



Tips to Enhance Your Webex Virtual Courtroom Practices

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Judge Gail Meinster

Managing Virtual D&N, Delinquency, & PSC Dockets

1. WELCOME TO THE WONDERFUL WORK OF WEBEX

- **This could be the most trauma-informed approach yet!**
 - Webex and teleconferencing literally level the playing field.
 - Parties, Parents, youth more engaged.
- **This may be permanent for certain populations.**
 - Virtual hearings may and should become the norm

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2. EXPECT NEW CHALLENGES

- **Large dockets need to be structured and organized**
 - An email from the Court to all counsel prior to the docket may provide needed guidance. I script the order for EOAs, etc.
 - Other than next docket dates, no settings-file motions with notices to set.
 - Be prompt-when there are 30 cases and you are setting some at 5 minute intervals every minute counts! Promptness reduces the chaos that may threaten a webex docket.
 - Remember the Court has lost the flexibility of calling up whatever case is ready in a courtroom.

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3. IT'S ALL ABOUT PREPARATION!

Contested Hearings Require a Different Type of Preparation

- It is less about thinking on your feet than methodically anticipating every step
- Comply with the Court's Orders regarding filing exhibits ahead of time
- Give great thought to estimating time
- Cooperation among counsel is more important than ever

Set the stage for your clients

- Help your clients understand what to expect. Let them know what it will look like on webex or how it will sound if they only have telephone capability
- Acknowledge this is different and difficult. Reduce their anxiety

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4. Tips for Best Practice

- **Prepare to work hard to engage parties.**
 - While these hearings can be very effective, they require energy and thought and they can be exhausting
 - Dockets and hearings may take much longer
- **Don't let the technology scare you.**
 - If you can talk on the phone, you can do this!
 - Know the basics-particularly the mute button
 - Anticipate a way to communicate with your client if necessary during the hearing

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Evidentiary Hearings

Virtual Courtrooms

A. Why Cisco WebEx Platform

1. Ownership of content
2. Public and party access via computer or phone
3. Flexible and supports FTR

B. Court Invitations

1. District Websites:

(e.g. https://www.courts.state.co.us/Courts/District/Custom.cfm?District_ID=5&Page_ID=951)

2. Courtroom Links:

(e.g. https://www.courts.state.co.us/Courts/District/Custom.cfm?District_ID=5&Page_ID=980)

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Evidentiary Hearings

Chief Judge Thompson Virtual Courtroom

Meeting number (access code): 925 574 248

[Join meeting](#)

Join by phone

Tap to call in from a mobile device (attendees only)

+1-415-655-0001 US Toll

+1-720-650-7664 United States Toll (Denver)

Access code: 925 574 248

[Global call-in numbers](#)

Join from a video conferencing system or application

Dial judge.thompson@judicial.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

If you are the host, you can also enter your host PIN in your video conferencing system or application to start the meeting.

Need help? Go to <http://help.webex.com>

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Evidentiary Hearings

Virtual Courtrooms (Continued)

- C. Available for all Hearing Types Except Jury Trials
 - 1. C.R.C.P.43 Considerations
 - 2. Crim. P. 43
 - 3. Use for Jury Trials
- D. Request a prehearing conference by WebEx
 - 1. Make sure to understand court's expectations
 - 2. Test run technology and make sure clients and witnesses understand how to participate

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Evidentiary Hearings

Preparation and Tips for Participants (Attorneys and Witnesses)

- A. Make sure each participant has done a test before the hearing**
- B. Sit close to camera, make appropriate eye contact, and ensure that lighting is adequate but not a disruption – minimize movement – the judge needs to see and hear**
- C. Ensure that you are in an appropriate location – isolated from ambient noise and other interruptions (not in your car and please don't put the proceedings on hold)**
- D. Consider second monitor and using noise cancelling headphone**
- E. Use dial-in connection**

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Evidentiary Hearings

Preparation and Tips for Participants (Attorneys and Witnesses) – *Continued*

- F. Secondary communication is not permitted without specific permission of the court (i.e. no texting in the background between attorney and witness)**
- G. Witnesses are not be permitted to terminate their video connection during their testimony**
- H. Witnesses should be provided with a paper copy of the exhibits prior to the hearing - Do not rely on email access**

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Evidentiary Hearings

Preparation and Tips for Participants (Attorneys and Witnesses) – *Continued*

- I. Use the “share” feature to review exhibits – don’t share your screen – share a program (confidentiality and utility)**
- J. All Exhibit types can be utilized, except physical objects – understand the court's protocol**

