Tips for Attorneys and Self-Represented Litigants Appearing in Remote Civil Hearings Before the Superior Court

Prepared by the Superior Court Civil Committee May 4, 2020

- 1. Identify yourself each time you speak.
- 2. Be aware that the hearing is live and public. Unless you are muted, anything you say will be heard by those attending and will be on the record.
- 3. Do not disclose impounded information during the hearing unless and until you address the issue with the judge.
- 4. Speak slowly and wait until prompted. Be mindful that there is a lag.
- 5. Do not interrupt. Ensure one individual speaks at a time.
- 6. Without the benefit of non-verbal cues, you may tend to speak longer than you would in person. Be aware that the judge may wish to interpose a question or comment. For videoconferences, make sure you maintain eye contact with the judge. For teleconferences, ensure sufficient pauses in order to permit the judge to respond.
- 7. If instructed, use the "raise your hand" function on Zoom.
- 8. Consider requesting a "private chat" function for communications with your client or cocounsel.
- 9. Be mindful of and troubleshoot audio echo, particularly when you are using more than one device or when multiple participants are in proximity to each other using separate devices.
- 10. When interpreters are present, ensure counsel pauses for translation.
- 11. Mute yourself when you're not speaking.
- 12. When multiple people are on a videoconference, use a "gallery view" in order to identify who is speaking. When using "speaker view," the video focuses on whoever is speaking. But, the video may focus on a participant who makes even a slight sound and may remain focused on that participant until someone else speaks.
- 13. Ensure the court has copies of all documents that you will be discussing or presenting during the hearing.

- 14. Courtroom rules, practice and decorum still apply. You are not required to stand at the beginning or end of the session, however. Ensure proper demeanor and professional dress.
- 15. Just as in a courtroom, unauthorized recordings of virtual proceedings are impermissible. The clerk will record the hearing.
- 16. You may request FTR start and end times from the clerk in order to easily access the hearing recording at a later date.