



COURT OF APPEAL OF QUEBEC

GUIDE TO BEST PRACTICES FOR VIRTUAL HEARINGS



June 2020

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1. INTRODUCTION

Given the health crisis caused by COVID-19, the Court of Appeal of Quebec modified its processes so as to reduce travel and ensure that physical distancing and other health guidelines applicable to the current situation are respected. Consequently, virtual courtrooms, accessible through a computerized portal provided by the Ministère de la Justice du Québec (“WebRTC”), were set up for the hearing of motions presentable before judges sitting alone or panels as well as for the hearing of appeals.¹ Parties or counsel will therefore be able to participate in a hearing from the location of their choice (home or office), without having to travel.² The virtual courtroom is easy to use and is secure. It also allows for the recording of proceedings, as if they were being held at the courthouse.

This guide was prepared by the Court of Appeal in order to answer the most common questions from users and to explain the best practices for optimizing the quality of virtual hearings. Parties or counsel are also encouraged to consult the annexed information document entitled “Rejoindre un Pont Conférence via le Portail WebRTC” (available only in French) that was prepared by the Ministère de la Justice and summarizes the procedure for joining a “virtual courtroom” session.

2. PREREQUISITES

The following is a list of the elements the Court of Appeal considers essential or desirable in order to ensure that a virtual hearing proceeds smoothly.

(a) *Technical conditions*

- We recommended the use of a computer with camera and audio or a tablet with camera and audio. A smartphone may also be used, but, given its size and poor sound quality, it is not recommended. If you use a tablet (or a smartphone), it is crucial that you activate the “do not disturb” function (failing which the receipt of a text, email or phone call may break your WebRTC connection).
- The use of headset or headphones with a microphone is strongly recommended, although not essential. This provides a better audio

¹ Unless the appeal proceeds without a hearing - see under “Appeals decided without a hearing” at <https://courdappelduquebec.ca/en/covid-19-pandemic-update/>.

² Please take note that a virtual hearing may not be appropriate for certain matters; in such a case, the Court office will contact those concerned. If you believe your file is not appropriate for a virtual hearing, please inform the Court office and provide the reasons. The Court will get back to you.

experience and reduces background noise for other participants when you are speaking.

- You need not download any applications.
- The browsers that can be used to access the virtual courtrooms are Chrome, Firefox, Safari and Edge. **Do not use Internet Explorer**, which is incompatible with the WebRTC portal.
- All applications on your device must be closed so that notifications do not disturb the hearing. Please note that certain applications may start automatically when you turn on the device and it may be necessary to close or deactivate them.
- We do not recommend that you be connected to a virtual private network (VPN), as it is a frequent source of interference.
- Try to connect to the network with a cable rather than through Wi-Fi. If you must use Wi-Fi, please be as close as possible to the Wi-Fi access point.
- You need a minimum internet connection speed of 10 MBps as well as a transmission latency (or “ping”) of 13 ms or less. You can check the speed of your internet connection and the transmission latency here: <https://www.speedtest.net/>. Note that the simultaneous use of the same internet signal by others may reduce the smoothness of the video image, prevent your connection to the hearing or disconnect you from the hearing.
- Ensure you have access to a second device, such as a telephone or tablet, to contact the other participants in the event of a technical problem.
- Ensure that your computer or tablet (or your telephone) is fully charged before the videoconference and that the necessary charger is within reach.

(b) Environment

- Each party or counsel may participate in the hearing from the location of their choice (home or office).³

³ The contact details for the virtual courtroom will be communicated by the Court office; see below under item 5.

- It is advisable to work in a quiet location, preferably in a room with a door so as to minimize visual and auditory interruptions.
- We suggest you make sure that the background of the premises where you are located respects the rules of decorum. Indeed, with WebRTC you cannot blur (fade) the background.
- Make sure the support for your device is stable. Position the camera at eye level or slightly above eye level. Your head and shoulders should be predominant on the screen.
- Avoid direct sunlight. Position your camera so that it does not face a window. If that is not possible, close the blinds or curtains. Ideally, sit facing the window or install a light behind the camera so as to light up the area in front of the screen.
- Make sure you can access every document you will need during the hearing, such as briefs and books of authorities.

