AMENDMENT TO THE CALIFORNIA RULES OF COURT
Adopted by the Judicial Council on May 17, 2024, effective July 1, 2024

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Division 4. Trial Court Administration

Chapter 1. General Rules on Trial Court Management

Rule 10.635. Limited situations in which a judicial officer may preside remotely from a location other than a courtroom

(a) Purpose

This rule prescribes when, in limited situations and in the interest of justice, a judicial officer may use remote technology to effectuate their own participation in a proceeding from a location other than a courtroom.

(b) Application

(1) This rule applies when a judicial officer presiding from a location other than a courtroom uses remote technology to effectuate their own participation in the proceeding.

(2) This rule does not apply when a judicial officer presides in person over a proceeding convened in a location other than a court facility, even if another participant appears remotely.

(3) This rule applies to all civil cases subject to Code of Civil Procedure section 367.75.

(4) Nothing in this rule limits a judicial officer from engaging in any other judicial functions, duties, or actions authorized by law to be performed in a location other than a courtroom.

(c) Definitions

As used in this rule:

(1) "Court facility" has the same meaning as that provided in Government Code section 70301(d).

(2) The following terms have the same meaning as those provided in rule 3.672(c):

(A) "Proceeding."

(B) "Remote proceeding."

(C) "Remote technology."

(d) Location of a judicial officer within a court facility

A judicial officer may preside remotely from a location within a court facility other than a courtroom only if doing so is in the interest of justice, the presiding judge approves, and either:

(1) No parties are appearing in person at the proceeding; or

(2) No courtrooms are available in the court facility.

(e) Location of a judicial officer outside a court facility

A judicial officer may not preside remotely from a location outside a court facility unless doing so is in the interest of justice, the presiding judge approves, and

(1) The judicial officer cannot safely access or preside from a court facility because of hazardous conditions, including those resulting from:

(A) Natural disaster;

(B) Severe weather;

(C) Public emergency;

(D) Facilities failure;

(E) Security threats; or

(F) Other extraordinary circumstances as determined by the presiding judge; or

(2) Presiding remotely in a matter is essential to prevent a significant delay that would substantially prejudice the litigants.

Rule 10.635 adopted effective July 1, 2024.