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Title:

Administrative Notice

General Requirements for Microsoft Teams Video Hearings

Summary:

This Administrative Notice sets out the technical and other requirements for anyone participating in a court hearing by Microsoft Teams Video. It also provides information on how members of the media or the public can attend such proceedings. This information was previously included in the Court's COVID-19 Notice No. 47.

Direction:

EQUIPMENT AND DOCUMENTS

1. Parties, counsel and/or witnesses ("Participants") attending a proceeding by Microsoft Teams Video ("Teams Video") must supply their own equipment and set up and use Teams Video on their own.
2. Parties and/or counsel must file their documents in advance of the Teams Video hearing in accordance with the applicable Rules of Court, Practice Directions, and any applicable notices issued by the Court.

MINIMUM TECHNICAL STANDARDS

3. Parties and/or counsel must ensure that all Participants appearing by Teams Video, including any witnesses authorized by the Court to testify by Teams Video, meet the following minimum technical standards:
 - a. **Equipment:** Participants must have a working laptop or desktop computer that can run Teams with an operational camera (either an internal camera or an external mounted camera) and a microphone or headset. Smartphones, iPads, or similar handheld devices are not recommended.

- b. **Installation:** Participants should install Microsoft Teams on their computers in advance of the Teams Video hearing, although it is possible also to join using a web browser such as Google Chrome.
- c. **Knowledge of Teams:** Participants must have working knowledge of Teams. The Canadian Bar Association has produced a useful guide to [Using MS Teams in Online Court Proceedings](#) (“Teams Guide”). It contains detailed information about how to prepare for and participate in a Teams Video hearing. Participants should carefully review the Teams Guide together with this Administrative Notice in advance of the Teams Video hearing.
- d. **Internet speed:** Participants must test their internet connection to guarantee that they have sufficient bandwidth, with a minimum internet speed of 20 MBPS down and 10 MBPS up. Participants should perform a self-test of their internet speed at <http://fast.com> or <http://speedtest.net> before the Teams Video hearing. Participants may need higher internet speeds if they intend to use other online programs at the same time as Teams Video (for example, if they are opening documents from a remote site).
- e. **Dedicated wired connection:** Participants should join the Teams Video hearing using a dedicated wired internet connection, meaning that their Ethernet cable should be directly connected to their computer for an optimal experience. Wireless internet (“WiFi”) does not always provide a stable connection and can lead to issues with audio and video continuity. WiFi may be used if upload and download speeds can be consistently achieved. If WiFi is used, the connection should be private and secure (password protected), and the computer should be in close proximity to the router to provide the best signal.
- f. **Audio:** Participants should join a Teams Video hearing using the computer audio option in Teams. However, if the Teams Video connection fails during the hearing, participants may join using the phone audio option in Teams if the participant can still also appear on screen by Teams Video.
- g. **Technical support:** Participants must have their own technical support to troubleshoot any problems with audio or video that may arise during the Teams Video hearing.
- h. **Coordinated Self-test:** Parties and/or counsel should coordinate amongst themselves to hold a self-test prior to the day of hearing and reconfirm that their internet speeds and platforms are sufficient on the day of the hearing. Parties and/or counsel should also conduct a test with any witnesses they plan to call who are authorized by the Court to testify by Teams Video.

INVITATION TO THE HEARING

4. Parties and/or counsel who are scheduled to attend a Teams Video hearing will receive an email from the Supreme Court with the link to the Teams Video hearing.
5. Arrangements will be made separately for in-custody accused persons to attend by video.
6. Counsel are permitted to share the link to the Teams Video hearing with their client(s), but not with the public or the media.

ATTENDANCE BY PUBLIC OR MEDIA

7. Members of the media and public may attend court proceedings in person in a courtroom, including proceedings that are heard by Teams Video, if the proceedings are open to the public.
8. If members of the media or public cannot attend in person and wish to attend a particular proceeding by telephone, they should send a request by email to The Honourable Bruce Cohen, Superior Courts Communications Officer, at SCJCommunicationsOfficer@bccourts.ca for consideration by the presiding judge or master as soon as possible in advance of the proceeding.
9. The Court cannot guarantee telephone access for all court proceedings.

