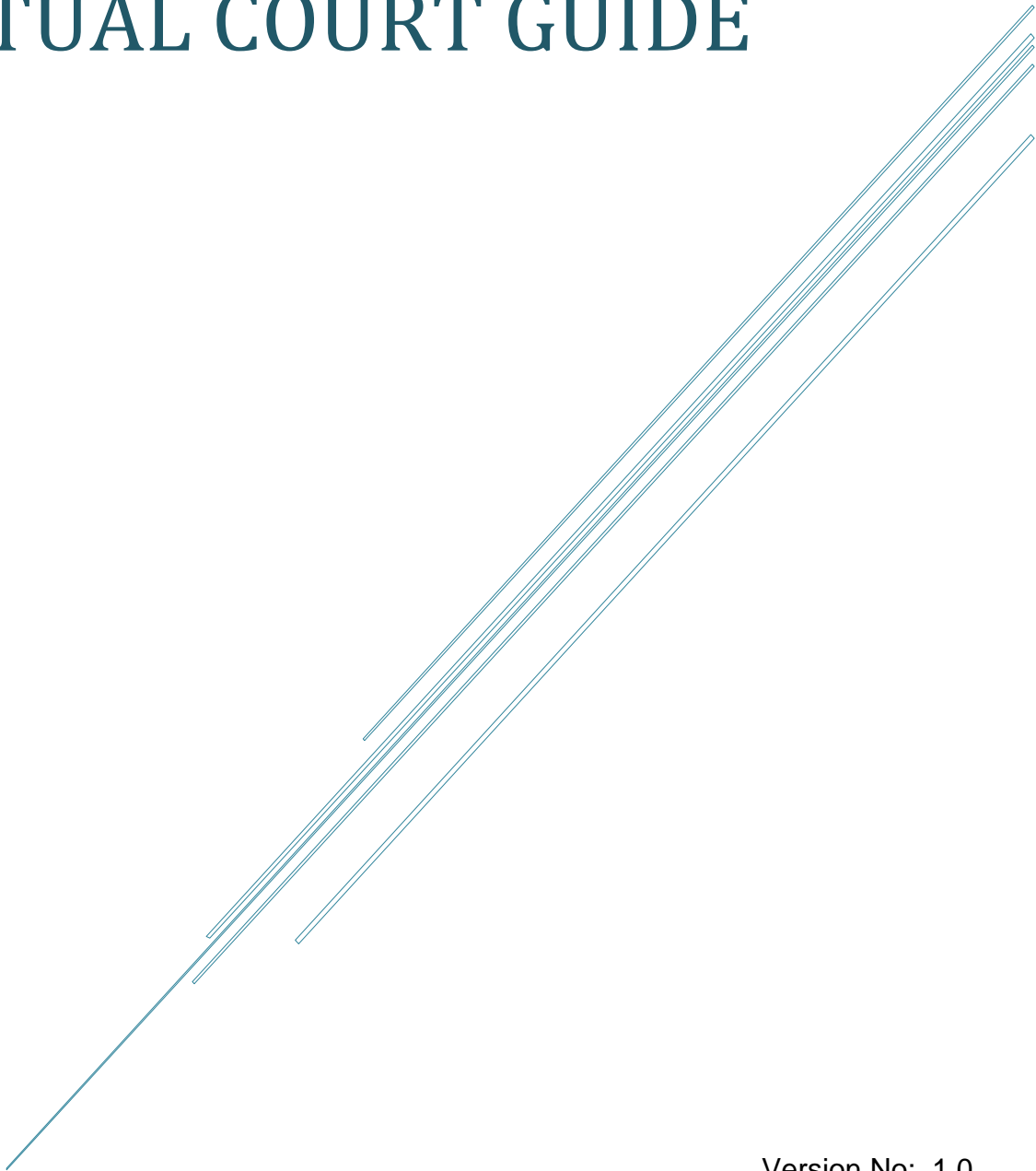




Northern Territory
Local Court

VIRTUAL COURT GUIDE



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Version 1.0
26 March 2020

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Introduction

This guide has been compiled to assist practitioners and self-represented litigants in preparing for and participating in court proceedings using technology. As per the *COVID 19 Practice Direction 2020*, from 30 March 2020 leave is granted for appearances via telephone or audio visual link (AVL) for your matters.

For public and staff safety it is imperative that physical appearances at courthouses be kept to an absolute minimum.

