


ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby promulgate Rule 36 of section 202.70(g) of the Uniform Rules for the Supreme and County Courts (Rules of Practice for the Commercial Division), effective December 13, 2021, to read as follows (new material underlined):

Rule 36. Virtual Evidentiary Hearing or Non-jury Trial.

- (a) If the requirements of paragraph (c) of this Rule are met, the court may, with the consent of the parties, conduct an evidentiary hearing or a non-jury trial utilizing video technology.
- (b) If the requirements of paragraph (c) of this Rule are met, the court may, with the consent of the parties, permit a witness or party to participate in an evidentiary hearing or a non-jury trial utilizing video technology.
- (c) The video technology used must enable:
  - i. a party and the party's counsel to communicate confidentially;
  - ii. documents, photos, and other things that are delivered to the court to be delivered to the remote participants;
  - iii. interpretation for a person of limited English proficiency;
  - iv. a verbatim record of the trial; and
  - v. public access to remote proceedings.
- (d) This Rule does not address the issue of when all parties do not consent.

  
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Chief Administrative Judge of the Courts

Date: October 19, 2021

AO/299/21