

**LOCAL COURT RULE
20TH JUDICIAL CIRCUIT**

RULE 14: Victim testimony by Video Conference allowed — Civil Cases only

1. A person may testify by video conference at a civil trial involving an offense under sections 565.072 to 565.076 if the person testifying is the victim of the offense;
2. The rules and instructions in this subsection shall be posted on the circuit court's internet website;
3. To testify by video conferencing, the person shall file a written notice of intent, supported by affidavit, setting forth their name, case number, email address, telephone number, and the basis for the request;
4. The written notice and affidavit shall be filed no less than 30 days prior to the trial, except in cases seeking an order of protection. In cases seeking an order of protection, the written notice shall be filed no less than five (5) days prior to the hearing or trial;
5. Each court in the circuit shall post a telephone number for the public to call for assistance regarding appearances by video conference;
6. Each court shall post a written notice of these rules, instructions, and phone number, in the public area of the Circuit Clerk's office;
7. The rules and instructions for a victim to testify shall be posted as follows:

NOTICE TO THE PUBLIC

A person may testify by video conference at a civil trial involving an offense under sections 565.072 to 565.076 if the person testifying is the victim of the offense.

For those who desire to testify by video conferencing, you must comply with the following instructions PRIOR TO the hearing. Failure to comply with these instructions could result in your testimony not being received and/or your case being dismissed:

1. If you qualify to testify by video conferencing, and wish to appear in a particular hearing, you must file a written notice of your intent to testify by video conferencing, supported by an affidavit, with the Court Clerk;
2. The written notice and affidavit shall be filed with the Court no less than thirty (30) days prior to trial, except in cases seeking an order of protection. In cases seeking an order of protection, the written notice shall be filed with the Court no less than five (5) days prior to the hearing.
3. Your written notice shall include the following information:
 - a. Your name;
 - b. Case Number;
 - c. Email address; and
4. Telephone number the affidavit in support of your written notice shall set forth the reasons why you believe you qualify to testify by video conferencing under this Rule.
5. Participation in video conferencing requires a device that supports the application ("app") or software Webex@. Supported devices include computers, tablets, and smart phones, running the latest Apple iOS or Android operating systems. In order to use Webex@, your device must have a camera, microphone and speaker in good working order.
6. You are strongly encouraged to download the Webex@ app on your device as soon as possible to best ensure your testimony can be received by the Court;
7. You are encouraged to use a separate headset with microphone to reduce feedback and improve audio quality. However, it is not required that you use a headset. You may reduce feedback and improve audio quality by muting the microphone on your device until you wish to speak or are asked a question by the Court, or other person;
8. Once your written notice of intent to testify by video conferencing is processed and approved, you will receive a message consisting of a URL (internet address), a meeting ID, and a password. You will use this information to connect to the Webex@ court hearing through an internet browser or Webex@ app;
9. You should join your Webex@ video hearing at least 30 minutes prior to the scheduled hearing time to ensure your equipment and connection are operational;
10. After entering the meeting ID, you may be given the option to "Test Computer Audio." If this option appears, click on the "Test Computer Audio" button to test your audio. Upon confirmation that your audio is working properly, click the button to join the meeting to complete your connection to the hearing;
11. You must activate your video camera and audio options so the Court can see and hear you. Failure to do so will exclude your testimony at the hearing;
12. The person testifying must be located in a quiet place with no other individuals in the room. The person testifying cannot read from any notes, messages, reports, or other recordings while they are testifying, unless they receive express permission from the Court;
13. The person testifying must identify themselves by saying their full name before they begin speaking. This is essential to making a good court record;
14. NO PERSON MAY RECORD OR PHOTOGRAPH THE PROCEEDINGS WITHOUT EXPRESS AUTHORITY GIVEN BY THE COURT. A VIOLATION OF THIS RULE MAY BE PUNISHABLE AS AN ACT OF CONTEMPT. The only recording of the hearing will be through the court system.

FOR ASSISTANCE ON APPEARANCES BY VIDEO CONFERENCING, PLEASE CALL THE CIRCUIT CLERK'S OFFICE AT 636-583-7378 for Franklin County, 573-897-3114 for Osage County and 573-486-2632 for Gasconade County, Monday through Friday, 8:00 A.M. to 4:30 P.M. If there is no answer, please call again until a clerk can assist you.

APPROVED BY THE COURT BANC: February 8, 2023