Appearance Slips

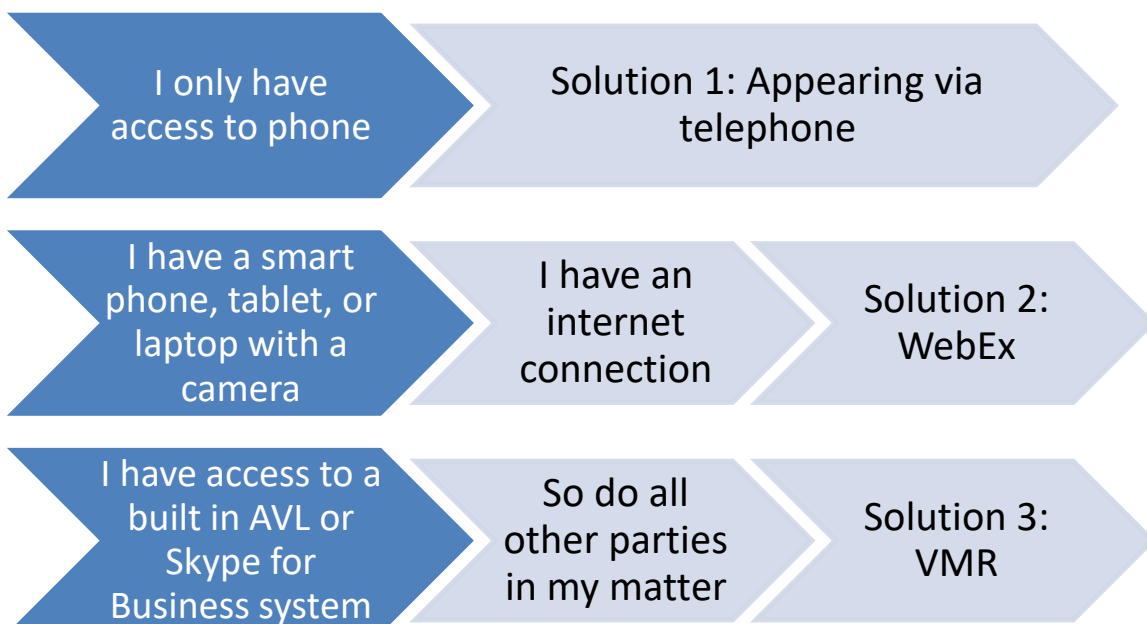
Although a relist is no longer required you will be required to email an appearance slip to the registry of the Court before which you are appearing at least 24 hours in advance. I.e. If you are due to appear in Katherine Local Court on 4 April 2020 at 10am, you will need to send your appearance slip to the Katherine Local Court Registry by 10am on 3 April 2020.

The Appearance Slip is available on the Local Court website, under 'forms and fees' at <https://localcourt.nt.gov.au/publications?search&type=42#>. It requires you to provide the following details:

Appearance Slip						DLC.CriminalRegistry@nt.gov.au, DLC.DV@nt.gov.au, Darwin.ChildrensCourt@nt.gov.au, DLC.CivilRegistry@nt.gov.au, ASLC.Registry@nt.gov.au, Katherine.LocalCourt@nt.gov.au	
Court:			Date of appearance:			LAST UPDATED: 19.03.2020, 12:45	
Court file number	Party	Person Appearing	Telephone or AVL	Specific Contact Details	Sensitive (Yes/No)	Unavailable Times	

If a represented party is appearing from a different location then their legal representative all details can be contained in the same slip. If there are no issues with contact details being sensitive, ideally all parties can provide their details on one slip if known.

Which solution is for me?



Solution 1: Appearing via telephone

If you are appearing via telephone, please note:

- All telephone numbers must be direct lines and not switchboards, answering services or receptions.
- All parties must be available throughout the day for when their matter is called on, or specify when they will not be available.
- If your contact information is sensitive please indicate in the column below, and your details will not be placed on your court file.
- Please type/print all contact details clearly.
- Please be specific in regards to who will be appearing and refrain from using generic organisations such as DVLS, NAAJA, DPP, REALS etc.
- If you are not speaking, please mute your phone so that your background noise does not interrupt the proceeding.

Initial Steps

If you are appearing via telephone, the number you have provided to the Court will be dialled when your matter is ready to proceed. If you do not answer, or the line is busy, the number will be called twice more.

If you do not answer in this time frame a non-appearance will be noted and the matter will proceed in your absence.

