

A Guide to Virtual Hearings at the Boston Municipal Court and District Courts for Practitioners

Virtual Hearings – What Types of Hearings and how to Obtain Information

1. If you have a scheduled hearing, you will be notified by the clerk via telephone, e-mail, or first-class mail that the hearing will proceed virtually, with details about time and call-in information. Some courts are assigning specific times for hearings, and others are requiring that parties call in at 9:00 a.m. for a “first call” to assign approximate times when the hearing will be conducted.
2. If you have any questions about whether your hearing is proceeding virtually, contact the civil clerk for your courthouse. For a complete list of contact information, please see the following links:

Boston Municipal Court - https://www.mass.gov/orgs/boston-municipal-court/locations?_page=1

District Courts - https://www.mass.gov/orgs/district-court/locations?_page=1

3. As soon as possible, request an interpreter for the virtual hearing if there are participants who do not speak English comfortably. You should also make any other accommodation requests necessary for full participation in the hearing. Check with the clerk on the appropriate steps to make the formal request.

Virtual Hearing Platforms

1. The BMC and District Courts will be using both telephonic hearings and Zoom conferencing for virtual hearings. There will be a “call in” line for telephone communication if camera access is not available. For basic information of how to use Zoom, please see this link.

<https://support.zoom.us/hc/en-us/categories/200101697>

2. Zoom uses data for cellphones. If Wi-Fi or cell phone data is unavailable, court libraries and community libraries have wi-fi available to use from the parking lots.

Use of Documents at Hearings

1. Documents you intend to reference at the hearing, including exhibits, must be with the court ahead of time. You should check with the Court Clerk to see how they prefer to receive documents.
2. In order to send the documents to the Court ahead of the hearing, you should call and verify that your clerk is accepting email filing. If you do not have e-mail, contact the Clerk’s Office to arrange the most efficient method of delivery of said documents. Please note that Boston Municipal Court is accepted eFiling.

District Court numbers and emails can be found here: https://www.mass.gov/orgs/district-court/locations?_page=1

Boston Municipal Court number, emails and FAQ’s about eFiling can be found here: <https://www.mass.gov/guides/boston-municipal-court-faqs-related-to-covid-19>



3. Send the documents to the clerk with plenty of time before the hearing to allow for processing.
4. Prior to the hearing, confirm that the court has received the documents and that they will be brought to the judge's attention prior to the hearing.
5. All documents that you send to the court for the hearing should be produced to the opposing party with the same pagination for ease of reference.

Virtual Hearing Etiquette

1. Ensure that everyone who will participate in the hearing (you, witnesses, co-counsel) are familiar with how to use the technology ahead of time, and know what time they will be required to join the hearing. Zoom can be tested ahead of time using the following link:

<https://zoom.us/test>

2. For your Zoom hearing, position your camera so that it captures a complete view of your face and upper torso. Ensure that your lighting is not back-lit or dark. The above-referenced link will allow you to see how you will appear when the real hearing begins.
3. Dress as if you are going to court.
4. The courts will record the hearing. You should not make any unauthorized recordings of your own as this may be in violation of Massachusetts law and Court rules.

The Hearing

1. Call into the hearing a few minutes prior to the designated time to ensure you will have time to resolve technical issues.
2. Once in the virtual meeting, you can be seen and heard. Act the same as if you were in court. Do not speak unless you want to be heard.
3. The courtroom clerk will join the call/meeting first to confirm that everyone is there and to ensure that documents, etc. are in order for the judge.
4. When everyone is present or after having waited a sufficient amount of time for parties to appear, the clerk will then request that the judge join the call/meeting and start the hearing.
5. If the judge does not give an overview of how the hearing will be conducted and you have questions about procedure or logistics, you should ask them at the outset so that you are clear regarding the judge's expectations.
6. To the extent that it can, the hearing will proceed as it typically would in person.

These guides were created in collaboration with the Massachusetts Access to Justice Commission.

