

# USE OF VIDEO AND TELEPHONE CONFERENCES IN CIVIL PROCEEDINGS: PESTALOZZI'S OVERVIEW

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According to the Ordinance on Measures in Judiciary and in Procedural Law of 16 April 2020, the Federal Council has decided that in derogation of the Civil Procedure Code, due to [Coronavirus](#), hearings in civil law proceedings may be held by video conference and in family law proceedings by video or telephone conference. To this purpose **Lukas Rusch** (Senior Associate - pictured) and **Gilles Steiger** (Junior Associate) working at **Pestalozzi** [wrote an analysis](#) we summarize in these key points:

- In proceedings involving the physical presence of the parties, it is mandatory to comply with the FOPH's hygiene recommendations.
- Hearings can be held by video or telephone conference if the parties agree and no important reasons exist to restrict the use.
- The court may conduct the proceedings in writing only, when the physical presence of the parties or the use of video or telephone conference is not reasonable or possible.
- Data protection rules must be taken into account when using video or telephone conferences.
- It must be ensured that sound and pictures are transmitted simultaneously to all parties involved.