

Attending Virtual Hearings: Tips and Potential Pitfalls

Presented by Holly K. Torres



COVID-19 Emergency Order

- Governor Abbott declares a state of emergency on March 13, 2020
- Texas Supreme Court issues emergency order requiring anyone involved in any “hearing, deposition, or other proceeding of any kind... to participate remotely.”



Attending Virtual Hearings

“Why isn’t this working?”

- Be Prepared
 - Download the video conference platform several days prior to your proceeding
 - Do a trial run
 - Log on to your virtual hearing, or remote deposition, at least 10 minutes early



Attending Virtual Hearings

“I’m not a cat”

- Presentation is everything
 - Prior to your hearing, make sure that your background and facial filters are either set to default mode or set to your preference
 - Think about how you look on camera and if there are any distractions
 - Ensure your background is professional

“I’m not a cat”

394th Judicial District Court

Recording of this hearing or live stream is prohibited.

Violation may constitute contempt of court and result in a fine of up to \$500 and a jail term of up to 180 days.

394th Judicial District Court



Attending Virtual Hearings

17th Annual Local Government Seminar

OLSON & OLSON LLP



Attending Virtual Hearings

17th Annual Local Government Seminar

OLSON & OLSON LLP

“Can you hear me now?”

- Check your technology
 - Make sure to use quality headphones and speakers
 - If you’ll be using Bluetooth enabled headphones, such as AirPods, connect and test your headphones prior to your hearing



Attending Virtual Hearings

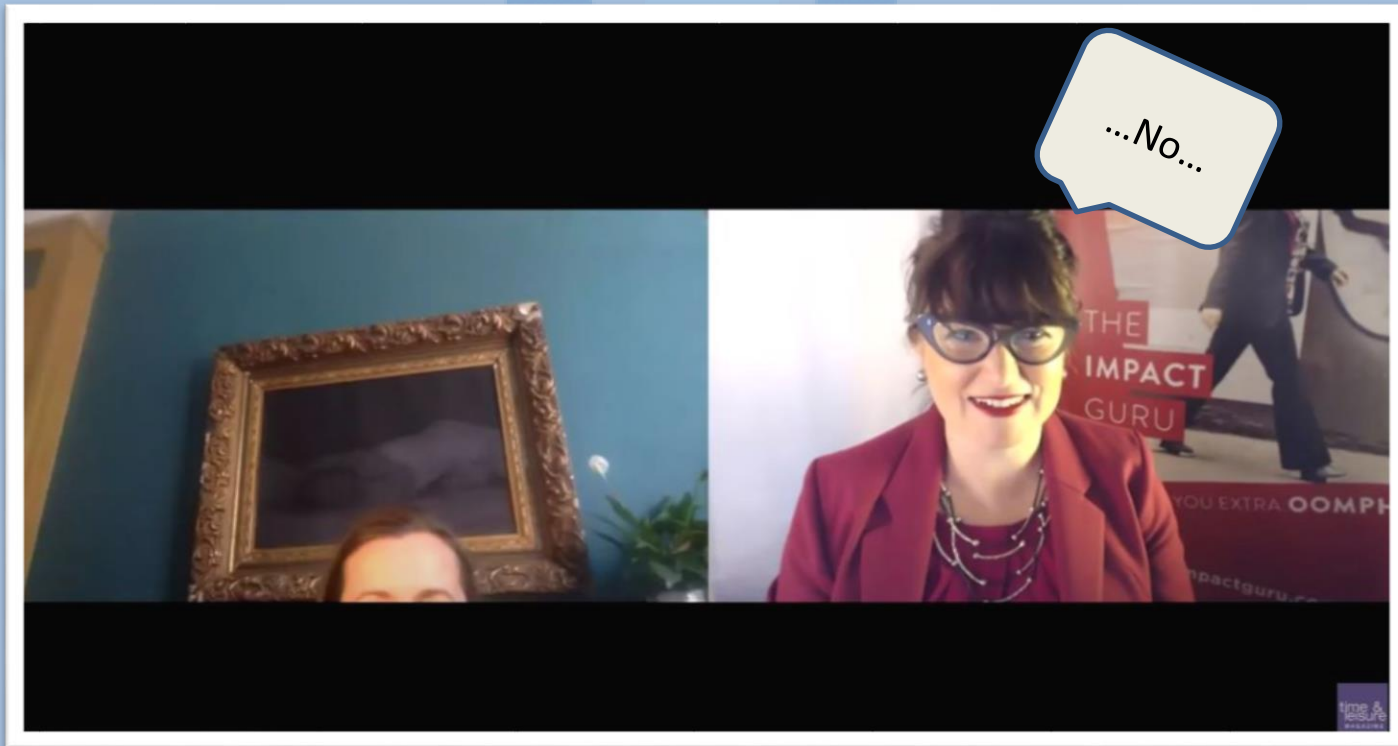
“Can you see me?”

- Think about framing
 - Do a test run
 - Be mindful of lighting and framing
 - Make sure that you’re actually in frame and the Judge can see you’re entire face from a flattering angle



Attending Virtual Hearings

“Can you see me?”



Attending Virtual Hearings

17th Annual Local Government Seminar

OLSON & OLSON ^{LLP}

“What’s that noise?”

