling Evidence and Remote Testimony

- Swear in witnesses to reinforce the seriousness of the proceeding and the importance of providing truthful information. This can be done virtually by asking a person to raise their right hand, even if they are not physically present in front of the judge
- Require parties to exchange documents or other physical information (e.g., photographs) before remote hearings. Use screenshare features to display information to all parties. If some participants are participating by phone only consider other options to share evidence in real time. If individuals attend the hearing and are not parties of the case, consider whether they should have access to the information before screensharing.
- Use electronic submission of evidence system to ensure timely and consistent access. If your court does not use an e-filing process, ensure documents are emailed or physically provided to parties in a pre-determined number of days prior to the hearing.
- If a child wishes to speak directly to the judicial officer and the attorneys agree, judicial offers can use a breakout room or have the child call them directly to maintain privacy.



The state of New York created [guidance³⁶](#) for presenting evidence in remote and hybrid hearings. The document focuses on criminal proceedings, but much of the information is applicable to other case types.

AT THE CONCLUSION OF THE HEARING

Dependency hearings can be emotionally taxing for families. Whether the hearing is in person or remote, best practice calls for judges to verbally articulate their findings and orders on the record. Families often require further explanation of the orders from their attorneys, caseworkers, or other support people. Debriefing opportunities and timely distribution of orders after the hearing helps families understand the process and promotes timely case progression.

Ensure Families Understand the Results of the Hearing and Next Steps

Before the hearing concludes, judicial officers should repeat next steps, including the next hearing date, in plain language. They can confirm the families understand by directly asking them, using their name, and providing an opportunity to ask questions. The judicial officer may need to pause longer than normal to confirm understanding and give them a chance to respond in the remote environment. They can also ask the child and caregiver if they need anything that wasn't ordered and let them know when to expect the written court order. If families have additional questions or require follow up, ask the attorneys or caseworker to reach out to their clients directly following the hearing. Add the next hearing date, time, and location (i.e., remote or in-person) in the chat box for easy reference.

Debriefing Opportunities

After a remote dependency hearing, children and parents may not have the opportunity to immediately debrief with their attorney or caseworker as they would after in-person hearings. If the court uses a unique link for each hearing, attorneys, case workers, and clients can debrief in a breakout room. To do this, the court technology point person must serve as the host or co-host on the platform, and the judge should exit the virtual courtroom without ending the meeting. Another option is to set the expectation that attorneys and case workers will promptly contact parents and children regarding the hearing's outcome and court orders.



Timely Distribution of Orders

Just as in an in-person hearing, it is best practice for judges to verbalize their findings and orders at the end of the hearing and to disseminate written orders to all parties. Timely orders are crucial in dependency hearings due to the mandatory case timelines and the need for families to understand what is expected of them³¹. Delayed delivery of orders can impede access to services, family time, and reunification. Courts can promptly transmit the judge's orders by mailing or emailing them directly to parties after a remote hearing.

BEST PRACTICES TO PREPARE FOR THE NEXT HEARING

After a hearing, provide clear information to all parties on orders, when the next hearing will occur, and whether it will be virtual or in person.

Leveraging technology to support family bonds

In some situations where travel or location is a barrier, offering a brief online opportunity for families to connect post-hearing can support continuity of relationships and allow them time to debrief together and plan next steps.



SECTION 4

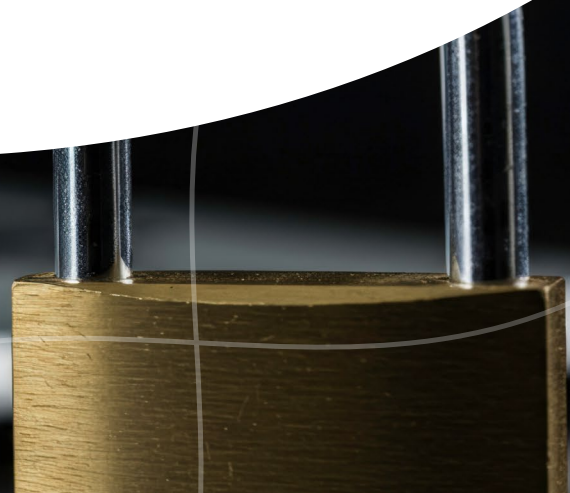
Safety and Privacy

Physical safety refers to protection from harm or danger, whether caused by another person or environmental factors. Emotional safety, particularly in a courtroom setting, means that individuals feel supported and able to express themselves without fear or intimidation. While remote hearings can enhance safety in dependency cases by allowing participants to engage from secure locations, they also present unique challenges. Courts must take extra precautions to protect children and families in the virtual environment and address potential risks to privacy and confidentiality. The following measures are intended to support safe, effective, and secure remote dependency hearings while upholding the integrity of the court process.

