



Action Committee on Court Operations in Response to COVID-19

Inventory of Existing Resources on Best Practices for Remote Hearings

• THE ADVOCATES SOCIETY

- **Best Practices for Remote Hearings:** Collaboratively developed by the *joint E-Hearings Task Force of The Advocates' Society, the Ontario Bar Association, the Federation of Ontario Law Associations, and the Ontario Trial Lawyers Association*, the Best Practices for Remote Hearings provide guidance for lawyers and parties about the preparation and conduct of a remote hearing. The Best Practices cover civility and cooperation with opposing counsel and parties, pre-hearing preparation, issues to discuss with the judge in advance of the hearing, how to prepare clients and witnesses, document management, and court etiquette. The Best Practices also include tips for how to present on-screen, hardware and software requirements and recommendations, and further resources to consult. Practical checklists are also included for counsel to ensure they have everything in order before undertaking a remote hearing.
https://www.advocates.ca/TAS/Publications/Best_Practices_Publications/TAS/Publications/Resources/Best_Practices_Publications.aspx?hkey=12ee9725-d4e8-408d-93bc-462a365c7d82

CANADIAN BAR ASSOCIATION

PROVINCIAL CANADIAN BAR ASSOCIATIONS

- **ONTARIO BAR ASSOCIATION:**
 - Best Practices for Remote Hearings, (same document as Advocates Society)
https://www.oba.org/2020_COVID_19/News-Updates/Up-to-date-Justice-Sector-Information/News-update/Best-Practices-for-Remote-Hearings
- **BRITISH COLUMBIA CBA:**
 - Best Practices in a Zoom Courtroom,
https://www.cbabc.org/CBAMediaLibrary/cba_bc/pdf/Resources/Best_Practices_Zoom_Courtroom.pdf

LAW SOCIETIES

- **LSO:**
 - **Law Society Tribunal:** Guide to Zoom Protocol,
<https://lawsocietytribunal.ca/wp-content/uploads/2020/06/Zoom-Hearing-Protocol-EN.pdf>

COURTS

- **Federal Court:**
 - Virtual hearings at the Federal Court – User Guide for Participants,
[https://www.fct-cf.gc.ca/Content/assets/pdf/base/EN_User%20Guide%20for%20Participants%20\(WEB%20ACCESSIBLE-RHD\).pdf](https://www.fct-cf.gc.ca/Content/assets/pdf/base/EN_User%20Guide%20for%20Participants%20(WEB%20ACCESSIBLE-RHD).pdf)
 - Virtual hearings at the Federal Court – User Guide for the Public and Media,
[https://www.fct-cf.gc.ca/Content/assets/pdf/base/EN_User%20Guide%20for%20the%20Public%20and%20Media%20\(WEB%20ACCESSIBLE-RHD\).pdf](https://www.fct-cf.gc.ca/Content/assets/pdf/base/EN_User%20Guide%20for%20the%20Public%20and%20Media%20(WEB%20ACCESSIBLE-RHD).pdf)

- **Ontario Superior Court**
 - Best Practices and Etiquette for Remote Hearings, <https://www.ontariocourts.ca/scj/notices-and-orders-covid-19/remote-hearings/>
- **Nova Scotia Supreme Court:**
 - Best Practices for Virtual Court Hearings, https://www.courts.ns.ca/News_of_Courts/documents/NSSC_Best_Practices_Remote_Hearings_05_22_20.pdf
- **Alberta Court of Queen`s Bench:**
 - Remote Hearing Protocol & Troubleshooting, <https://www.albertacourts.ca/qb/court-operations-schedules/remote-hearings-protocol-troubleshooting>
- **Provincial Court of British Columbia:**
 - Notice to the Profession and Public Guide to Remote Proceedings, <https://www.provincialcourt.bc.ca/downloads/Practice%20Directions/NP%2021%20Guide%20to%20Remote%20Proceedings.pdf>
- **British Columbia Court of Appeal:**
 - Notice to the Public Regarding Videoconference Proceedings in the Court of Appeal: https://www.bccourts.ca/Court_of_Appeal/documents/Notice_to_the%20Public_April_29_2020.pdf
- **Territorial Court of Yukon:**
 - Notice to the Profession and Public, http://www.yukoncourts.ca/pdf/covid_19_tc_notice_june_19_2020.pdf

TRIBUNALS

- **Council of Canadian Administrative Tribunals:** Website lists various resources, including 28 different best practices from different tribunals <http://ccat-ctac.org/en/covid-19-resources->
- **Canadian Human Rights Tribunal:** Practice Direction for Electronic Conduct of Mediations and Hearings during the COVID-19 Emergency: <https://chrt-tcdp.gc.ca/documents/pd-on-electronic-hearing-and-mediation.pdf>
- **Social Security Tribunal:** Best Practices for Remote Hearings, http://ccat-ctac.org/CMFiles/Best_Practices_for_Remote_Hearings_Final_April_24_2020.pdf

USA

- **American Bar Association**
<https://www.americanbar.org/groups/litigation/publications/litigation-news/practice-points/advocacy-through-computer-screen/>

- **American College of Trial Lawyers**
 - <https://www.actl.com/home/news-publications/position-statements-white-papers>
 - Remote Video Depositions and Examinations for Discovery
 - Mastering Zoom Advocacy
 - Conducting Remote Hearings by Use of Remote Video
 - 2020 - Conducting Nonjury Trials by Use of Remote Video
 - 2020 - Conducting Appellate Arguments by Use of Remote Video
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- **National Centre for State Courts**
 - Remote Conferencing— Findings and Recommendations
https://www.ncsc.org/data/assets/pdf_file/0022/25726/ncsc-cji-appendices-g.pdf
 - Unable to access, but very useful looking document: *Preparing for a Pandemic: An Emergency Response Benchbook and Operational Guidebook for State Court Judges and Administrators*,
<https://cdm16501.contentdm.oclc.org/digital/collection/facilities/id/194>

- **Louisiana Law Help**
 - Best Practices Virtual Court Hearings,
https://louisianalawhelp.org/resource/you-should-know-virtual-court-hearings-best-practices-infographic-faqs?utm_source=lh_rss

- **National Institute for Trial Advocacy:**
 - Podcasts, Webinars, Online Courses on Remote Hearings,
<https://www.nita.org/remote-advocacy>

UK

- Civil Court guidance on how to conduct remote hearings,
<https://www.judiciary.uk/publications/civil-court-guidance-on-how-to-conduct-remote-hearings/>