- Background noise
 - Put yourself on mute when you’re not speaking
 - Turn off email notifications
 - Turn off your phone’s vibration mode, or take your phone off your desk completely



Attending Virtual Hearings

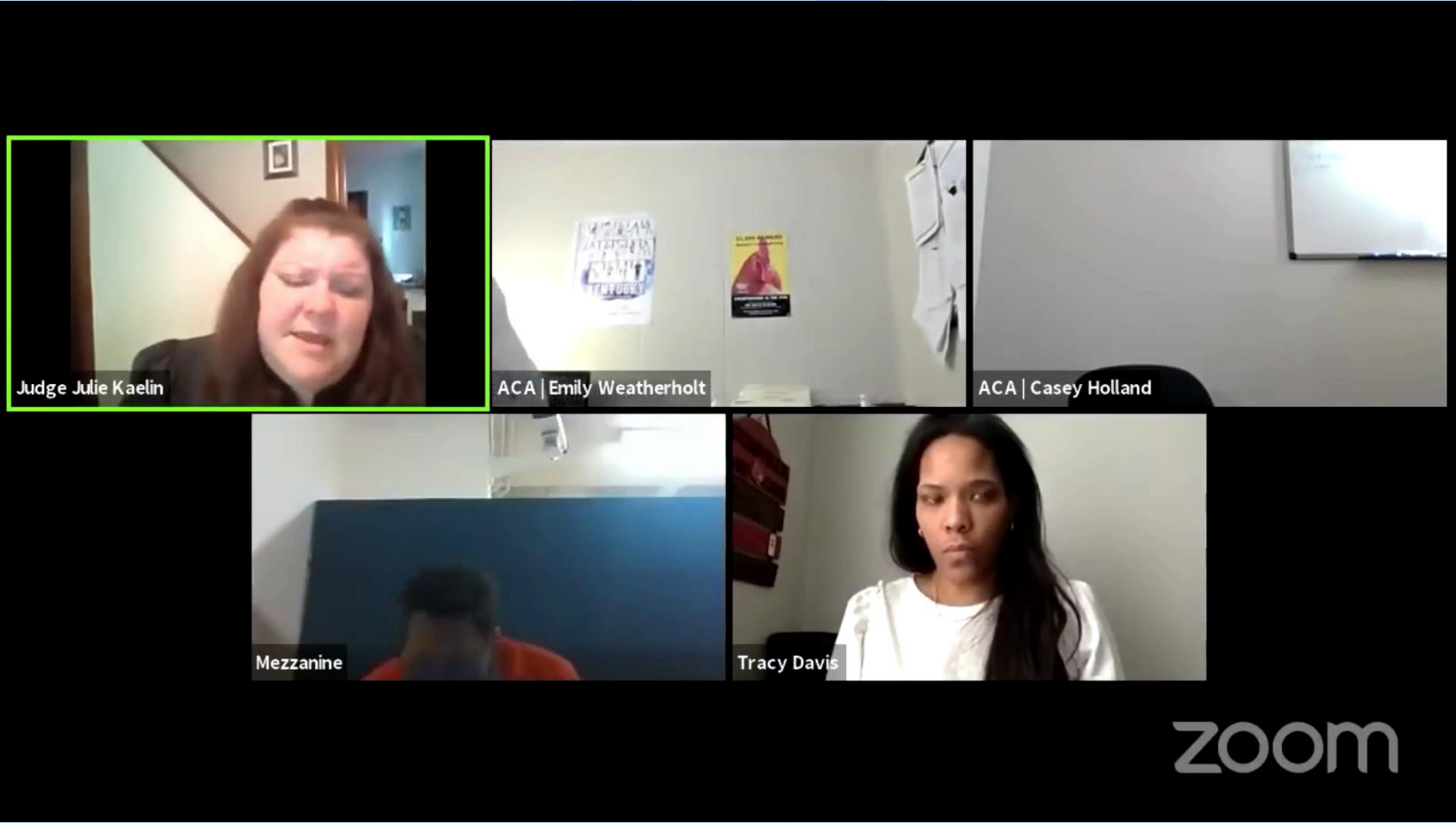
“Is it my turn? Who’s next?”

- Wait at least 3 seconds before speaking in case there is a lag in the internet connection
- Check with Court staff to see if the judge presiding over the hearing utilizes the “raise your hand” feature on Zoom
- Try to watch the last hearing, or live streamed trial, before your scheduled appearance

Communication With Your Client

- If possible, have your client in the same room as you
 - Make sure you are on “mute” when having private discussions with your client
- Do a practice run
 - Ask your client to be in the same room or location where they will be attending the virtual hearing

Communication With Your Client



Attending Virtual Hearings

17th Annual Local Government Seminar

Perfect Your Poker Face

- Even though you are not *physically* present in front of a judge in a courtroom filled with people, you still must be aware of your facial expressions, non-verbal cues or reactions, your surroundings, and location.



Attending Virtual Hearings

A Virtual Hearing is Still a Hearing



Attending Virtual Hearings

17th Annual Local Government Seminar

OLSON & OLSON ^{LLP}

In Summary

Hey – you over there – I
see you! Thank you for
watching!



Attending Virtual Hearings



17th Annual Local Government Seminar

OLSON & OLSON^{LLP}