

## VIRTUAL HEARINGS WITH CISCO'S WEBEX

1. A virtual (video conference) hearing will be conducted through Webex by Cisco.
2. A virtual hearing is still a formal hearing before the Court which is being recorded and all usual court protocols, etiquette, and restrictions apply. You will be notified by court order of any local procedural changes imposed to accommodate the virtual hearing.

### Preparing for a Webex Virtual Hearing:

1. Your (technological) success in a virtual hearing is greatly dependent upon the strength and stability of your internet connection.
2. You, and those for whom you are responsible under these directives, should therefore make appropriate plans to participate from a locale in which that environment can be accessed and external distractions (particularly noise) are minimized.
3. While it is possible to access Webex in a web browser without the application, or on a smartphone or tablet, these methods are less stable and may interrupt your connection to the virtual hearing.
4. It is strongly recommended that virtual hearing participants download the Webex desktop application. Prior to the hearing, you should download the program or App at:

<https://www.webex.com/downloads.html>

5. Additional advice and assistance regarding the use of the Webex platform is available from the *Resources* section of the Webex website.
6. You should be aware that a party sponsoring a witness in its case-in-

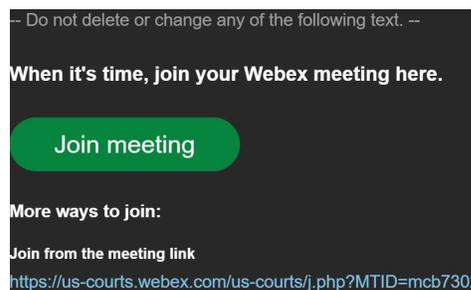
chief is responsible for the virtual appearance of that witness, including the acquisition of the technological means by which to accomplish that appearance.

7. Because a sponsoring attorney and the witness must appear *simultaneously* to all participants during any examination, such witness is required to join the hearing as a separate participant from the sponsoring attorney and must access the virtual hearing by a different camera and microphone than the sponsoring attorney.
8. Thus, it is important for you to familiarize yourself with the technology for your own benefit and that of any client or sponsored witness. In other words, test the system and its attributes before getting to the hearing.
9. You must also ensure that your device, and that of any sponsored witness, has a working camera and microphone.
10. You should also consult with your participating witnesses to determine their level of comfort with the required technology and practice sessions have proven helpful.
11. Multiple participants should not access Webex using two devices in the same room. This will create a feedback loop or echo.
12. You can test your audio and video by joining a test meeting hosted by Webex by using their website at <https://www.webex.com/test-meeting.html>
13. You should use a wired Ethernet connection whenever possible. Wired networks provide for a better meeting experience than wireless connections. Virtual Private Network (VPN) connections also have a negative effect upon audio quality.

14. The use of a headset, headphones or AirPods®, in lieu of external speakers, are recommended to avoid reverb issues and to reduce other ambient noise.
15. A stand or a dock is recommended if you are forced to use a smartphone or tablet to access the video connection.
16. A second monitor could be useful to view documents.

### Attending a Webex Virtual Hearing:

1. Anticipated participants in a virtual hearing will have received a BNC hearing notice, email or Outlook calendar invitation containing a link to the virtual hearing.
2. You likely received a virtual hearing link contained in a hearing notice. You simply copy and paste that URL into a browser. Microsoft Edge and Google Chrome are recommended. Internet Explorer is not.
3. You may alternatively receive a virtual hearing link by email from the Courtroom Deputy. Just click on the provided link which looks like this:



4. By selecting *Join Meeting*, you will be taken to a page on which you can choose either to join the hearing on the web or to download the desktop application (recommended).

5. Additional parties seeking to participate in the virtual hearing must contact the Courtroom Deputy as set forth below:

Tyler or  
Marshall Division

Ms. Julie Davis  
Phone: (903) 590-3240

or

Email: [CRD\\_TYL@txeb.uscourts.gov](mailto:CRD_TYL@txeb.uscourts.gov)

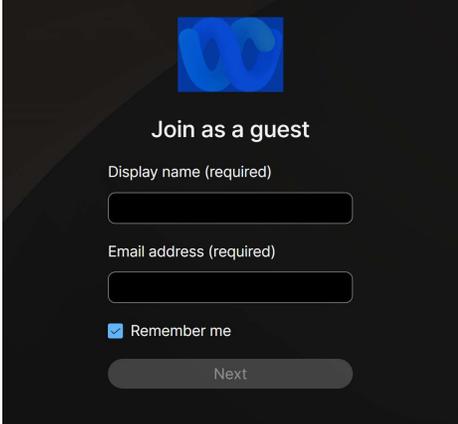
Beaumont or  
Lufkin Division

Ms. Mona Doyle  
Phone: (409) 654-7064

or

Email: [CRD\\_BMT@txeb.uscourts.gov](mailto:CRD_BMT@txeb.uscourts.gov)

6. You should join the virtual hearing 15 minutes before its scheduled start time in order to verify your connection and to correct any problems.
7. The next screen will prompt you to join the meeting through your browser or launching the Webex application. Your browser should ask you if you would like it to open Webex
8. The next screen will prompt you to enter your name. Please use this naming format: “First Initial, Surname - Role” [*Example: J. Doe - Debtor’s Counsel*].



