

## **Virtual Courtroom Protocols**

### **Central West Region**

Since March of 2020, an increasing number of court events are taking place in a virtual courtroom using video and/or audio technology. It would appear that we will be conducting virtual hearings for the next several months.

All hearings, whether in person in a courtroom, or virtually, are formal court hearings. Decorum must be maintained in virtual hearings, just as in a physical courtroom. The following protocols must be maintained by all participants in a virtual hearing:

#### Preparation & Identification:

1. To minimize distractions during the course of a hearing, please log in 15 minutes before the scheduled start time. This will allow you to test your technology before the hearing commences. It will also provide an opportunity for you to give your current email address to the court registrar. This step is the equivalent of filling out an attendance slip.
2. You must identify yourself in the virtual hearing. If you are appearing by zoom, please sign in using your first and last name so that your full name appears under your video image. If you are unable to sign in under your own name, please advise the registrar.
3. If you are appearing by phone, please provide your name immediately to the registrar so that your phone number can be renamed to your full name.

#### During the Hearing:

4. For the hearing to be effective it is essential that have your zoom video turned on, unless the judge requests otherwise. If this is problematic, you should advise the judge right at the outset of the hearing. If possible, please have your zoom video turned on at all times.
5. Please mute your audio when not speaking. Try not to speak over others. Please raise your hand when you wish to speak.
6. Audio quality can be improved with the use of headsets, headphones or earphones.

#### Attire:

7. Counsel must wear gowns for all trials and for criminal pre-trial applications unless the presiding justice orders otherwise. All other hearings, including virtual hearings are formal court hearings and counsel and the parties must wear proper business attire at such hearings.

### Minimize Distractions:

8. Please make your best efforts to eliminate distractions by locating in a quiet area. Please identify for the court any other individuals within hearing distance of the virtual hearing.
9. Please use your best efforts to ensure that children are not within hearing distance of the virtual hearing. If children are present, please advise the court so that discussions can be adjusted appropriately.

### Behaviour:

10. Please at all times be courteous and respectful to all virtual court participants. This includes ensuring that your physical and facial expressions are appropriate to the formality of the proceedings.
11. The dignity of the court setting must be maintained. Please do not prop your feet up on a table or chair. Disruptive or abusive behaviour will not be tolerated and may lead to your removal from the hearing.
12. It is permissible to drink water during a virtual hearing. No other beverages and no food should be consumed.
13. Tobacco or vaping products shall not be used in the virtual courtroom.
14. Please do not walk around the room or step away from the screen during the video meeting. If you need to step away from the meeting or divert your attention away from the screen during the meeting, please advise the justice.

### Recording:

15. In accordance with Section 136 of the *Courts of Justice Act*, it is an offence for members of the public to copy, record, publish, broadcast or disseminate any court hearing or any portion of it, including a hearing that is conducted over videoconference or teleconference without leave of the Court. Furthermore, members of the public and all other persons in the courtroom must comply with the terms of the Protocol on the Use of Electronic Devices in the Courtroom which is available on the Superior Court of Justice website. Some proceedings may also have publication bans in effect, which make it a criminal offence to publish or broadcast certain information that may be referred to during a court hearing.

### Additional Information:

16. Additional information on best practices and etiquette for virtual hearings can be found at [Best Practices and Etiquette for Remote Hearings | Superior Court of Justice \(ontariocourts.ca\)](https://www.ontariocourts.ca/scj/notices-and-orders-covid-19/remote-hearings/) <https://www.ontariocourts.ca/scj/notices-and-orders-covid-19/remote-hearings/>