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# USER GUIDE AND BEST PRACTICES FOR REMOTE HEARINGS

## INTRODUCTION

As a result of the COVID-19 pandemic, some court proceedings are being held remotely by videoconference (video link) or by audioconference (telephone). You will receive a meeting notice in the mail or by email that will provide information on how to connect to your hearing. You have the option to attend your remote hearing by audio or video through Zoom. Where court is proceeding by trial, all parties including counsel, defendants, witnesses and interpreters are expected to appear on video.

The purpose of this guide is to provide guidance to anyone preparing for or participating in a remote hearing for York Region Provincial Offences Court. The remote hearing is still considered a court hearing and when possible, the etiquette and procedures of the court hearing should be maintained.

The Guide will be reviewed periodically and updated to address changes to technology, new experience, and information during the Covid-19 period and beyond.

The best practices apply to any remote hearing, but the directions of the presiding judicial official should always be followed.

## Preparing for your Video Conference

The video conference hearing will take place using the Zoom platform. If you do not have access to the devices noted below, please refer to the audio conference information. **If the matter is proceeding by trial, all participants must connect by video.**

## REQUIRED TECHNOLOGY

- You will require a desktop computer, laptop or smartphone that is equipped with a camera and microphone.
- Stable internet connection of at least 1mbps. This can be tested at <https://www.speedtest.net>.

### Before Court Starts

- Install Zoom for free. We recommend you download and install the Zoom meeting app on your smartphone, tablet, or computer.
- Familiarize yourself with the Zoom app and test it on your device. You can join a test meeting at <https://zoom.us/test>.

- Please ensure your microphone, speaker, or headset and camera are working. You can do this by testing in advance of your court proceeding at <https://zoom.us/test>
- You will receive video conference access information on your meeting notice sent to you by email or by mail.

## PREPARING FOR YOUR AUDIO CONFERENCE

The call-in option is available if you do not have internet access or other technology to support Zoom video conferencing. If joining by phone, you will not be able to see the other participants and they will not be able to see you, but you will still be able to hear each other. Where court is proceeding by trial, all parties are expected to appear by video.

## REQUIRED TECHNOLOGY

A land line or a cell phone

### Before Court Starts

- Ensure your phone or device is fully charged or connected to power prior to the session
- Do not use speaker phone function. Instead use a hand-held phone or use a set of headphones with a built-in mic and mute feature.
- You will receive the call-in information on your meeting notice sent to you by email or by mail
- A local number is provided in your notice. If you are calling from outside of the country, contact court administration for further direction.

## The Remote Environment During the Hearing

- If you join the remote hearing by video, you will be prompted to enter your screen name. The name that you enter will be displayed for all participants to see. Type your first and last name as it appears on the court notice. Your display name may be changed by the Court to accommodate court proceedings. Please do not change.
- You can mute and unmute your own microphone by pressing the 'Mute' or 'Unmute' icon on the bottom left hand side of your screen. You can also press \*6 to mute/unmute the audio if you choose to phone in.
- The Court may assign participants to Zoom breakout rooms to support the court procedure. You will need to accept the Court's invitation to join the breakout room. Once inside the breakout room, follow the directions of the Court.
- If there is a recess or break in the proceeding, please follow the directions of the Court.
- Once your matter has concluded, the Justice of the Peace will advise if you can disconnect. You can click 'Leave Meeting' at the bottom right of your screen if you connected by video link or hang up if connected by telephone.

### Exhibit Process

During the course of a hearing, prosecutors, defendants or defense counsel may rely on documents, photos, audio and video clips as part of their evidence. Evidence that you want to submit as an exhibit

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may be emailed up to five (5) business days prior to the court date. Physical items must be submitted a minimum of five (5) business days prior to the court date. The presiding Justice of the Peace will determine on the court date whether to accept any item submitted as an exhibit.

- Please email your exhibits in .pdf format to [YRexhibits@york.ca](mailto:YRexhibits@york.ca)
- In the subject line of the email, please include the following: Digital Evidence – Court Date – Defendant Name – Offence Number.
- To file a physical exhibit, you must book an appointment to attend the court at least five days in advance of the court date. Go to [www.york.ca/courts](http://www.york.ca/courts) and click 'Book an Appointment' under the 'Mandatory Appointment Booking' heading.
- Documents and photographs 19 MB or less must be submitted in .pdf format.

To convert a document or photo into .pdf format, open the file in the appropriate application, select either 'File' > 'Print' or click the printer icon, select 'Microsoft to Print to PDF' from the 'Printer' dropdown menu, click the 'Print' button, enter the name for the .pdf file, and save the file accordingly.

Items that parties wish to introduce as exhibits may also be submitted during the trial. The presiding Justice of the Peace will make a ruling as to whether the item will be accepted as an exhibit.

The tendering party may make a request to share the screen so all parties will be able to view the item on screen. Please follow the direction of the presiding Justice of the Peace.

## Best Practices and Court Etiquette

**No Recording:** Recording, publishing, broadcasting, reproducing, photographing, or otherwise disseminating the video, audio, or any photograph of any remote hearing is prohibited under section 136 of the *Courts of Justice Act*. The attached link at [www.ontario.ca/laws/statute/90c43](http://www.ontario.ca/laws/statute/90c43) sets out the penalties for recording, including prosecution.

**Find a Quiet Location:** The court understands that you do not have the advantage of appearing in a controlled courtroom environment. Every reasonable effort should be made to find a quiet, private space with a neutral background for your court hearing.

**Mute Microphone:** To minimize background noise, your microphone must be on mute when you're not speaking. If you are using a computer, close applications on your computer such as Twitter, Facebook and email.

**Dress Appropriately:** Dress as if you are attending an in-person proceeding in the courtroom.

**Introductions:** When you first join the remote proceeding, you will be asked to identify yourself for the record (and who you represent, if applicable).

**Speak clearly and slowly:** Remember to unmute before speaking. Speak clearly and slowly enough for everyone to follow what you are saying.

**Forms of Address:** The Justice of the Peace should be referred to as "Your Worship".

**Material:** Collect and organize the documents you will need in advance, and make sure you have them with you for the hearing.

**No Food or Drink:** As in a courtroom, do not eat or drink anything but water during a court proceeding.

**Interpreter:** If you require an interpreter, please contact the courthouse before your hearing at 1-877-331-3309 for Newmarket (4960) or at 1-866-758-0750 for Richmond Hill (4961).

**Transcripts:** Information about how to order transcripts of proceedings is available at [www.york.ca/courts](http://www.york.ca/courts)

## Technical Difficulties

If the image and sound quality is interrupted, ask whether other participants can still hear you. If you disconnect unexpectedly, please try reconnecting. If difficulty continues, please try calling into the session using the telephone number provided. If you cannot reconnect to the proceeding by phone or by any other device, contact court administration at 1-877-331-3309.

## Additional Information

For more information, please visit [www.york.ca/courts](http://www.york.ca/courts)

For further technical support on Zoom, go to [support.zoom.us](http://support.zoom.us)

If you require accommodation or have accessibility needs, please contact the accessibility coordinator at [accessibilitycoordinator@york.ca](mailto:accessibilitycoordinator@york.ca) or call 1-877-331-3309