SAFETY MEASURES IN THE VIRTUAL WORLD

Because remote hearings can be easily recorded, shared with a broad audience, and subjected to cybersecurity risks, courts need to be particularly mindful of the following:

- **Prohibiting the Recording of Remote Hearings:** Courts should prohibit parties from recording remote hearings and remind parties of this prohibition at the beginning of each hearing. This practice also informs others who may be attending the hearing who are not a direct party, like support persons and other witnesses, that recording is prohibited. Courts can share the repercussions and consequences resulting from recording violations with attendees to emphasize the seriousness of the issue.
- **Regularly Evaluating Platforms:** It is important for courts to routinely evaluate the online communication platforms used to conduct dependency hearings. Courts should ensure they are using the most current operating version of their platform and that its features continue to meet their needs, as well as those of court users.
- **Protecting Participant Confidentiality:** Courts should remind attorneys of their professional duty to protect their client's privacy and remind all parties of applicable rules and statutes protecting confidentiality in these cases.



CONFIDENTIALITY AND REMOTE DEPENDENCY HEARINGS

Since dependency hearings are closed to the public in most jurisdictions, courts must implement privacy and confidentiality measures that are not typically required in other types of cases. These protections help courts protect information about children and families and minimize public exposure of family trauma and difficult circumstances. Courts must establish safeguards that maintain the same privacy and security standards in remote hearings as in-person proceedings. Techniques courts can implement to ensure privacy include:

1. Use unique links for each hearing. Ensure links are only shared with parties and authorized participants. Avoid posting links to remote dependency hearings on court websites.
2. If phone participation is permissible, ensure that participants identify themselves at the start of the hearing.
3. Use virtual waiting rooms and require hearing participants to be admitted into the hearing by the judge or court technology point person.
4. Disable recording features for all participants except the court of record. Announce to participants at the beginning of the hearing that they are not permitted to record the proceeding on their device or any other device. Also remind participants of any applicable confidentiality laws.
5. If participants appear to be in a public setting, encourage them to move to a more private space to protect confidentiality. While finding privacy can be challenging, courts can suggest options like a parked car, break room at work, school counselor's office, or a loaner tech space at a library, community agency, or courthouse. Using headphones can also help. In some cases, the hearing may need to be rescheduled to allow time to secure a more appropriate location.
6. Let participants know what to do if they have concerns about safety or privacy during the hearing (e.g., alert the court by using the raise hand feature or the chat feature).
7. Establish a policy and plan to address safety and privacy concerns that arise in a remote proceeding.





OPEN REMOTE DEPENDENCY HEARINGS

In some jurisdictions, dependency hearings are open to the public. Because of the sensitive nature of these cases and the potentially broad access of remote proceedings, courts should take special steps to enhance safety and privacy. For example, courts can require the public to contact the court to receive the proceeding link or post the link on a subpage of the court's website to limit public exposure. Courts with open dependency hearings should inform children and families about the public's access to their hearing.

ASSESSING COURT PARTICIPANT SAFETY

The judicial officer or designated court personnel should ensure children and families are appearing from a safe environment, where they feel at ease sharing confidential and sensitive information by asking questions like:

- Are you attending from a private location?
- Can you safely discuss and share confidential information?
- Are you at any immediate risk of being coerced or threatened?
- Are there any other individuals present in the room you are participating in?
Who are they?
- Are you able to keep your video on during the hearing? If not, why not?

SAFEGUARDING PARTICIPANTS

- A documented contingency plan can help promote safety of court participants in remote hearings. The contingency plans will vary depending on a court's capacity and the structure of the remote hearing, but may include the following:
- Calling 911 in the event of immediate danger;
- Encouraging attorneys to discuss emergency communication strategies with their clients before the hearing;
- Excluding or removing a participant due to safety concerns should be a last resort, only considered after a thorough evaluation of due process, necessity and justification.