3. BEST PRACTICES AND GENERAL RECOMMENDATIONS

In order to ensure the serenity of the process, the protocol contains rules of conduct to be followed during videoconferences, in addition to the usual rules for hearings which continue to apply. Below are the best practices and rules of etiquette that you should follow in order to ensure that your participation in a remote hearing is as effective as possible. They are provided by way of example only and are not exhaustive.

- Counsel need not wear a gown; sober business attire, however, is required.
- You need not stand when the videoconference starts or ends or while you are pleading.
- Subject to the adaptations required by the virtual mode, the appropriate decorum for hearings of the Court must be maintained and your conduct must therefore be the same as if you were physically present. It is therefore not appropriate, for example, to interrupt the person who is pleading, to fidget while on screen or to speak with another person (even with the microphone off and except occasionally), to have a meal or a snack, etc.
- Don't forget to identify yourself at the beginning of the videoconference, since virtual hearings are recorded. Also make sure to inform the judges

and the participants about the presence of others, whether they are next to you or on the phone.

- When speaking to the judge or panel, it is preferable to look at your camera. This way it appears to the other participants as if you are looking directly at them.
- Pause frequently during your arguments so that the Court has the opportunity to ask questions.
- Mute your microphone during the videoconference, unless you are speaking. This will prevent ambient noise from being picked up.
- Avoid unnecessarily flipping through the pages of your documents when your microphone is on.
- It's a good idea to have a glass of water near you.
- During a pause, the videoconference will nevertheless continue. In such a case, please mute your microphone, but never disconnect yourself from the hearing, unless directed by the judge.
- Although the WebRTC portal offers the "share screen" and "chat" functions, they must not be used.
- If the appeal record contains confidential information, please conduct yourself in that regard as you would in a regular courtroom.
- The *Guidelines concerning the use of technological devices in courtrooms* apply to all virtual hearings held by the Court (also see art. 14 *C.C.P.*). Therefore, no participant is authorized to capture a screen shot, record the hearing or broadcast it by any means whatsoever.
- Exceptionally, the outline of oral arguments must be received at the Court office at least 48 hours in advance.⁴

⁴ Section 78 of the *Civil Practice Regulation (Court of Appeal)*, section 69 of the *Rules of the Court of Appeal of Quebec in Criminal Matters* and section 64 of the *Regulation of the Court of Appeal of Quebec in Penal Matters*.

4. **PREPARING TO JOIN A HEARING**

Parties or counsel are encouraged to consult the annexed information document entitled “Rejoindre un Pont Conférence via le Portail WebRTC” (available only in French) that was prepared by the Ministère de la Justice and summarizes the procedure for joining a “virtual courtroom” session.

Moreover, in order to support users of the virtual courtrooms, the Ministère de la Justice has set up a space where parties and counsel can familiarize themselves with WebRTC videoconferences. They can use the space to connect to a virtual videoconference bridge where they can test their connection and, if necessary, ask a technician questions in real-time about how to use the system. This service is available Monday to Friday from 8 a.m. to 5 p.m.:

- At the following internet address:
<https://webrtc.scvc.gouv.qc.ca/?lang=en-US> (meeting ID: 335169)
- via conference call, at 514-335-1080 (hearing in Montreal) or 418-478-3293 (hearing in Quebec City), meeting ID: 335169#.

Parties and counsel are strongly urged to use this service in the days preceding a virtual hearing before a judge alone or a panel of the Court. They should do so from the location where they will participate in the hearing in order to correct any lighting, camera, sound, background or other issue.

5. **JOINING THE HEARING**

The email sent by the Court office confirming the holding of a hearing in “virtual courtroom” mode contains the necessary information for parties or counsel to connect themselves (ID, access code, etc.).

Approximately ten minutes before the scheduled time, access the WebRTC site by copying and pasting the link <https://webrtc.scvc.gouv.qc.ca> into one of the above-mentioned browsers. Do not try to connect at a time other than the scheduled time for the hearing of your case, because there may be a hearing in progress in the virtual courtroom.

Once you have accessed the WebRTC portal, you will have to click on “Join meeting” and answer a few questions in order to identify yourself.⁵ You will then be

⁵ The meeting ID (first line) will be provided to you by the Court office; you do not need to enter a passcode (second line). When identifying yourself, please include your position in the appeal after your name. For example, you can indicate “Mtre Smith (appellant)” or “Mrs. Roberts (respondent)”.

able to test your camera, microphone and speakers in order to ensure they are working properly before you join the meeting.