Solution 2: WebEx

Test run

A good deal of the anxiety surrounding electronic hearings can be dealt with by conducting a test run. The Court will ask the parties for necessary email addresses and a test run conducted.

The typical things that will be covered are:

- clarity of the video feed and audio quality on their end and the Court's end;
- confirming that the users have a base level of familiarity with the software, and how the screens will change based on who is speaking if they are using the web browser version;
- showing participants the 'chat' function, if necessary; and
- explaining that the Judge will ask at the commencement of the hearing that parties turn off their camera and microphone when not speaking.

If you are new to using the system and would like to arrange a test run, please advise the relevant registry and it will take place between at 8:30 and 9am on the morning of your matter

Setting up

The parties will receive an invite to join the meeting via their nominated email address. They will then need to click the 'join meeting' option.

Please wait on the line until the Host (the Court), allows them into the call when their matter is ready to proceed.

Participation by phone, smart phone or tablet

Ordinarily, parties will be expected to join from a device with a suitable camera and microphone. The WebEx application for iOS and Android is called WebEx Meet and can be downloaded free of charge. The app is very user-friendly, and just requires users to 'Join Meeting' and enter the meeting room number, and their user name. There is no cost.

If a party is unable to join via an internet connection (for example, by reason of limited access to wifi or data), practitioners can dial in to a WebEx meeting via a phone on the number provided on the invitation.

Sound and video quality issues

If a party is not likely to be speaking at any point during the hearing, the Judge will ask at the beginning of the hearing that they turn off their video cameras and microphones. This avoids any reverb issues with speakers feeding back into the microphone and causing lag reverb. Practitioners should give consideration to this issue in preparation for any test run or hearing.

At various times, participants' (and the Court's) internet capacity might impact the quality of sound and video. That has not been a significant issue at this stage. This is why video should be disabled when not speaking.

During the hearing

Formalities

The Judge, when commencing a matter or list after connections are established will announce that the Court is now in session and when the Court session is concluded.

Witnesses

Where possible, counsel or instructing solicitors should talk with the witnesses beforehand and ensure they are comfortable and familiar with the relevant technology.

Where objections to questions require some deliberation and would ideally occur out of earshot of the witness, there are two options: *first*, asking the witness to mute their computer or walk out of the room, both of which require a level of trust; and *second* the Court is able to virtually eject the witness from the meeting space and ask counsel or an instructor to call the witness when they are able to re-join the meeting.

Technical issues

Issues will arise that could not have been foreseen. In those instances, the Judge will adjourn so that the issue can be attended to. That might take some trouble-shooting, such as asking various participants to mute or unmute their microphones, etc. Please exercise patience with technical issues so we may work with you to resolve these.

Transcription considerations

The WebEx virtual courtroom for the time being will be layered over the physical courtroom. This is in order for the monitor and transcription equipment to still be used. It also affords open justice, within the social distancing requirements. It is important to speak slowly and clearly to ensure the quality of transcripts in this process.

In the event of a complete lock down this will not be possible and the session will be recorded and later sent to the transcription service. This will take some time and will cause delays in transcript production.

Document distribution

All material that may be referred to during a court appearance should be provided to the Court in advance via email to the appropriate registry.

Where this is not possible, WebEx allows for screen sharing and file sharing. At this stage how documents or evidence referred to in this way and formally entered into evidence will be a matter for judicial discretion. Email transmission after the proceeding may be permitted other items may need be placed in drop boxes at registry counters.

Additional issues and support

The WEBEX website and 'Help' section of the app provide a good deal of additional tips and advice about conducting meetings via WEBEX.

<https://help.webex.com/en-us/n62wi3c/Get-Started-with-Cisco-Webex-Meetings-for-Attendees>

Further material can be accessed at

https://assets.ctfassets.net/1zi7brhrm30/1v8MBy17gswG6mu0qeqyoM/ce2128f82392f0fdf232038f15b26281/WebEx_UserGuide_FINAL.PDF

For how to access on NTG assets, see <https://ntgcentral.nt.gov.au/webex-collaborative-meeting-service>

Solution 3: VMR

For matters where all parties have access to an AGD Cisco AVL system or Skype for Business, a Virtual Meeting Room (VMR) can be opened for the session.

The benefit of these sessions is that they do not rely so heavily on individual internet connections, so the quality is higher.

As the VMR needs to be set up on an existing hardwired AVL, they will not be possible in the event of a complete lockdown.

If you are able to use this method, please be indicate this on your Appearance Slip. If all parties in your matter have this available to them, then you will be advised.