To promote emotional safety, judicial officers should welcome families and caregivers at the start of the hearing and check in with them to ensure they understand what to expect during the proceeding and decisions being made. They can also encourage them to invite peer support people to join the hearing virtually or in the same location as the parent or child. Additionally, courts can remind attorneys of their pivotal role of advocating for and preparing parties for their hearing.

Judicial officers should provide remote courtroom accommodations for children, such as encouraging the use of comfort items like a blanket or stuffed animal, allowing them to color or draw during the hearing and having comfort animals on screen to help reduce stress. These measures calm children and create an environment where they can communicate more effectively. The Office for Victims of Crime has [materials](#)³² available that court practitioners can use when working with child victims and witnesses.

[Download this checklist](#)

Judicial Engagement Remote Hearing Checklist

Complete technology check before the start of the hearing. Confirm the correct meeting ID, the camera is on and judge is visible, and the audio works.

Greet the participants by name and thank them for attending.

Indicate that it is acceptable for families to use comfort items during the hearing.

Confirm all participants can see, hear, and be heard.

Share information about what to do if someone is disconnected or can't see or hear. If there is a phone number to contact – add it to the chat.

Explain expectations about behavior (e.g., cameras on/ok to turn off, only speak when called on, mute when not speaking).

Describe how participants can let the court know if they want to be heard.

Explain how to confidentially communicate with attorneys.

Confirm participants understand next steps at the end of the hearing.

Offer virtual time for parents and children to debrief with attorneys, meet with case workers or talk with family members.

NOTES:

Attorney Remote Hearing Preparation Checklist

Communicate with the client about hearing format and platform.

Provide the client with information about how to download the platform and be available to test the platform with the client if necessary.

Give the client information about alternative technology access points if they do not have wi-fi access or equipment.

Explain expectations for remote hearings and answer any questions.

Explain potential legal consequences of the hearing, topics that may be discussed at the hearings, and decisions the judge might make.

Practice testifying remotely if clients will be testifying at the hearing.

Set up avenues for confidential communications during the hearing.

Create a plan to de-brief after the hearing – virtual or in person.

NOTES:

[Download this assessment](#)

Court Assessment for Remote Dependency Hearings

The Court Assessment for Remote Dependency Hearings helps courts review their jurisdiction's technical capacities, policies, and operating procedures for conducting remote dependency hearings and assess their alignment with best practices. The assessment is divided into four sections, each aligned with the information outlined in the guide: (1) Court Policy, Rules, and Operating Procedures; (2) Technology; (3) Hearing Logistics and Family Engagement; and (4) Safety and Privacy.

COMPLETING THE ASSESSMENT

This tool takes approximately 30 minutes to complete as a group.

Teams comprised of judge(s)/judicial officer(s), court administrators, and attorneys who routinely practice in dependency courtrooms are encouraged to complete the assessment tool together to capture multiple experiences and perspectives. The assessment provides a point-in-time understanding of a court's remote dependency hearing practices and processes and is intended to drive discussions on opportunities for improvement. Courts should view the responses as a continuum -- any movement towards the right side of the scale is an improvement. For some courts, the Advanced Level may not be feasible due to resource constraints. Courts are encouraged to do their best along the continuum even if they are unable to reach the Advanced Level.

SECTION 1

Court Policy, Rules, and Operating Procedures

1. Does your court have a general remote hearing policy? For this assessment, policy may include formal policies, court rules, operating procedures, or a combination of these items.			
Yes	No		
Our court has a remote hearing policy. Go to <i>Question #2</i> .	Our court does not have a remote hearing policy. Go to Section 2 (Technology).		
2. You will need your court's remote hearing policy to respond to these items. Does your court's remote hearing policy:			
a. Specify which types of dependency hearings must occur in person and which hearing types can occur remotely?			
	No	Somewhat	Yes
	The policy does not specify which dependency hearings must occur in person or which types can occur remotely.	The policy does not identify specific dependency hearing types but does provide general guidance on court activities that can occur remotely (like hearings and testimony).	The policy specifies which types of dependency hearings must occur in person and which hearings may be held remotely.
b. Allow flexibility for parents to choose to participate remotely or in person (if the type of hearing can occur either way)?			
	No	Somewhat	Yes
	The policy does not allow parents any say in whether they will participate in hearings remotely or in person.	The policy allows parents to request to participate in hearings remotely under specific circumstances.	The policy allows parents to choose whether to participate in hearings remotely or in person.