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Evidentiary Hearings

The Hearing

- A. It will take more time – schedule accordingly**
- B. Be prepared to take frequent breaks – staring at a screen is difficult**
- C. Make sure the witness is in the primary position on the screen, with attorneys in the small frames**
- D. If you are going to use an interpreter, use a separate connection between interpreter and party/witness so that it can be simultaneous (the interpreter is on the WebEx call to hearing the proceedings, but is muted and speaking into a second line directly to the witness/party).**

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Evidentiary Hearings

The Hearing - *Continued*

- E. Agree on a hand-signal for objections – participants are on mute**
 - i. This is tricky because of the delay inherent to the system
 - ii. Explain the process to witnesses in advance
- F. Audio and video exhibits can be “shared”**
- G. Ensure that the speaker identifies him or herself frequently, especially if relying on FTR only**

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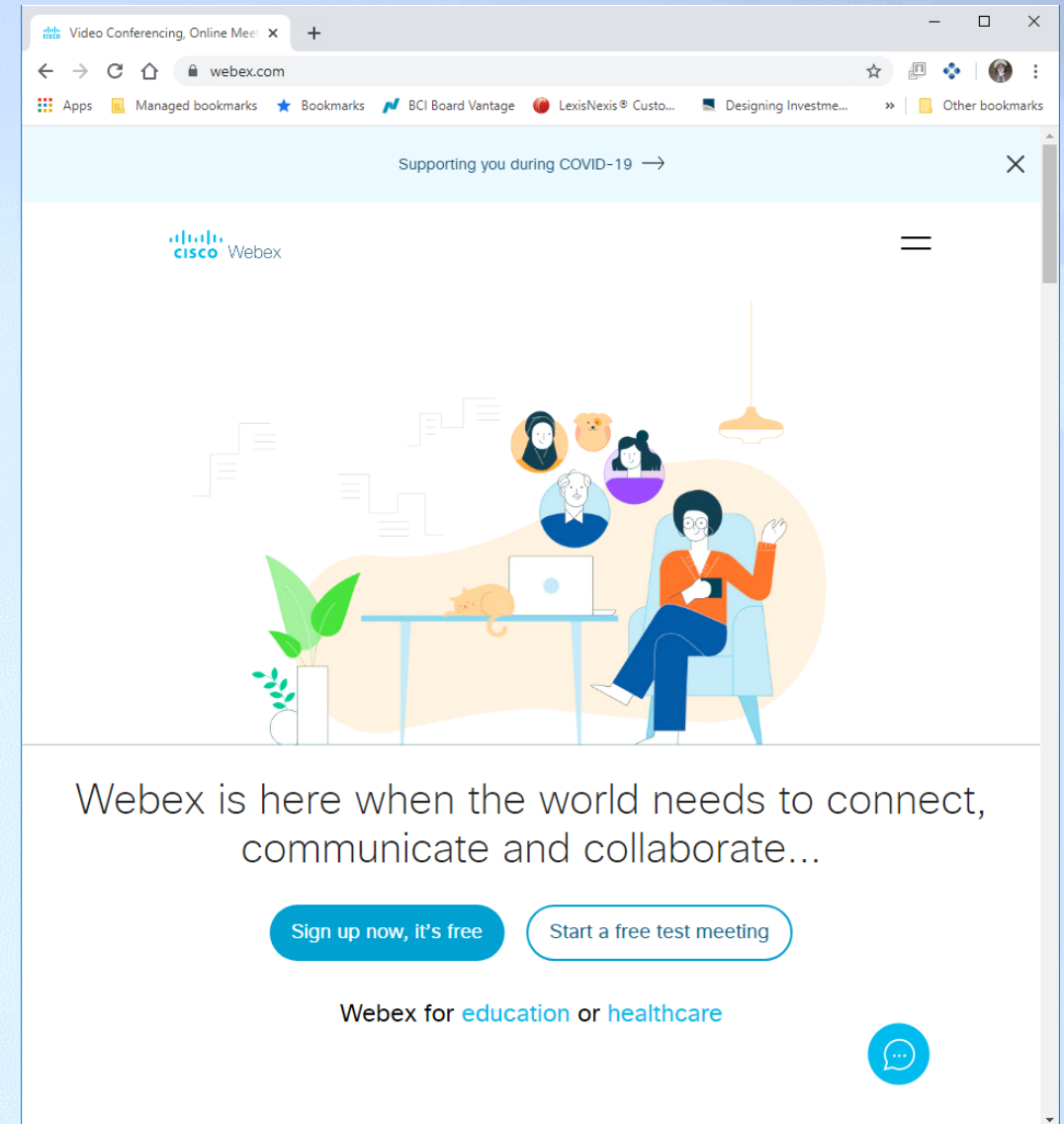
Evidentiary Hearings