In the event of technical difficulties on the day of the hearing:

- If you are unable to connect to the virtual courtroom, dial 514-335-1080 (hearing in Montreal) or 418-478-3293 (hearing in Quebec City) and the conference number that was provided to you by the Court office in order to join the hearing by telephone (preferably from a landline). If you join the meeting by telephone, we ask that you not use the hands free option on your telephone, but rather speak directly into the handset, for better acoustics and better digital recording quality. You can also reach the clerk of the Court at 514-393-2022 (hearing in Montreal) or 418-649-3401 (hearing in Quebec City) to get help in order to connect to the virtual courtroom.
- If you experience technological problems during the videoconference, please wait a few moments to see if the problem is temporary. If the problem persists, inform the judge or the panel. If that is impossible (for example, because you have lost your internet connection or you have inadvertently disconnected yourself), reconnect as quickly as possible by following the steps outlined above.
- If, at any time, because of a delay, distortion or disconnection, you are unable to attend part of the hearing, please inform the judge or panel immediately so that the missed portion can be repeated. Similarly, be patient and ready to repeat yourself if you are asked to do so.

6. PUBLIC NATURE OF HEARINGS

(a) For clients or their representatives who wish to attend the hearing

It is the responsibility of counsel to send their client or the client's representatives the telephone number so that they can join the hearing at the scheduled time by means of a conference call only (and not by means of a videoconference). They will then be able to listen to the hearing, but, just as in a hearing in person, they will have to remain silent. Of course, clients or their representatives can also attend the hearing at their counsel's office while respecting the rules of physical distancing and the other applicable health guidelines.

(b) For the public (including journalists) who wish to attend the hearing

The use of virtual courtrooms does not prevent the public from attending hearings, given that the open court principle subsists (subject to the exceptions that

apply under normal circumstances). The Court's rolls are posted on its website, just as usual (<https://courdappelduquebec.ca/en/rolls/>).

Members of the public (including journalists) can attend virtual hearings via conference call. By emailing a request to the office of the Court in Montreal or Quebec City, depending on the hearing venue,⁶ they will be able to receive instructions and the required codes. They will then be able to listen to the hearing, but, as always, while remaining silent.

The physical presence of members of the public in courtrooms will be authorized only once the directives of the public health authorities permit. Please visit the Court's website on a regular basis to keep up to date. If you are a journalist, please contact the Court office.⁷

As mentioned above, it should also be noted that the *Guidelines concerning the use of technological devices in courtrooms* apply to virtual hearings, with the necessary modifications. Thus, subject to the exceptions set out in said Guidelines, no participant is authorized to capture a screen shot, record the hearing or broadcast it by any means whatsoever.

(c) General instructions

Clients, journalists or members of the general public who attend a hearing of the Court virtually must ensure that they are in an environment that is calm and free of ambient noise. Similarly, they must refrain from speaking with others. Sounds emanating from virtual listeners or their surroundings are picked up by the system and disturb those pleading before the Court, who may even become difficult to hear.

⁶ Office of the Court in Quebec City: courdappelqc@judex.qc.ca. Office of the Court in Montreal: courdappelmtl@judex.qc.ca. Members of the public and journalists must provide the following information regarding the hearing they want to access: the name and docket number of the case as well as the date of the hearing.

⁷ Office of the Court in Quebec City: 418-649-3401 or courdappelqc@judex.qc.ca; Office of the Court in Montreal: 514-393-2022 or courdappelmtl@judex.qc.ca.

SCHEDULE 1

Information document

“Rejoindre un Pont Conférence via le Portail WebRTC”



DIRECTION GÉNÉRALE
DES TECHNOLOGIES
DE L'INFORMATION

Rejoindre un Pont Conférence via le Portail WebRTC

SERVICES À LA
CLIENTÈLE ET AUX
UTILISATEURS

111 

Justice
Québec 
25 Mars 2020

INFORMATIONS SUR LE PONT CONFÉRENCE

AVANT DE POURSUIVRE

Assurez-vous que vous n'avez aucune application de Vidéoconférence ouverte sur votre ordinateur comme, par exemple, Skype, Jabber, Webex, Zoom (etc.)
Prendre note que certaines de ces applications peuvent démarrer automatiquement à l'ouverture de l'ordinateur.

