

1 **Rule 4-101. Manner of appearance.**

2 **Intent:**

3 The intent of this rule is to establish notice and compliance requirements related to the manner
4 of appearance in court proceedings.

5 **Applicability:**

6 This rule applies to civil and criminal matters in district, juvenile, and justice courts.

7 **Statement of the Rule:**

8 (1) **Definitions.**

9 (1)(A) “Hybrid hearing” means a hearing at which some participants appear in person
10 and others appear remotely.

11 (1)(B) “In-person” means a participant will be physically present in the courtroom.

12 (1)(C) “In-person hearing” means a hearing where all participants appear in person.

13 (1)(D) “Participant” means the same as that term is defined in the applicable rule of
14 procedure: Rule 87 of the Utah Rules of Civil Procedure, Rule 17.5 of the Utah
15 Rules of Criminal Procedure, or Rule 61 of the Utah Rules of Juvenile Procedure.

16 (1)(E) “Remote” or “Remotely” means a participant will appear by video conference or
17 other electronic means approved by the court.

18 (1)(F) “Remote hearing” means no participants will be physically present in the
19 courtroom and all participants will appear remotely.

20 (2) **Notice.** When calendaring a hearing, the court must provide the participants with notice
21 as to whether the court intends the hearing to be an in-person hearing, a remote hearing,
22 or a hybrid hearing. Notice may be provided in open court. Notice that is not provided in
23 open court should include:

24 (2)(A) the date and time of the hearing;

25 (2)(B) for in-person hearings, the physical address of the courthouse and the courtroom
26 number;

27 (2)(C) for remote hearings, a Webex link, and a link to the courts’ website which
28 includes information regarding attending a remote or hybrid hearing; and

- 29 (2)(D) for hybrid hearings, the information required in paragraphs (2)(B) and (2)(C).
- 30 (3) **Granted requests.** If a court grants a request to appear in a manner that is different from
31 the manner noticed at calendaring, the court should include in its communication all
32 information in paragraph (2) relevant to the new manner of appearance.
- 33 (4) **Effect on other participants.** The preference of one participant, and the court's
34 accommodation of that preference, does not:
- 35 (4)(A) change the format of the hearing for any other participant unless otherwise
36 ordered by the court; or
- 37 (4)(B) affect any other participant's opportunity to make a timely request to appear by a
38 different format or the court's consideration of that request.
- 39 (5) **Court compliance and accountability.** Rule 87 of the Utah Rules of Civil Procedure,
40 Rule 17.5 of the Utah Rules of Criminal Procedure, and Rule 61 of the Utah Rules of
41 Juvenile Procedure impact the effective operation of the court, including docket
42 management. As such, implementation and enforcement of those rules is the
43 responsibility of each presiding judge pursuant to rules 3-104 and 9-109.

44 Effective November 1, 2024