

PROTOCOL AND PRACTICES FOR REMOTE HEARINGS ONTARIO COURT OF JUSTICE AT BRAMPTON

GENERAL GUIDANCE

Below are various best practices and points of etiquette that will help ensure your participation in a remote hearing is as effective as possible. They are for guidance only, and they are not exhaustive. The directions of the presiding judge should always be followed.

Each party and lawyer is to read this Protocol and lawyers are to ensure that each has reviewed this document with his/her client.

- **Find an appropriate space.** You may not have complete privacy and silence in your current environment, which may be a shared living space, but please do your best to participate from a private, quiet space. For videoconferences, please try to find a space that also has good lighting and a neutral background.
- **Speak slowly and clearly.** Some participants' Internet connections and/or speakers might not allow them to hear others clearly. Speaking slowly and clearly will help everyone follow what you are saying and will assist any interpreters.
- **Ensure that your phone, computer or device is plugged in or that the necessary charger is handy.**
- **No one may photograph, video or audio record, publish or broadcast the remote court attendance** or any portion of the court attendance, except with the advance approval or order of the court, under section 136 of the *Courts of Justice Act*.
- **At the start, each participant shall state his/her name for the court record** and will identify any other person who is present during the remote court hearing. Each participant shall ensure that there are no children present or overhearing the remote court hearing.
- **Each participant will wait until called upon by the judge to speak.** Before speaking, the speaker will identify themselves, and if they are a lawyer, the name of the person they represent.
- **Parties or lawyers who are not making submissions must mute their microphones.** Only the judge and the party making submissions (or an objection) may have their microphones turned on.
- Before referring to a document, during submissions, speakers will name the document and refer to the relevant volume, tab and page/paragraph number or Exhibit number.
- **Lawyers and parties will not interrupt each other during submissions.**
- **Lawyers and parties will keep objections to a minimum.**
 - If parties have an objection they will raise their hand or, if necessary, state only "I have an objection";
 - if on a telephone call, respectfully interrupt the conversation to let the presiding judge know you have something to say; or,
 - if on video, raise your hand to show the presiding judge that you wish to speak; and,
 - After being acknowledged by the court, the objecting party will identify themselves and state their objection concisely.
- **If there are issues with the video or audio connection,** the party/lawyer will raise their hand or will e-mail the other parties/lawyers to advise of the issue, so that those parties may immediately notify the court.

GUIDANCE FOR TELECONFERENCES

- **Choosing a phone:** Use a land line where possible. If using a cell phone, headphones with a built-in microphone and mute button may reduce echo and provide the clearest sound quality.
- **If using a cell phone, put it on silent mode so that notification sounds do not disrupt the hearing.**
- **Avoid using speakerphone**, which decreases audio quality.
- **Avoid using Voice over Internet Protocol (VoIP).**
- **If using a cell phone, mute notifications**
- **Mute your phone when not speaking.** This reduces background noise (e.g. from other persons in your household).
- **Do not put the call on hold.**

GUIDANCE FOR VIDEOCONFERENCES

- **Before the hearing, familiarize yourself with your microphone, camera and speakers.**
- **Before the hearing, test your technology from the place where you plan to participate in the hearing.** This will indicate whether your Internet connection is strong enough in that location. A videoconference can use a lot of bandwidth.
- **If you have one, consider using an external microphone.** This may pick your voice up more clearly than the microphone built into your device.
- **Dress in appropriate business attire.**
- **To the extent possible, reduce the number of other devices using your Internet connection during the hearing.**
- **Close any applications that you are not using during the hearing.**
- **Log into the hearing 5 minutes before the scheduled start time.** This will give you an opportunity to address last-minute technical issues and ensure that you join the hearing as soon as it begins. **Participants to calls involving child protection matters should not log in until the time of the conference**
- **Your screen name should be your given name and surname.** All participants on the call, including the presiding judge, can see your screen name.
- **While speaking, look into your camera lens.** This gives the other participants direct eye contact with you. Do not look at the person to whom you are speaking.
- **Mute your microphone when not speaking.** This reduces echo and background noise.
- **Mute notifications on your computer/device.** These can interrupt the hearing.
- **Say your name whenever you start speaking.**

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Justice Philip Clay
Local Administrative Judge