



# Oregon Judicial Department

## Remote Hearings

### Attorney Guide: Quick Reference

This guide is for attorneys set to appear on a case that will be held remotely. Webex Webinars allows for the parties, their attorneys, and the Judge to engage interactively through video or audio conference technology.



Webex Webinars is the preferred technology for **BOTH video and audio remote hearings** in partially remote and fully remote hearing scenarios.

#### Dos and Don'ts for a Remote Hearing

- Make sure you are in a private, quiet location where there are few interruptions and distractions.
- Ensure that your device has reliable connectivity and coverage.
- Do not share the hearing invite, link, or password with anyone. Contact the court if you believe your client or someone else needs a calendar invitation for the remote hearing.
- If joining by smartphone, download and sign up for the Cisco Webex Meetings app.
- Test audio and video prior to the scheduled remote hearing time at <https://www.webex.com/test-meeting.html>.
- Use headphones equipped with a microphone, if possible. Your voice will be clearer when you talk, and participants in the case will be able to better hear you.
- Connect to the remote hearing through the calendar invitation 5 to 10 minutes early to test the connection and resolve any technical issues.
- Confirm that your device microphone and webcam are on and the speakers are turned up.
- Confirm that audio and video are enabled so everyone in the hearing can see and hear you. This can be managed through Webex Webinars settings.
- After confirming audio and video functionality on your device, mute your audio until you are asked to speak by the court.
- Mute any other devices that you have in the room with you so as not to cause a feedback loop.
- Frequently verify that your microphone is muted during the remote hearing.
- Stay on mute until you are called on and remember to mute once you are done speaking.
- Speak one at a time and pause 1 to 2 seconds prior to speaking in case there is an audio or video lag.
- Announce your appearance each time you speak during the remote hearing.
- Do not speak at the same time as someone else.
- Inform the court if you are experiencing technical difficulties.
- Do not record the hearing without express written permission from the court.
- Do not broadcast or live stream the hearing.
- Do not use a speakerphone.
- If you are connecting to audio by phone, do not place the call on hold at any time.

<b>General recommendations when joining a remote hearing by video:</b>	<b>Additional recommendations when joining from a mobile device:</b>
<ul style="list-style-type: none"> <li>○ Dress appropriately as if you were in a courtroom.</li> <li>○ Be mindful of what is behind you.</li> <li>○ When speaking, look directly at the camera, not at the screen.</li> </ul>	<ul style="list-style-type: none"> <li>○ Plan to be in a stationary location while appearing via video; moving around is distracting to the other participants.</li> <li>○ Keep the camera pointed to your face.</li> </ul>
<p>If the sound quality is difficult to hear, mute your computer microphone and speakers and call the associated conference call number. (You will be able to participate through the telephone connection and observe the video.)</p>	

*Please remember this is a court proceeding and participants must behave accordingly. Remove personal photos, distinguishable information, and any other personal items that you do not want the public to see in your background.*

## Witnesses

We recommend that each witness be alone in the physical room where the witness is located. It is expected that all electronic devices, other than the one used to access the remote hearing, are turned off during the testimony. Further, no other programs or windows should be open on the witness's device or computer. Remote hearing participants must not pass the functional equivalent of notes by electronic means to the witness during the time that witness is testifying.

- Check with the court regarding the procedure on witnesses and, if ordered, exchange witness lists prior to a remote hearing.
- Provide contact information for witnesses to the clerk.
- Indicate, as soon as possible, any motion to exclude witnesses.
- Witnesses should be available by phone to receive information on when to join the remote hearing or for the clerk to conference them into the hearing at the appropriate time.
- Prepare witnesses on what to expect during the remote hearing.

## Interpreters

- To help the interpreter, speak slowly and in short sentences.
- When speaking, pause after every 1-2 sentences to allow the interpreter to translate.
- Wait for the interpreter to finish their interpretation before talking or answering a question.

## Exhibits for Remote Hearings

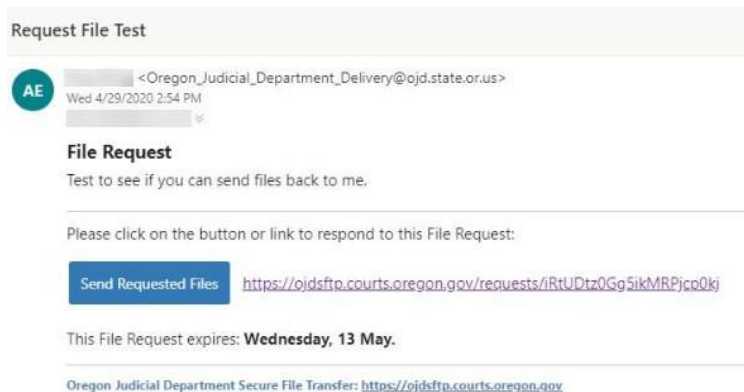
Exhibits may be submitted to the court as outlined in [Chief Justice Order 20-016](#), issued May 15, 2020, and the [memorandum regarding File & Serve](#) updates.