SECTION 1

Court Policy, Rules, and Operating Procedures

c. Allow flexibility for children to choose to participate remotely or in person (if the type of hearing can occur either way)?			
	No	Somewhat	Yes
	The policy does not allow children any say in whether they will participate in hearings remotely or in person.	The policy allows children to request to participate in hearings remotely under specific circumstances.	The policy allows children to choose whether to participate in hearings remotely or in person.
d. Indicate that remote hearings should have the same thoroughness and seriousness as in-person hearings?			
	No	Somewhat	Yes
	The policy does not indicate that remote hearings should have the same thoroughness and seriousness as in-person hearings.	The policy references that remote hearings should have the same thoroughness and seriousness as in-person hearings.	The policy provides guidance on how courts can ensure remote hearings have the same thoroughness and seriousness as in-person hearings.
e. Describe how to access language accommodations remotely (e.g., interpretation/translation services)? ¹			
	No	Somewhat	Yes
	The policy does not include references to language accommodations.	The policy references that courts should provide language accommodations in remote hearings.	The policy details how courts can provide language accommodations in remote hearings.

¹ This is general guidance, but your state law may have additional requirements. Find Federal Limited English Proficiency Guidance at: <https://www.lep.gov/state-courts>.

SECTION 1

Court Policy, Rules, and Operating Procedures

f. Describe how to access accommodations for those with communication barriers or disabilities remotely (e.g., closed captioning, auxiliary aids, formatted for readability, etc.)? ²			
	No	Somewhat	Yes
	The policy does not include references to accommodations for communication.	The policy references that courts should provide accommodations for communication in remote hearings.	The policy details how courts can provide accommodations for communication in remote hearings.
g. Describe what information should be provided to parties prior to the hearing on what to expect at the remote hearing (e.g., rules of conduct, camera and microphone expectations, time to join, privacy/security protocols)?			
	No	Somewhat	Yes
	The policy does not address what information is provided to parties prior to the hearing on what to expect at the remote hearing.	The policy provides basic guidance on what information must be provided to parties prior to the hearing on what to expect at the remote hearing.	The policy provides detailed guidance on what information must be provided to parties prior to the hearing on what to expect at the remote hearing.
h. Describe what information should be provided to parties prior to the hearing on how to use the technology at the remote hearing (e.g., technical requirements, turning camera and microphone on/off, platform and testing tutorials)?			
	No	Somewhat	Yes
	The policy does not address what information is provided to parties prior to the hearing on how to use the technology at the remote hearing.	The policy provides basic guidance on what information must be provided to parties prior to the hearing on how to use the technology at the remote hearing.	The policy provides detailed guidance on what information must be provided to parties prior to the hearing on how to use the technology at the remote hearing.

² This is general guidance, but your state law may have additional requirements. Find ADA Communication Requirements at: <https://www.ada.gov/resources/effective-communication/>.

SECTION 1

Court Policy, Rules, and Operating Procedures

i. Describe how to enable confidential communication between a party and their attorney during remote and hybrid hearings?			
	No	Somewhat	Yes
	The policy does not reference that courts should enable confidential communication between a party and their attorney.	The policy includes a basic reference that courts should enable confidential communication between a party and their attorney but does not provide guidance on how to do so.	The policy details how courts can enable confidential communication between a party and their attorney.
j. Indicate how exhibits and evidence should be shared?			
	No	Somewhat	Yes
	The policy does not reference how exhibits and evidence should be shared during remote hearings.	The policy includes a basic reference that exhibits and evidence should be shared remotely but does not provide guidance on how to do so.	The policy details how courts can ensure exhibits and evidence are shared remotely.
k. Provide a standardized process to address difficulties with technology?			
	No	Somewhat	Yes
	The policy does not provide a standardized process to address technical difficulties.	The policy provides a standardized process to address technical difficulties, but court professionals are not familiar with it.	The policy provides a standardized process to address technological difficulties, and all court professionals (attorneys, caseworkers) are familiar with the process and know what to do if parties face challenges accessing the remote hearings.

