STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

IN THE MATTER OF D.E.V. AND E.R.V.

NO. 2020 CW 1229

DECEMBER 08, 2020

In Re: Elizabeth Vodicka, applying for supervisory writs, 18th Judicial District Court, Parish of West Baton Rouge, No. 43995.

BEFORE: WHIPPLE, C.J., WELCH AND CHUTZ, JJ.

WRIT GRANTED WITH ORDER. The trial court's order requiring witnesses to appear at the trial in person in open court is reversed. Under the circumstances of this case, the trial court abused its discretion, in the midst of the current COVID-19 pandemic, in ordering the parties and witnesses to appear in person in open court for the trial. Courts are authorized to allow testimony and appearances by parties and witnesses via visual remote technology. See La. Code Civ. P. art. 1633.1 and Rule 3.5 of the Uniform Rules of Louisiana District Courts. Moreover, the June 5, 2020 order issued by the Louisiana Supreme Court provides that all matters should continue to be conducted with the use of video and telephone conferencing whenever possible. The trial court is instructed to allow the parties and witnesses herein the opportunity to appear via visual and audio remote technology.

VGW
JEW
WRC

COURT OF APPEAL, FIRST CIRCUIT

DEPUTY CLERK OF COURT
FOR THE COURT