Exhibits should be submitted before the hearing and served according to ORCP 9. Any exhibit that can be converted to a PDF document may now be submitted through File & Serve when the hearing is to be conducted remotely. For any digital media exhibits that are not able to be converted to a PDF, such as audio or video files, the attorney should contact the court to determine the best method of delivering those files.

### File Request

If the court chooses to use a file request system, after contacting the court, you will receive an email to submit files. Follow the email instructions.

1. Select **Send Requested Files**.
2. Drag and drop any files in the **Drop Files Here** section or select **Add Files** to browse for the desired files.
3. Select **Send** once all files have been added.
4. Confirm that the court has received all exhibits prior to the start of the remote hearing.



## Private Attorney/Client Communication

Webex Webinars does not provide a technical solution to facilitate confidential attorney/client communication. Attorneys and their clients should have a pre-established method for communicating confidentially that does not rely on OJD technology and that can happen separately from the hearing.

Some options and considerations include:

- The attorney and client may leave the remote hearing and use their own communication method and then rejoin the webinar once complete.
- Request the remote hearing be rescheduled to a later time after the privileged conversation is over.
- If the attorney and client are in the same room, mute the microphone and communicate out of the view of the displayed video.
- When an interpreter is needed for attorney/client communication and is provided by OJD, the interpreter should be included as part of the communication method as appropriate. It is appropriate for the attorney to confirm with the court that the interpreter is not being recorded.

## Accessing a Live Streamed Hearing

You can find remote hearings available for public access, with some exceptions, being live streamed through the Oregon Judicial Department (OJD) website at: <https://www.courts.oregon.gov/services/online/Pages/live-stream.aspx>.

- Select the county to view and join any live streamed proceedings that are scheduled.
- Find the court session you want to attend and click the link or dial-in on your phone to the number listed.
- Some hearings can only be viewed within the courthouse, including, but not limited to:
  - Abuse Orders
  - Adoption
  - Civil Commitment
  - Confidential and Sealed Cases
  - Contempt of Court resulting from a Violation of a Restraining Order
  - Custody
  - Dissolution
  - Juvenile
  - Paternity
  - Protective Proceedings
  - Quarantine/Isolation Orders
  - Restraining Orders
  - Sex crimes, when a victim has requested the proceeding not be recorded
  - Specialty Court Hearings
  - Stalking Order
  - Support
  - Trade Secrets
  - Visitation

*If you do not see a hearing you are looking for, or are unable to access the hearing through technology, contact the court. Members of the public may still view many of these proceedings in court where the proceeding is occurring.*

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#### **Webex Webinars**

Webex Webinars is a service offered by Cisco Webex that allows for large scale teleconferencing and live streaming, and is OJD's preferred technology for both video and audio remote hearings.

Remote hearings are any hearings where parties to a case appear from a remote location not in the courthouse. Additionally, remote hearings may be live streamed, or broadcast in real-time over the internet. If the court has made public access available, the public will access the Webex Webinars live stream as an attendee to the webinar.

Webex Webinars may be used in either of the following two scenarios:

- **Partially Remote** – A clerk, judge or other staff is in the courtroom to facilitate the hearing, but all other parties may or may not be present. The public can watch and listen to the proceedings either in the courtroom facilitated by technology or, if allowed by the court, by live stream.
- **Fully Remote** – No staff or judge is present in the courtroom, all parties are appearing from remote locations, and the hearing is live streamed to the public.

Webex Webinars uses the following terminology:

- **Host** – The host is an OJD court staff or judge. Hosts are the only remote hearing participants that may start the webinar, allow people to share content, present their screen, mute or unmute participants, remove people from the webinar, disable chat, start and stop the recording through Webex Webinars, and end the webinar.
- **Panelist** – Panelists will primarily consist of counsel, parties, witnesses and other participants in the case. A panelist has control over their own audio and video.
- **Presenter** – A presenter must first be a panelist. The presenter may share content or their screen with the rest of the webinar. A panelist is only to be given the role of presenter if authorized by the judge.
- **Attendee** – An attendee is a person able to listen and view the remote hearing but cannot unmute themselves or be shown on video. Attendees may be unmuted or promoted to a panelist as needed and depending on court procedure. Members of the public will join as attendees.