Afin d'accéder à la conférence, notez

L'IDENTIFIANT DE RÉUNION

Par exemple, dans l'invitation suivante,

L'IDENTIFIANT DE RÉUNION est : **959453**

1. On doit en premier lieu cliquer ou copier-coller le lien
WebRTC fourni suivant : <https://webrtc.scvc.gouv.qc.ca>

Prendre note que les navigateurs supportés sont :
Chrome, Firefox et Safari

SYSTÈME DE GESTION DES RÉSERVATIONS DU SCVC

SUJET : TEST

SRAVE MJQ vous a invité à une réunion

- Par Terminaux H323/SIP : appelez 82959453@scvc.gouv.qc.ca
- Code NIP pour l'hôte : 3188#
- Par Téléphones : appelez (514) 335-1080 et entrez le ID d'appel 959453#
- Code NIP pour l'hôte : 3188#
- Lien WebRTC pour l'hôte : <https://webrtc.scvc.gouv.qc.ca> et cliquez "Rejoindre la réunion"
- Identifiant de la réunion : 959453
- Code d'authentification : 3188

Navigateurs supportés : Chrome, Firefox, Edge (Limiter) et Safari

2

2. Dès que la page web est ouverte, on clique sur le bouton
« Rejoindre la réunion »,

Portail **WebRTC**
Centre
de services partagés
Québec

Cisco Meeting App

Connexion

Rejoindre la réunion

4. Entrez l'identifiant de la réunion

LAISSER CE CHAMP VIDE

5. Cliquez maintenant sur « Rejoindre la réunion »

Portail WebRTC
Centre de services partagés
Québec

950453

Code d'authentification

Rejoindre la réunion

6. Entrez ensuite votre nom complet dans le champ « Prénom, Nom ».
Pour ensuite appuyez sur le bouton « Rejoindre la réunion » »

The screenshot shows the WebRTC portal interface. At the top, it says "Portail WebRTC" and "Centre de services partagés Québec". Below that, it says "Rejoindre 5- Centralisation essais 15 avril (8 à 17)". There are two input fields: "Votre nom" and "Rejoindre la réunion". Red arrows point from the text above to the "Rejoindre la réunion" button and the "Votre nom" field. Red ovals highlight the "Votre nom" and "Rejoindre la réunion" fields.

7. Assurez-vous de pouvoir voir ce que votre caméra capte dans cette vignette. Si vous ne voyez que du noir, essayez de changer la caméra utilisée.

[Poursuivre avec le navigateur](#)

Utiliser un système vidéo

8. Assurez-vous ensuite que cette barre horizontale module au rythme de votre voix. Si elle ne module pas, essayez de changer le microphone utilisé.

Ouvrir l'application Cisco Meeting

Gestion et présentation



Caméra

Caméra par défaut

Microphone

Par défaut - Prise microphone (Realtek)



Tester les haut-parleurs

9. Maintenant, tester le son en cliquant sur 

Si vous n'entendez pas le signal sonore vérifiez le volume de votre appareil.

Annuler

Rejoindre la réunion

10. Une fois que l'on a ajusté le fonctionnement de la caméra et du microphone, On appuie encore sur le bouton « Rejoindre la réunion ».

Vous êtes maintenant connecté au pont-conférence.



UNE ADRESSE À RETENIR

<https://webrtc.scvc.gouv.qc.ca>



Explorer



Chrome



Firefox



Safari

Résultat de recherche d'images pour "firefox"

Périphériques nécessaires

- Caméra (Webcam) intégrée ou externe
- Microphone intégré ou externe

Version logiciel minimale de l'Ordinateur

- PC : Windows 7
- MAC : IOS 12.1

Version logiciel minimale du Navigateur

- Chrome : Version 72
- Firefox : Version 68
- Safari : IOS 12.3
- Edge : Version 44

Spécification minimale requise

- Processeur double coeur
- Prise en charge de DirectX 9
- Processeur compatible SSE-2

Service Technique

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(514)393-2537

1-866-423-3248

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