

## **Remote Proceedings: Tips for Attorneys**

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Hello. In this video, we will share tips for attorneys participating in remote court proceedings. We will cover the etiquette of remote proceedings, preparing your client, witnesses, the chat feature, breakout rooms, and presenting evidence.

Let's get started.

#### **Etiquette of Remote Proceedings**

You should prepare for a remote court proceeding the same way you would for an in-person hearing. Dress professionally and be on time.

Log into the hearing from a computer in a quiet room. Do not engage in other activities or conversations while participating in the hearing. For your safety, you should not drive during a remote proceeding. Plan to focus on the court hearing only.

Make sure your background and lighting are not distracting. You may wish to blur your background. To do this, click on the arrow next to the camera icon and select Choose Virtual Background. Make sure the room is light enough that you are clearly visible.

Don't forget to prepare yourself with the proper equipment. Dual monitors, a headset, and a strong internet connection may be useful. If you are unable to hear the proceedings well during the hearing, inform the court right away.

#### **Preparing Your Client**

Let's discuss how to prepare your client for a Zoom remote court proceeding. Perform a test Zoom call with your client before the day of the hearing. Make sure they have all the equipment they need, such as a computer and a strong internet connection. Remind your client that they should log in alone from a private room.

Confirm that your client is familiar with Zoom's tools. For example, they should know how to unmute and mute their microphone before and after speaking. Plan how you will communicate with

your client during the proceeding, such as by text message, e-mail, or direct chat messaging in Zoom.

### **Witnesses**

The court may require a list of witness names and contact information before the hearing date. Provide that information to the court. Let your witnesses know that if the court contacts them to ask for further information, such as their email address, they should provide it.

Prepare your witnesses. Make sure they have what they need to sign in to Zoom. Tell them to sign in using their full, real name. They should not use aliases or nicknames. Witnesses should log into the hearing alone from a secure room. The court may ask them to verify that they are alone. Make sure they wear appropriate clothing just as they would in a physical courtroom.

While your witness testifies, they should look into the camera and not look at any notes unless the court tells them to.

### **Chat Feature**

While attorneys and clients may use the chat feature to communicate privately during the hearing, you may not communicate with a witness while they are testifying.

If you use the chat feature to communicate with a client, make sure the chat is private. Zoom is set for everyone to see chat messages sent by any participant. You can change this by selecting the person you want to see your messages before using the chat function.

If you have selected an individual to see your messages, their name will appear after the “To:” in the chat box and the words “Direct Message” will appear.

### **Breakout Rooms**

The court may use breakout rooms to allow participants to speak privately to each other. Only the court can place you in a breakout room. Breakout rooms are not recorded, and conversations in breakout rooms are excluded from the record.

### **Presenting Evidence in Remote Proceedings**

Prepare your evidence in advance. The court will likely ask you to submit your evidence to the clerk’s office before the day of the hearing. You may be asked to submit it through MDEC. Name your exhibits with the party designation and an exhibit number. Remember, your evidence still needs to be presented to the court and admitted during the hearing.

Get familiar with the Share Screen feature of Zoom.

You may need to share your screen to display evidence during the hearing to, for example, to lay a foundation, refresh a witness’s recollection, or impeach a witness. It is important to ask the court for permission to share your screen before using this feature.

When you click on Share Screen, you can choose what you would like to share, including a specific document or photo. You can also choose to share your entire screen. But be careful. All the participants will be able to see everything that is on your screen. If you can, select specific

documents to share. Have these documents loaded and available when the hearing starts, and practice using Share Screen before the day of the hearing.

### **Let's Review**

Remember, if the court uses breakout rooms, the conversations in those breakout rooms are off the record. Prepare your witnesses and your client. Make sure they have the proper equipment and a secure room to log in from. If you use Zoom's chat feature to communicate with your client, make sure you are direct messaging your client. Do not use the chat feature to communicate with a witness while they testify. Follow court instructions to submit evidence and witness information to the clerk's office before the day of the hearing. Make sure you are familiar with Zoom's Screen Share feature. You may need to use it during the hearing to display evidence.

Thanks for watching.