Prior to scheduling the hearing, the court will contact the parties to advise that the hearing will be held remotely, and whether it will be held by video and/or audio. The attorney should be prepared to inform the court whether they or their client object to proceeding remotely and whether any accommodations are required.

#### **Joining a Remote Hearing via Webex Webinars**

The court staff may provide notice of the remote hearing in a variety of ways:

- A standard hearing notice with the link provided.
- Invitation email for a Webex Webinar.
- Email from the court with the link and password.

Please contact the court if you are unsure how to access your hearing.

Webex Webinars can be joined in the following ways:

- Free Cisco Webex Meetings app for Android or iOS mobile devices (audio and video).
- Web browser on PC or laptop and phone (audio and video dependent on microphone and webcam).
- Informing the court of audio only capability and complying with the court's preferred access arrangements for remote hearing participants connecting by telephone (audio only).
- 5 to 10 minutes before the scheduled hearing time, select the link or the Join icon in the invitation email, or call the number provided to join via phone.

*REMEMBER: Do not share the panelist hearing invite, link, phone number, or password with anyone. Contact the court if you believe your client or someone else needs a calendar invitation for the remote hearing.*

## Remote Hearings Disclaimer

Any person entering an OJD Webex session must agree to the following disclaimer before the system will admit them:

If you are connecting to Webex to attend a **remote hearing or oral argument**, by selecting 'Agree' you are agreeing and acknowledging that:

1. You will not record, copy, distribute or otherwise make available any audio recording or visual image of the proceeding without express permission from the court.
2. The proceeding is being recorded and will be part of an official court record.
3. The proceeding will be made available live to the public.
4. As an accommodation under the Americans with Disabilities Act (ADA), Webex closed captioning may be made available upon four (4) business days advance request. Webex closed captioning is not an official record of court proceedings. The Oregon Judicial Department makes no warranty as to the accuracy of Webex closed captioning

If you are connecting to Webex to attend a **CRB review**, by selecting 'Agree' you are agreeing and acknowledging that you will not record, copy, distribute or otherwise make available any audio recording or visual image of the proceeding.

If you are connecting to Webex to attend a meeting for any other judicial business with the Oregon Judicial Department, by selecting 'Agree' you are acknowledging that the meeting may be recorded.

The text of this disclaimer may be updated periodically, please read the full disclaimer when entering a Webex session.

## Joining Through the Free Webex App



- If not already downloaded, **Download** the Cisco Webex Meetings app.
- **Open** the app after it is installed.
- Select **Join** and enter the access code (in the invitation email).
- Enter the webinar or meeting password (in the invitation email) and tap **OK**.
- The Webex app allows you to preview your video before joining the proceeding, once done, tap **Join**.

## Joining Through Web Browser



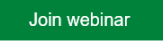
The links provided through Webex Webinar for the remote hearing will launch the Oregon Judicial Department branded Webex page.

Check to see if the hearing has been started:

- If the webinar has not started select **Refresh**  in the upper right-hand corner to refresh and try again.
- Once the webinar has started, you can join at any time by performing these steps:
  - Enter the following information
    - First Name, Last name,
    - Email address, and
    - Panelist password.
  - Click **Submit**. 

A screenshot of a web form titled "Join Event Now as Panelist". The form asks for the following information: First name (Test), Last name (Test), Email address (Test@test.com), and Panelist password (represented by dots). There is a blue "Submit" button at the bottom right of the form.

Do not change the email address or the webinar will not recognize you as a panelist and will not let you join.

- Webex may ask you to install the browser plug in or download a temporary application. Either option may be selected and will allow you to participate in the hearing.
- Verify your audio and video options.
  - At this point you may choose to use your phone as the audio option. Webex will provide the call-in number to dial and the code to allow access to the webinar. Use this option if you have access to the internet through your computer but have no webcam or microphone.
- Once you are ready to join, select **Join Webinar**. 

Chrome is the recommended web browser for Webex Webinars. It is advised to NOT use Internet Explorer or Edge.

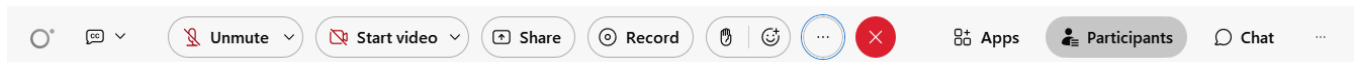
## Joining by Phone Only

- Inform the court prior to the hearing that you are only able to join by phone.
- Provide the court with the phone number where you will be available during the scheduled hearing time.
- Offer your direct line; do not use a phone number that requires dialing an extension.
- Make sure you are available by phone at least 15 minutes prior to the scheduled hearing time.
- The court will call individuals participating by audio only prior to the scheduled hearing time and conference each one into the remote hearing. *NOTE: Specific procedures may vary with each local court or hearing.*

## Webex Webinar Controls

Moving your mouse or tapping in the video screen area of the Webex window will display the following options:

- **Microphone** – mutes or unmutes your audio.
- **Video** – turns the video function on or off.
- **Participant Panel** – opens and closes the participant panel, which displays the panelists and attendees.
- **More Options** – provides a list of additional actions that may be taken depending on the role of the participant.
- **Leave Webinar** –leave the remote hearing.



