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### Fresno Superior Court Rule of Court – Remote Video Proceedings

### 3.6.4           Remote Video Trials and Proceedings in Traffic Infraction Cases

                A.            Pursuant to California Rules of Court, rule 4.220(a), the Court establishes a pilot project to permit traffic infraction trials and proceedings to be conducted by two-way remote video communications.  The length of the pilot project shall not exceed three (3) years.

                B.            The following are designated as locations where eligible defendants may appear for remote video trials of traffic infraction cases:

                                1.            Coalinga

                                2.            Mendota

            Additional locations may be designated during the course of the pilot project.  All designated locations shall be at least ten (10) miles outside the Fresno-Clovis Metropolitan Area and the city in which the site is located may not have regular public transportation servicing the area.

                C.            To be eligible to appear for remote video trials:

                1.            The citation issued must be for an infraction as defined in California Rules of Court, rule 4.220(b)(1);

                2.            Defendant must comply with California Rules of Court, rule 4.220;

                3.            Travel for the defendant to the M Street Courthouse must be in excess of fifteen (15) miles from the location where the citation was issued.

                D.            Pursuant to California Rules of Court, rule 4.220(g), defendant’s witnesses shall appear at the remote location with the defendant.

                E.            Defendant must submit form TR-505 to the Traffic Clerk’s Office for filing.  The forms may be submitted in person at:

**Traffic Clerk’s Office**

**2317 Tuolumne Street**

**Fresno, CA 93721-1220**

 Or mailed to:

**Fresno Superior Court**

**Attn:  Traffic Division**

**1100 Van Ness Avenue**

**Fresno, CA 93724-0002**

           Forms submitted in person must be presented for filing on or before the appearance date indicated on the Notice to Appear.  Forms submitted by mail must be postmarked at least five (5) days before the appearance date indicated on the Notice to Appear.

                F.            Upon receipt of a Notice to Arresting or Citing Officer, form TR-515, law enforcement officers may make a request to appear in court instead of at the remote location.  The request must be made via form FTR-70.  The form may be submitted in person or by mail at the addresses set out above.  Forms submitted in person must be presented for filing before the date of the video proceeding set out in the Notice.  Forms submitted by mail must be postmarked at least five (5) days before the date of the video proceeding set out in the Notice.

                G.           It is the Court’s preference that all exhibits intended to be used at the remote video trial be submitted prior to the hearing date so they will be available at the Court location for the judge’s reference.  Defendant and Law Enforcement designee should submit any exhibits he/she intends to use in presentation of his/her case to the court at least five (5) court days before the remote video trial date.  All exhibits shall be accompanied by a form FTR-71 to assist in identifying the case associated with the exhibits.  Exhibits shall be submitted as set out in E above.

                Defendant and Law Enforcement designee shall bring two (2) copies of all documentary evidence he/she intends to use in presentation of his/her case to the remote location on the day of the hearing.  Documentary evidence includes written documents, and standard sized photographs.

                Defendant and Law Enforcement designee may bring one (1) copy of all demonstrative or other physical evidence he/she intends to use in presentation of his/her case to the remote location on the day of the hearing.  Demonstrative or other physical evidence includes oversized maps or diagrams, three dimensional objects, and blown up photographs.  **(Effective July 1, 2013, New)**