SECTION 1

Court Policy, Rules, and Operating Procedures

l. Specify what data related to virtual hearings should be collected (e.g., appearance rates for parents and children, outcomes, type of hearing, continuance rates, etc.)?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	The policy does not reference that courts should collect data on remote hearings.	The policy includes a basic reference that courts should collect data on remote hearings but does not identify specific indicators.	The policy includes detailed information on how courts should collect data, specific indicators for remote hearings, and how these data should be compared with data from in person hearings.
m. Have a mechanism that allows families to express feedback on their remote hearing experiences?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	The policy does not reference that courts should solicit feedback from families about their remote hearing experiences.	The policy includes a basic reference that that courts should solicit feedback from families about their remote hearing experiences but does not provide guidance on how to do so.	The policy includes detailed information on how courts should solicit feedback from families about their remote hearing experiences.

SECTION 2

Technology

<p>1. Does the court use a technology platform that has user-friendly features? Examples of user-friendly features include:</p> <ul style="list-style-type: none"> a. The platform can be used on a mobile device b. The platform is free to court participants c. Offer platform navigation via tutorials or other guiding information d. Provide instructions that explain the differences of participating by computer vs phone e. Explain how to mute f. Explain other forms of confidential communication (i.e., private chat/direct message) g. Explain how to enter breakout rooms 			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our court's technology platform includes two or fewer of these features.	Our court's technology platform includes three to four of these features.	Our court's technology platform includes five or more of these features.
<p>2. Are attorneys and caseworkers required to be on video during remote dependency hearings?</p>			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Attorneys and caseworkers are not required to be on video during hearings.	Attorneys and caseworkers are encouraged to be on video during dependency hearings.	Attorneys and caseworkers are always required to be on video with clear audio capabilities during dependency hearings.

SECTION 2

Technology

3. Are there adequate devices (e.g., kiosks, iPads) and confidential spaces in the courthouse or the community that parents and children can access to participate fully (be seen and heard) in remote hearings?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	We do not have access to any devices or confidential spaces in the courthouse for parents and children to participate fully in remote hearings.	We have access to some devices and/or confidential spaces in either the courthouse or the community for parents and children to participate in remote hearings, or we do not have enough devices to accommodate all families.	We have access to devices and confidential spaces in the courthouse and the community for all parents and children to participate in remote hearings, and we provide information about how to access these devices.
4. How does the court communicate the availability of devices (e.g., kiosks, iPads) and confidential spaces in the courthouse or the community for remote hearings?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	We do not provide communication on the availability of devices or confidential spaces in the courthouse or community.	We provide communication on the availability of devices and confidential spaces by request in the courthouse only.	We provide communication on the availability of devices and confidential spaces in the courthouse and community in multiple ways (social media, website, in print, etc.).
5. If your court conducts hybrid hearings (at least one participant is present in the courtroom and at least one participant is present remotely), can all participants see and hear each other?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Participants cannot see and hear each other clearly during hybrid hearings.	Participants in the courtroom can see or hear everyone, but remote participants cannot – or vice versa.	All participants can see and hear each other clearly during hybrid hearings.

SECTION 2

Technology

6. Are contingencies in place if the technology fails before or during the hearing, so that the hearing may proceed?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	The court does not have any contingencies in place.	The court has contingencies in place if the court's technology fails, but not if participants' technology fails – or vice versa – so that the hearing may proceed.	The court has contingencies in place that are well-known to court staff and participants if the court's or participants' technology fails so that the hearing proceed.
7. Is there a court technology point person acting as technical host (e.g., admitting participants to the remote hearing, muting or unmuting participants, responding through chat function, facilitating the document repository, assigning people to breakout rooms if necessary) in the remote courtroom?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	We do not formally assign a technical host, and the judicial officer simply begins a hearing.	The judicial officer acts as technical host in the remote courtroom with no court staff assigned or available to support.	All judicial officers have court staff assigned to act as technical host in remote courtrooms.

SECTION 3

Hearing Logistics and Family Engagement Strategies

1. Does your court:			
a. Assign a unique start time for each remote or hybrid hearing?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our court does not assign a unique start time for any hearings.	Depending on the hearing type, our court may assign a unique start time for the hearing.	Our court uses time certain calendaring and assigns a unique start time for each hearing.
b. Schedule more time for remote hearings than in-person hearings?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our court does not schedule more time for remote hearings than in person hearings.	Generally, our court does not schedule more time for remote hearings than in- person hearings; however, we will if a party requests or based on case complexity.	Our court recognizes remote hearings may take longer than in-person hearings and always schedules more time.
c. Provide a unique meeting link for each hearing?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our court does not provide unique meeting links for any hearings.	Our court provides meeting links based on the date of hearings or the judicial officer.	Our court automatically provides unique meeting links for each hearing.

