

KING'S BENCH GENERAL PRACTICE NOTE 4

REMOTE HEARINGS VIA VIDEO (“ONLINE HEARINGS”)

Effective January 1, 2023

The Court conducts online hearings using the Cisco WebEx Meeting application. Instructions for the installation and use of WebEx are [available here](#). Additional troubleshooting information is available on the [Court's website](#).

All policies with respect to the use of recording equipment in courtrooms apply to online hearings. Recording, live streaming or broadcasting the video or audio of any Online Hearing by Counsel, parties, witnesses, any member of the public or the media is strictly prohibited.

Unless otherwise provided in this Practice Note, online hearings are governed by the same set of expectations and rules as in-person hearings. Counsel, parties, members of the media, and others who participate in online hearings are expected to conduct themselves as though they are physically appearing in a courtroom. In addition, Counsel, parties, witnesses, the media and the public are expected to review and comply with the following general guidelines:

1. Attire:

Parties and witnesses are expected to dress appropriately, as though they are physically appearing in a courtroom.

Unless otherwise directed by the presiding Justice, it is not necessary for Counsel to gown for online hearings. Business attire is required.

2. Technology:

All participants in an online hearing must have access to:

1. A computer, laptop or tablet equipped with a camera and microphone, capable of running Cisco Webex;
2. A high-speed internet connection with reliable connectivity and coverage.

Participants should ensure that their devices are fully charged.

All other applications or browser windows should be closed to maximize bandwidth and eliminate notifications.

A headset with a microphone is strongly recommended, as it reduces background noise.

3. Testing:

Counsel, witnesses and parties who are participating in an online hearing are expected to familiarize themselves with the technology and ensure that they are fully prepared for their

appearance, including testing their equipment. If possible, they should re-test their equipment from the location where they plan to participate in the hearing.

4. Location and Background:

Ensure that your background is neutral and the setting is appropriate for a court hearing. Inappropriate profiles or background photos must not be used.

Ensure that you are in a quiet, private area with appropriate lighting. Avoid setting up your device in front of a window, as you will appear in shadow. The background should be free of excessive noise and visual distractions.

Do your best to minimize interruptions. Devices such as Google Home, Alexa and Echo should be turned off.

Keep a telephone close by in the event that there are problems with the video link, but please keep the telephone on silent mode to avoid interruptions.

5. Conduct During an Online Hearing:

Counsel and parties are expected to introduce themselves for the record and announce their appearance each time they speak. Counsel and parties are invited to provide their preferred pronouns for address by the Court.

Counsel and parties should ensure that their cameras are on during the hearing. Observers must keep their cameras off.

Counsel and parties' screen name should be their given name and surname, as well as their preferred pronouns if they are comfortable providing that information.

If you are taking notes using your computer keyboard, please ensure that you are muted when you do so.

Keep yourself on mute unless speaking, and if requested by the Court, keep your camera off until directed.

Speak clearly and slowly.

When speaking, look directly at your camera, not at the screen.

As in a courtroom, refrain from eating or drinking anything but water during the hearing.

Only one person can talk at a time. Do not interrupt. If you have an objection, response or comment and it cannot wait, raise your hand to indicate that you want to speak.

6. Recording:

Unless authorized by the presiding Justice, video recording, audio recording, or taking screen captures or any other still images of any part of a remote hearing is prohibited, and may be subject to penalties, including a finding of contempt of court. In addition, some proceedings may be subject to publication bans, which make it a criminal offence to publish or broadcast information that may be referred to during a hearing.

7. Use of Chat Function:

Parties should avoid using the chat function within Webex, unless authorized by the presiding Justice.

The Court may maintain a record of the chat for administrative purposes. Parties should not post confidential or sensitive information within the chat.

8. Media and the Public:

Any member of the media or public observing an Online Hearing undertakes to remain silent (microphone muted) and hidden (camera off) for the duration of the Online Hearing.