To view video displays differently, look for the following options in the upper right-hand area of the Webex window in **Layout**:

- **Grid View** – all panelists are displayed in a grid with a maximum of 25 different videos.
- **Presenter View** – the view switches between showing the video of the panelist currently talking.
- **Presenter View with Thumbnails** – the view switches between showing the video of the panelist currently talking. Thumbnail views of all other panelist videos are shown at the bottom of the screen.



## Sharing Content

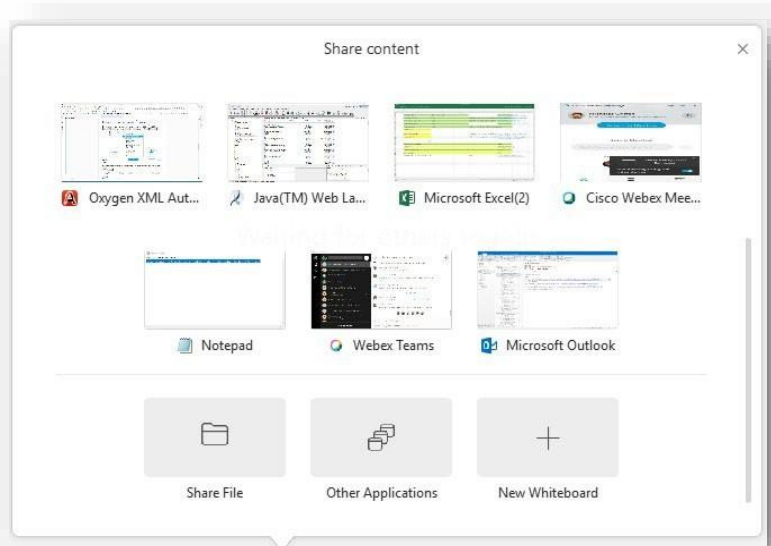


Sharing of content can be performed by those with the host or presenter roles. Remote hearing participants may be promoted to the role of presenter if authorized by the judge.

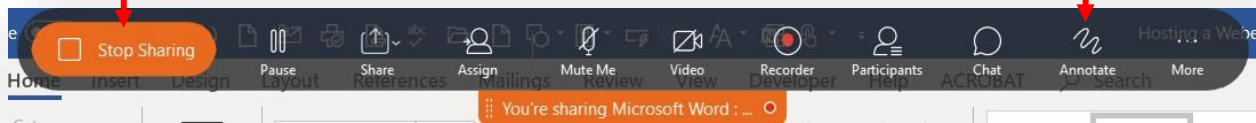
Exhibits (and other documents) may need to be shared during the remote hearing. To share content during a remote hearing so others can view it, select Share content from the webinar control panel.

A window will appear with a list of open programs and content the presenter can share. Select the content for the sharing to start.

When sharing content, the Webex toolbar will dock at the top of the screen. There are several options available while sharing. To mark up your content use the **Annotate** tool. To stop sharing content select the **Stop Sharing** button.



If the presenter is sharing content and needs to switch to different content, they will be required to stop sharing before the change can be made. Before presenting verify the correct screen is selected as other items on your screen may be visible.



## Changing or Blurring your Background

### Before You Join the Meeting or Webinar

1. Click **Change Background** and then select on of the following options:
  - Click **Blur** to blur your surroundings while remaining in focus,
  - To use a default virtual background, click the one you want.
  - To use your own background, click the **Plus** icon.
    - Search for and open the desired image.
    - For best results, images should be equal to or greater than 1280 x 720 pixels.

### During a Meeting or Webinar

1. In your self-view window, click the Video options icon, choose Change Virtual Background, and do one of the following:
  - Click **Blur** to blur your surroundings while remaining in focus,
  - To use a default virtual background, click the one you want.
  - To use your own background, click the **Plus** icon.
    - Search for, and open the desired image.
    - For best results, images should be equal to or greater than 1280 x 720 pixels.
2. When you are ready for everyone in the meeting to see your background, click Apply. Webex remembers your selection for your next meeting.