SECTION 3

Hearing Logistics and Family Engagement Strategies

d. Remind participants that their space will be visible to all parties?			
Unsure	No	Somewhat	Yes
I do not know/unsure.	Our court does not remind participants before the hearing that everyone will be able to see their space.	Our court reminds participants before the hearing that everyone will be able to see their space.	Our court reminds participants before the hearing that everyone will be able to see their space, explains that they can use virtual backgrounds, and provides instructions on how to use virtual backgrounds.
e. Include the hearing link and instructions on how to join the hearing remotely in the hearing notice?			
Unsure	No	Somewhat	Yes
I do not know/unsure.	Our court does not provide remote hearing links or instructions in the hearing notice.	Our court includes the hearing link in the notice but does not include instructions for remote participation.	Our court includes the hearing link and instructions for remote participation in the hearing notice.
f. Provide opportunities before remote hearings for families to practice using the technology and to ask questions about how to use it?			
Unsure	No	Somewhat	Yes
I do not know/unsure.	We do not provide families with opportunities before remote hearings to use the technology.	There are opportunities to practice using the technology in our self-help center, but families must seek it out themselves.	The court proactively shares information with attorneys and families before the remote hearing on how they can familiarize themselves with the technology.

SECTION 3

Hearing Logistics and Family Engagement Strategies

g. Have a system to electronically collect necessary signatures and disperse orders timely upon conclusion of the remote hearing?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our court system does not have a mechanism to electronically collect signatures or disperse orders.	Our court electronically collects signatures and disperses orders, but orders may not be distributed until days or weeks after the hearing.	All judges in our court allow the electronic collection of necessary signatures and disperse orders immediately following the hearing.
2. During the remote hearing, does the judicial officer or court staff:			
a. Provide clear instructions about the remote hearing process at the beginning of the hearing to ensure parties know what to expect?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our judicial officer/ court staff do not provide instructions about the remote hearing process.	Our judicial officer/ court staff provides a basic overview of the dependency hearing (i.e., defining participants' roles, explaining the purpose of the hearing, indicating the order that the people will speak, etc.) but does not explain the remote process.	Our judicial officer/ court staff provides both an overview of the dependency hearing and instructions for using the remote hearing platform (i.e., remote hearings have the same level of seriousness as in-person hearings, what to do if you experience technological difficulties).

SECTION 3

Hearing Logistics and Family Engagement Strategies

b. Ask participants if they can see others and hear/be heard clearly before the hearing begins?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.		If the participants appear to be having difficulties, our judicial officer/court staff will ask if they can see and hear clearly.	Our judicial officer/court staff always ask participants if they can see and hear clearly before the hearing begins.
c. Ask everyone in attendance (remote and in person, if hybrid) to introduce themselves, including their name and role in the hearing?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.		Our judicial officer asks professionals to introduce themselves, but not always parents, children, or supports.	As a standard practice, our judicial officer always asks everyone in attendance to identify themselves and their role in the hearing.
d. Offer private breakout rooms for clients to confer with their attorneys during the hearing?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.		Our judicial officer/court staff offer clients the ability to confer with their attorneys during the hearing by going to recess to allow clients and attorneys to call each other.	Our judicial officer/court staff indicate at the beginning of the hearing that private breakout rooms are available for clients to confer with their attorneys. If a need is indicated, the judicial officer/court staff recess and immediately set up the breakout room.

SECTION 3

Hearing Logistics and Family Engagement Strategies

e. Offer private breakout rooms for children to testify if needed?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.		Our judicial officer/ court staff use phone conferences for children to testify privately.	Our judicial officer/ court staff use breakout rooms with video functionality for private child testimony.
3. Does your court provide guidance to judicial officers on family engagement strategies during remote hearings?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our court does not provide judicial officers with any information on family engagement strategies in hearings.	Our court provides information to judicial officers on family engagement strategies in hearings but does not offer specific family engagement strategies for remote hearings.	Our court provides judicial officers with information on family engagement strategies in remote hearings through trainings, roleplaying opportunities, and benchcards.
4. Does your court allow individuals who are family supports to join remote hearings?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our court does not allow family supports to join remote hearings.	Our court allows family supports to join remote hearings based on judicial discretion or upon family request.	Our court encourages family supports to join remote hearings.