Policy Considerations

- A. WebEx is a public facing platform**
- B. Closing hearing requires same consideration as physical courtroom (proceeding can be "electronically locked")**
- C. Courtroom participants can be accommodated for in custody participants (including in civil, DR, and other case types)**
- D. Media and recording**

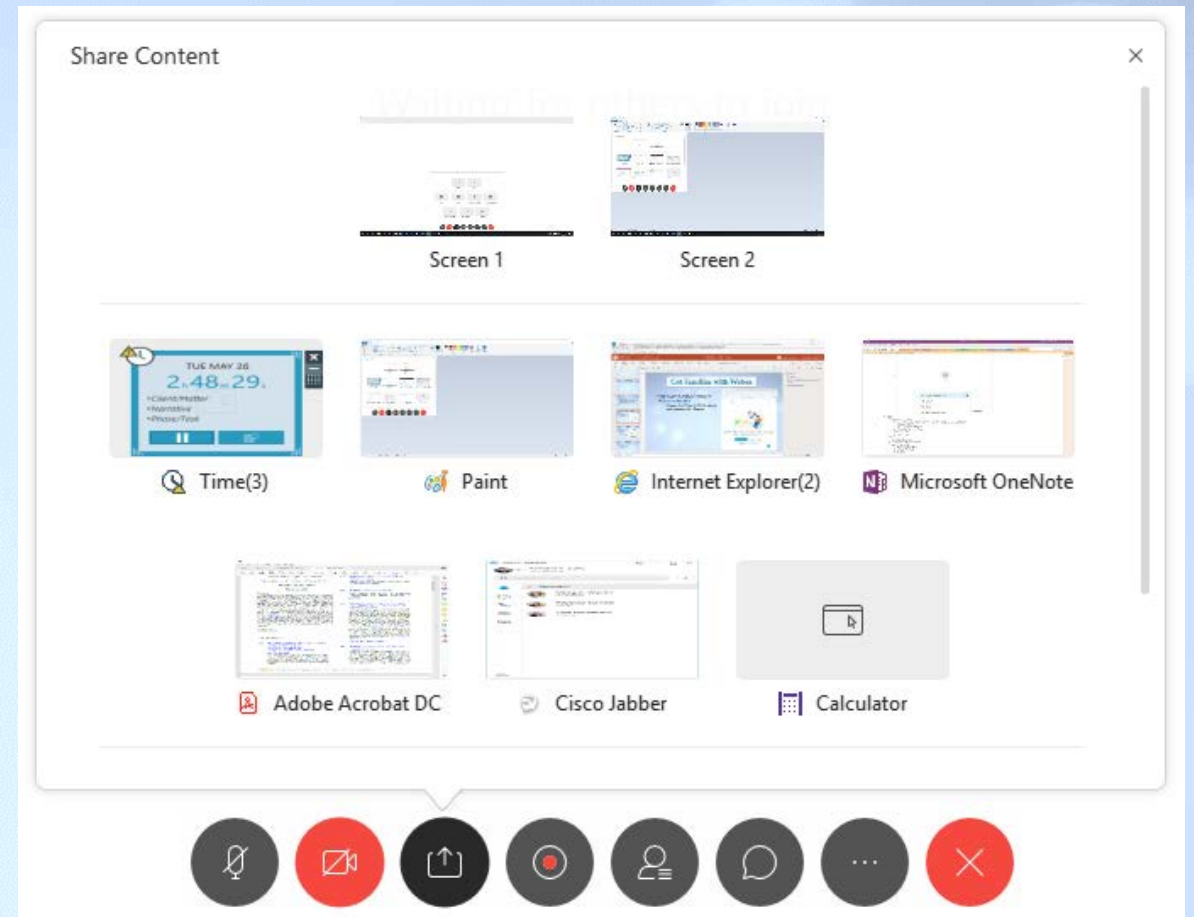
Get Familiar with Webex

- Free access to Webex is available at www.webex.com
 - Includes the ability to host meetings and practice with witnesses



Exhibits

- Stipulate to exhibits
- Upload to Colorado Courts E-Filing
 - Have copies on your computer
- Be Prepared for how you will present exhibits
 - On direct
 - On cross
- Two screens is a huge advantage...
 - But be careful sharing your screen



Q & A

Please post your questions in the chat box. The moderator will ask the questions so the Judges and Attorneys may answer.