FORMALITIES AND DECORUM FOR TEAMS VIDEO HEARINGS

10. Participants must conduct themselves in a manner appropriate to the gravity of a court proceeding.

General formalities

11. Participants attending Teams Video hearings should observe the following formalities:
 - a. **Attire:** Counsel must still abide by the gowning requirements in [Practice Direction 11](#), unless the Court directs otherwise. Other participants are expected to dress in business attire.
 - b. **Time estimates:** Parties and counsel must provide realistic time estimates and adhere strictly to them.
 - c. **Sitting and standing:** Participants are not required to stand when the Teams Video hearing commences or ends, or when addressing the Court.
 - d. **Bowing:** Participants are not required to bow at any time.
 - e. **Appropriate space:** Participants should make reasonable efforts to find a quiet, private, well-lit space with a neutral background from which to attend the Teams Video hearing. Avoid physical backgrounds that are distracting or which could detract from the decorum of the Court.

Before the Teams Video Hearing Starts

12. Participants attending Teams Video hearings should follow these directions before the hearing starts:

- a. **Checking In:** In civil and family matters only, parties and counsel should check in at least 30 minutes prior to the scheduled hearing.
- b. **Names:** When prompted, Participants should enter their first and last names as their screen names in Teams.
- c. **Pre-Test:** Participants should conduct a pre-test to ensure that your microphone, speakers, and video are working.

During the Teams Video Hearing

13. Participants attending Teams Video hearings should follow these directions during the hearing:

- a. **Introductions:** When the presider enters the Teams Video hearing, the court clerk will call the matter and parties and/or counsel should introduce themselves for the record as they would during an in-person court hearing. The Teams Video hearing will then proceed much as a regular court hearing.
- b. **Forms of address:** Participants should use customary forms of address for court: Chief Justice/Associate Chief Justice/Justice/Madam Justice/Mr. Justice _____ to address judges; and Your Honour or Master/Registrar _____ to address masters and registrars.
- c. **Mute microphone:** Participants must mute their microphones when they are not speaking.
- d. **Avoid screen sharing:** Participants may not share a document or their screen during the Teams Video hearing, unless the Court otherwise orders or directs.
- e. **Use headphones:** Participants should use headphones or earphones for optimal audio quality, as computer microphones may pick up other sounds, such as typing on keyboards or shuffling papers, which can disrupt the audio transmission. If co-counsel are appearing on separate computers, it is preferable that they sit in separate rooms.
- f. **Staying on screen:** Participants should avoid moving away from the screen/camera or should seek the permission of the presider to do so.
- g. **Pause for questions/avoid speaking over others:** Participants should speak slowly and clearly and pause regularly to allow for the presider to ask questions. Participants should avoid speaking over the presider or other Participants.

- h. **Objections:** If a party or counsel wishes to object, they should signal the presider by turning on their microphone and raising their hand. This should activate their Teams Video window, but if this does not happen, the participant should be prepared to speak to get the presider's attention.
- i. **Eye contact:** Participants are encouraged to look into the camera when speaking in order to make "eye contact" with the presider.
- j. **Eating and drinking:** Participants may not eat and may not drink anything except water while the Teams Video hearing is ongoing.
- k. **Breaks:** Parties and counsel should remain connected to the hearing during breaks, but should mute their audio and turn off their video. At the scheduled end of breaks, parties and counsel should turn both audio and video back on, then wait for the court clerk to recall the matter.
- l. **Technical issues:** If a Participant's audio or video fails or another technical issue arises during the Teams Video hearing, they should let the court clerk know using the message function in Teams, then try to resolve the issue. If the problem persists, they should be prepared to dial in by telephone.

RECORDING PROHIBITED

- 14. All Participants and attendees to Teams Video hearings must abide by the Court's [Policy on Use of Electronic Devices in Courtrooms](#) ("Policy").
- 15. Taking photographs (including screenshots), video images, or audio recordings of any court proceeding including Teams Video hearings is prohibited under the Policy. Only accredited media may make audio recordings for the purpose of verifying notes.
- 16. Penalties for failure to abide by the Policy may include prosecution for contempt of court.

Chief Justice Christopher E. Hinkson
Supreme Court of British Columbia