

April 2020 | Coronavirus (COVID-19)

FREQUENTLY ASKED QUESTIONS (TECHNICAL)

Preparing for a virtual hearing

I do not have access to the technology required, what do I do?

The Court will consider these matters on a case by case basis. Contact the associate to the judicial officer ahead of the scheduled hearing to seek advice and further instructions.

How do I learn to use the virtual hearing platform nominated for my hearing?

The court has published a WebEx user guide, which includes links to online tutorials and other information about the operation of this platform. For other platforms, specific guidance will be sent to parties prior to the hearing.

Can my clients, witnesses, other legal representatives and I all use the same device to participate in the virtual hearing?

If necessary, it is permissible for counsel to participate on the same device. However, it is preferable if all participants use separate devices to enable Court staff to identify all participants and manage the hearing accordingly.

During a virtual hearing

When, why and how do I mute my device?

Always mute your device when not speaking. Mute should be your 'observation position', enabling other parties and counsel to interact with each other undisturbed. This also reduces the impact of feedback and disruptive noises during the hearing.

All platforms used by the Court display a microphone icon during a virtual hearing. Muting is enabled when the microphone icon is clicked and a line appears through the icon.

Who do I contact if I am having technical issues?

Judges' associates, tipstaves and members of the Court's Digital Litigation Team will be managing the virtual hearing. Please contact them if any technical issues arise.

What should I do if I am disconnected or if my device ‘freezes’ while the hearing is being conducted?

Should you be disconnected from the hearing, or your device ‘freeze’, reconnect to the virtual hearing immediately. If you are an active participant in the hearing (e.g. a legal representative/party making oral submissions or a witness giving evidence), please make the judge’s associate/tipstaff aware of the incident.

If you are not able to immediately reconnect to the hearing, notify the judge’s associate/tipstaff or another person in the hearing to ensure the Court is aware that you are no longer participating.

If your internet connection does not allow you to maintain a satisfactory connection to the virtual hearing, you may be able to participate in the hearing by phone. If you are an active participant in the hearing, you should ask the judicial officer if they will permit you to participate in this way before doing so.

What happens if technical issues interfere with the hearing and compromise my ability to represent my client?

The Court will not allow legal representation to be compromised in any way.

Should any party be experiencing issues to an extent that incapacitates their representation, the concern should be brought to the attention of the judicial officer (or their associate/tipstaff) to determine the next steps.

Can I disable video?

The camera can be disabled in all virtual hearing platforms by clicking the camera icon. All passive participants should ensure that their camera is not enabled during the hearing.

How do I privately communicate with my clients and other legal representatives during a virtual hearing?

Participants can privately communicate with each other during a hearing. This can be achieved by using the in-built features of the particular virtual hearing platform (e.g. chat), or by other traditional means, such as email, SMS, instant messenger or by phone call (from another device, with the microphone on the device connected to the virtual hearing being muted).

Privately communicating with clients in custody may be more limited. If you need to speak to your client who is in custody during the hearing, please notify the judge’s associate/tipstaff.



Virtual Hearings

Technical FAQs



Feedback

As the Court and the profession adjust to this new and unprecedented way of working, identifying better ways of working better together in virtual hearings are inevitable. The Court would be grateful to receive feedback from practitioners that will enable further refining of its processes and improving the way virtual hearings are conducted in the future.

Please send your feedback to info@supcourt.vic.gov.au.