Join as a guest

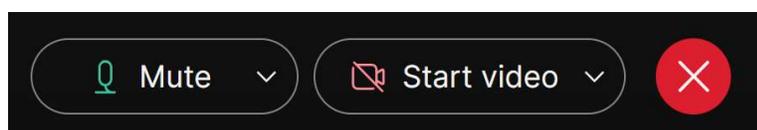
Display name (required)

Email address (required)

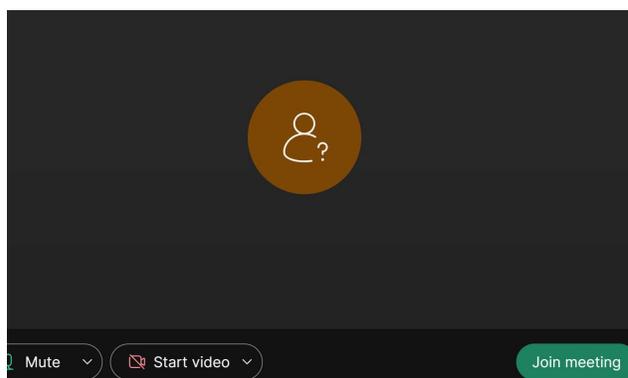
Remember me

Next

9. The participant may be asked whether to give permission to Webex to access the camera and microphone on his/her device—select *Allow*.
10. Appearing below your name are options to activate or mute your camera and microphone.
11. If you are making an appearance before the Court, be sure that your camera is on by clicking on “Start video” before making your appearance.

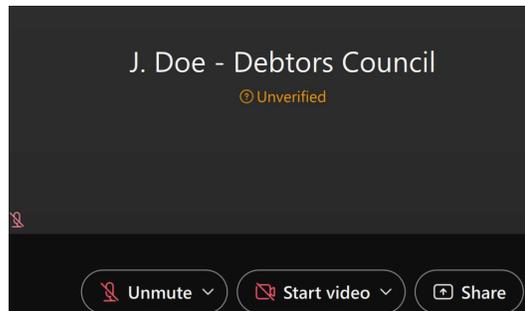


12. As for audio, your microphone control at the bottom of the screen should appear as above if you are addressing the court. If you are not addressing the court, please keep your microphone muted.
13. In order to improve the quality of the recorded proceeding and avoid any ambient noise, your microphone should **remain muted** (even during your hearing) until you are actually addressing the Court.
14. Click “**Join Meeting**” and you will be admitted to a virtual lobby. Court staff will admit you to the hearing.



15. On a day in which several hearings are scheduled (i.e., a docket day), you should de-activate your camera by having clicked Stop video.

16. When your hearing is called, using the buttons at the bottom of the screen, unmute and start video to participate.



17. If other parties are complaining of an echo that you cannot hear, you are likely the source of it. Please mute your microphone to confirm this. The use of a headset or similar device will likely prevent this problem.
18. The Court will request each monitoring (non-speaking) participant to deactivate its camera and mute its microphone.
19. The Court's record is the only official record of the proceeding and the recording feature in Webex has been deactivated for all hearing participants. Just as attendees are precluded from independently recording proceedings in the actual courtroom, virtual hearing participants are *precluded from recording* any aspect of the virtual hearing through any methodology.
20. Webex will display nine (9) speakers at the present time in a 3x3 format,<sup>1</sup> although other participants can still see and hear the proceeding. That capability is likely to increase in the future.

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<sup>1</sup> That capacity is likely to increase in the future but may be subject to control by the Court in order to ensure a useful video presentation.



21. Webex will automatically show the most recent speakers.
22. Participants should be mindful to identify themselves at proper intervals as they speak throughout the virtual hearing.
23. If all participants have been muted by the Courtroom Deputy, select *Raise Your Hand* in the meeting controls to indicate your desire to speak.
24. Technical problems may arise during the virtual hearing and they will be resolved with the goodwill of all of the participants.

### Submission of Exhibits @ Webex Virtual Hearing:

1. Each party to a trial or hearing before this Court is already required under LBR 9014(d)(2) to tender to all other parties: (a) a witness list; (b) an exhibit list; and (c) a copy of each of the listed exhibits, properly designated under LBR 7016(d), which that party may seek to introduce.
2. For the purposes of the virtual hearing, LBR 9014(d)(2) is altered to require each party seeking to introduce exhibits to attach (separately) each of those designated exhibits to the exhibit list that is filed with the Court.
3. Each pdf file containing a designated exhibit should be named by the

designated exhibit number or letter. If multiple parties are involved, the exhibit should list the party name before the number or letter.

4. To avoid the transmission or sharing of documents in an insecure environment, the Court will access the proposed exhibits from its docket and create a documentary record composed of those exhibits which are admitted at the hearing.
5. Each party shall provide its own access to the designated exhibits and hearing participants who were not involved in the exhibit exchange prior to the hearing may access those documents from the case docket in CM-ECF.
6. Parties are obviously encouraged to resolve any disputes regarding the admission of exhibits prior to the virtual hearing.
7. However, a party seeking to introduce an exhibit in its case-in-chief utilizing witness testimony is responsible for providing access to that proposed exhibit to the witness either directly or through some appropriate file-sharing methodology, including the 'screen sharing' functionality within Webex.
8. To use the 'screen sharing' facility within Webex, move your mouse to the bottom-middle corner of the screen. You must request that the court give you that option after which you may access the Share button on the bottom of the window.
9. Click the *Share* icon. You will then receive a prompt and you can then choose a screen, window or program to share.
10. A red outline of the shared screen will appear on every participant's screen to indicate that a screen sharing session is presently occurring.
11. When you are finished with the presentation, select *Stop Sharing* button in the bottom right-hand corner of the screen.

12. If you are utilizing Webex on the web (as opposed to the desktop application), the 'share screen' facility is only available by using Google Chrome or the latest version of Microsoft Edge as your browser.
  
13. Attorneys should note that if the Court permits the presentation of a previously undesignated exhibit, the sponsoring attorney shall promptly (post-hearing) file the additional exhibit in CM-ECF as an addendum to its Exhibit List so that it may be added to the Court record.

