



# CIVIL DEPARTMENT BEST PRACTICES FOR VIRTUAL COURT HEARINGS

## JUDICIAL BRANCH OF ARIZONA – MARICOPA COUNTY

The spread of COVID-19 has had a significant impact on the courts and the manner in which cases are heard and decided in Arizona. The Superior Court in Maricopa County has responded to that impact in many different ways, one of which is the implementation of a videoconference platform. The platform presently in use is GoToMeeting, which allows parties to appear remotely for hearings before the court.

When CIVIL DEPARTMENT judicial divisions set videoconference hearings, the parties will be provided with a link via email through division staff or the access information will be provided by the court in the minute entry or order setting the hearing. This link is separate from, and should not be confused with, the “bridge lines,” which are also referred to as the “audience lines” that allow for public access to court proceedings by providing a telephone number and an access code by which both parties and members of the public can virtually attend the proceeding. At a videoconference hearing, the bridge line is merged into the conference line; members of the public can hear, but cannot see, the videoconference participants. Counsel should feel free to share the videoconference link with their clients and others who need to appear by video (such as witnesses in a trial or evidentiary hearing). Those who do not need to see the proceeding or be present by video should use the bridge line

The GoToMeeting platform is user friendly and relatively easy to master after a little practice. That said, there are a number of ways by which practitioners can increase the effectiveness of the technology and in turn the effectiveness of their court appearances.



### Plan and prepare

- ▶ The court recommends that lawyers and their clients access the platform at least ten minutes prior to the scheduled start time for the hearing. During this time, participants should confirm that **THEIR DEVICES ARE PLUGGED IN OR FULLY CHARGED**, they have a good connection, and ensure that each can be seen and heard clearly. Practice sessions can be arranged with court staff in advance of the hearing to verify that the audio and video work properly for each participant, and to become familiar with the document sharing and marking features of the platform.
- ▶ Think about lighting. Generally speaking, natural light is best. As much as possible, the light source should hit your face straight on. If a light source such as a window appears on your video screen, you will likely experience darkness and shadows around your face. To reduce the shadows, turn your camera to eliminate the light source from appearing on your video screen.
- ▶ Minimize distractions. As best as possible, isolate yourself from distractions such as kids, pets, and outside noise (SUCH AS landscapers or other workers). **DO NOT CHECK TEXTS OR EMAIL, TALK WITH OTHER PEOPLE, OR TAKE OTHER PHONE CALLS UNLESS RELATED TO THE HEARING. WAIT YOUR TURN TO SPEAK. PAUSE BEFORE YOU SPEAK TO AVOID TALKING OVER OTHER PEOPLE. SPEAK AT A NORMAL VOLUME AND SAY YOUR NAME BEFORE YOU SPEAK.**



## Get ready.

- ▶ Video hearings should be treated the same as in-person appearances, and all participants should dress professionally AND REMOVE ANY MASK IF SAFE TO DO SO IN ORDER TO BE SEEN AND HEARD.



## Check your equipment

- ▶ Check your camera placement. The camera should be eye level or higher (no up angles). Closer is generally better. The Court and other hearing participants should be able to see your face clearly. If possible, practice your presentation with someone else who can give you feedback.
- ▶ Make sure you can be heard. Speakerphones often create an echo and poor audio quality. A Bluetooth headset or headphones with a microphone (airpods or hardwired headphones) are preferred. LOOK AT THE CAMERA WHEN SPEAKING, NOT THE DEVICE SCREEN. If you are not speaking, mute your microphone. This helps improve the sound quality for everyone.
- ▶ Technical difficulties happen. If you are having trouble with your wifi connection, disable your camera by clicking on the camera icon (the icon appears at the bottom of the GoToMeeting screen when you float your cursor over it). You will be able to see the participants appearing by video and everyone will hear you. If you are experiencing trouble hearing or seeing something you should be hearing or seeing, signal to the judge or use the Chat feature to communicate in writing.



## Before the trial

- ▶ Have your exhibits ready. Have a set of exhibits ready at the beginning of the hearing, and make sure each witness has a set. The exhibits should be marked to correspond to the exhibit index provided by the clerk of court prior to the hearing. If exhibits are submitted to the clerk of court electronically, the exhibits will be provided by the clerk of court to the judge in electronic format. Viewing participants on screen and electronic exhibits during a proceeding can be challenging; therefore, most judicial officers appreciate a courtesy paper copy of all exhibits you intend to use during the hearing. For ease of reference, each page of each exhibit should have an identifier such as a bates number. Exhibits that are displayed on the screen can sometimes be difficult to see clearly. If possible, while in presentation mode (screen share), be prepared to enlarge and highlight relevant portions of exhibits.