SECTION 3

Hearing Logistics and Family Engagement Strategies

5. Does the Judicial Officer(s):			
a. Communicate expectations for camera use to children and family members?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our judicial officer does not communicate expectations for camera use to children or family members.	The judicial officer communicates the expectation that children and families must always be on camera.	The judicial officer encourages camera use with the understanding that situations may occur in which being on camera is challenging or not possible.
b. Explain that the remote hearing is a professional and respectful environment?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our judicial officer does not explain that the remote hearing is a professional and respectful environment.	It is the judicial officer's discretion whether they explain that the remote hearing is a professional and respectful environment.	As part of standard practice, our judicial officer explains that the remote hearing is a professional and respectful environment.
c. Explain that everyone at the remote hearing will have an opportunity to participate?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our judicial officer does not explain that everyone at the remote hearing will have an opportunity to participate.	It is the judicial officer's discretion whether they explain that everyone at the remote hearing will have an opportunity to participate.	As part of standard practice, our judicial officer explains that everyone at the remote hearing will have an opportunity to participate.

SECTION 3

Hearing Logistics and Family Engagement Strategies

d. Provide opportunities for parents and children to ask questions during the remote hearing?			
Unsure	No	Somewhat	Yes
I do not know/ unsure	Our judicial officer does not provide opportunities for parents and children to ask questions.	Depending on the situation or only if the child/parent attorney indicate that the parent has a question.	As part of standard practice, our judicial officer always asks parents/children if they have any questions.
e. Provide breakout rooms for clients and attorneys to debrief after the remote hearing?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our system is unable to provide breakout rooms.	Depending on the situation and judicial officer, our judicial officer may provide breakout rooms for clients and attorneys to debrief after remote hearings.	As part of standard practice, our judicial officer provides breakout rooms for clients and attorneys to debrief after remote hearings.

SECTION 4

Safety and Privacy

1. Does your court have open dependency hearings (i.e., open to the public)?			
Yes	No		
2. If yes, is the public able to access remote dependency hearings?			
Yes	No		
a. If yes, does your court inform parties at the start of the hearing that other people may be present at the hearing whom they do not know?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our judicial officer does not inform participants that other people can be present at the hearing who they may not know.	Depending on the situation and judicial officer, our judicial officer informs all participants that other people can be present at the hearing who they may not know.	As part of standard practice, our judicial officer informs all participants that other people can be present at the hearing who they may not know.
3. Ask all family members at the beginning of the hearing if they are in a location where they feel comfortable talking and sharing potentially personal information?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our judicial officer/ court staff do not ask family members whether they are in a location where they feel comfortable talking and sharing potentially personal information.	Our judicial officer/ court staff ask family members this question if a concern arises with their environment or ability to share information during the hearing.	Our judicial officer/ court staff ask all family members at the beginning of the hearing whether they are in a location where they feel comfortable talking and sharing potentially personal information.

SECTION 4

Safety and Privacy

4. Does the judicial officer remind participants at the beginning of the hearing that they are not permitted to record the hearing (video or audio)?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our judicial officer never reminds participants that they are not permitted to record.	Our judicial officer will remind participants that they are not permitted to record if they suspect the hearing is being recorded.	As standard practice, at the beginning of each hearing, our judicial officer will remind participants that they are not permitted to record.
5. Does your court explain to parties how to notify the court if they feel physically unsafe at any point during the remote hearing?			
Unsure	No	Somewhat	Yes
I do not know/ unsure.	Our judicial officer never provides information to parties on what to do if they feel physically unsafe.	Our judicial officer will explain how to notify the court if they feel physically unsafe if they notice that parties appear uncomfortable or indicate they feel unsafe.	As standard practice, at the beginning of each hearing, our judicial officer will explain how to notify the court if they feel physically unsafe.

Endnotes

- 1 Spulak, Grace (2024). *Remote Proceeding Toolkit, Version 2*. National Center for State Courts. <https://perma.cc/J3L6-2UZH>.
- 2 National Center for State Courts (2022). *Study of Virtual Child Welfare Hearings: Facilitating Trauma-Responsive Virtual Hearings for Dependency Cases*. <https://perma.cc/3Z2C-AA4G>.
- 3 Blankenship, Gary (2021). *Rules Committee Looks at Remote, In-Person Juvenile Hearings*. The Florida Bar. <https://perma.cc/5XF5-RAC6>.
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National Center for State Courts

300 Newport Ave. | Williamsburg, VA 23185

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