

VIRTUAL APPEARANCE AT AN *IN PERSON* HEARING WITH MICROSOFT TEAMS

1. A Virtual Appearance at an *In Person Hearing* (“Virtual Appearance”) will be conducted through Microsoft Teams.
2. A Virtual Appearance at an *In Person Hearing* is still a formal court appearance before the Court which is being recorded and all usual court protocols, etiquette, and restrictions apply. You will be notified by court order or the appropriate courtroom deputy of any local procedural changes imposed to accommodate a Virtual Appearance.

Preparing for a Teams Virtual Appearance:

1. Your (technological) success in a Virtual Appearance 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 Teams 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 parties making a Virtual Appearance download the Microsoft Teams desktop application. You may choose that download when first entering the Teams meeting or you may separately download the program at:

<https://www.microsoft.com/en-us/microsoft-365/microsoft-teams/download-app>

5. Additional advice and assistance regarding the use of the Teams

platform is available from the *Help* section of the Teams application and from the Microsoft Teams website.

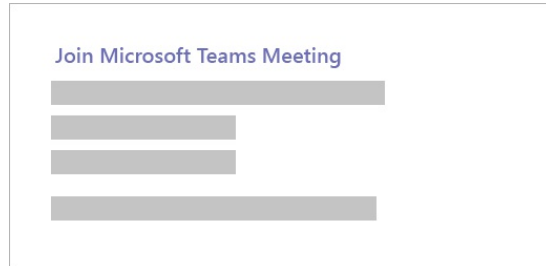
6. It is important for you to familiarize yourself with the technology for your own benefit and that of all other participants. In other words, test the system and its attributes before getting to the hearing.
7. In the event a witness is permitted by the Court to give testimony by making a Virtual Appearance at an *In Person* Hearing, the additional following requirements apply:
 - a. 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.
 - b. 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 make a Virtual Appearance using a different camera and microphone than the sponsoring attorney.
8. You must also ensure that your device has a working camera and microphone.
9. Multiple participants should not access Teams using two devices in the same room. This will create a feedback loop or echo.
10. If you have downloaded the Teams application, you can test your camera and microphone by navigating to the *Settings* menu, clicking *Devices*, and clicking *Make a Test Call*.
11. 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.

12. 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.
13. A stand or a dock is recommended if you are forced to use a smartphone or tablet to access the video connection.
14. A second monitor could be useful to view documents.

Making a Virtual Appearance:

1. Participants making a Virtual Appearance will receive a virtual hearing link by email from the Courtroom Deputy. Just click on the provided link which looks like this:



2. By selecting *Join Microsoft Teams 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).
3. Additional parties seeking to make a Virtual Appearance 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

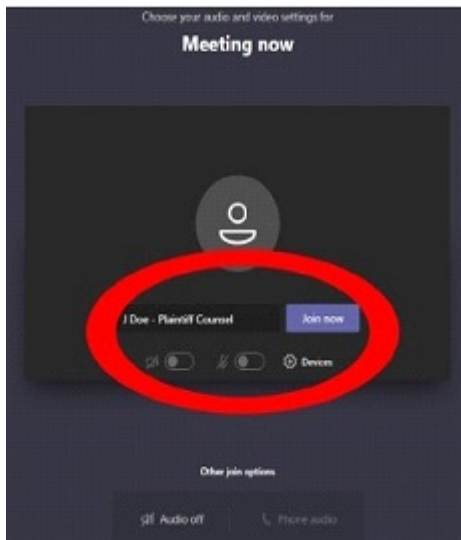
Beaumont or
Lufkin Division

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

or

Email: CRD_BMT@txeb.uscourts.gov

4. You should join the hearing 15 minutes before its scheduled start time in order to verify your connection and to correct any problems.
5. The next screen will prompt you to join the meeting through your browser or launching the Teams application. If the Teams app has been installed, click on “Already have the Teams app? **Launch it now**”
6. 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*].



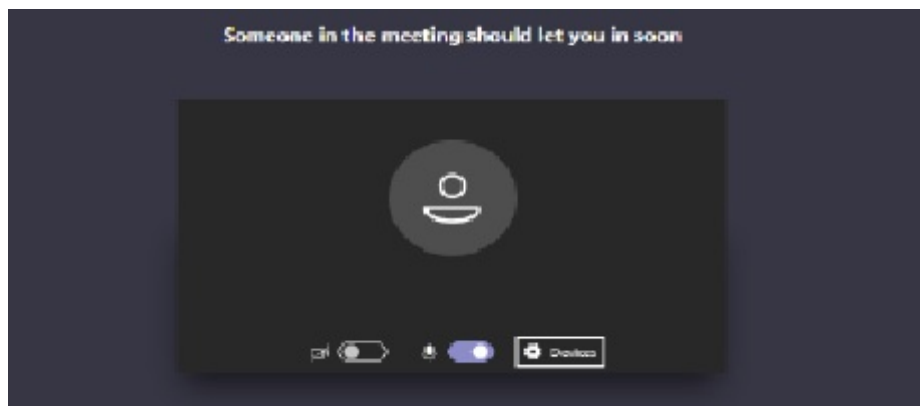
7. The participant may be asked whether to give permission to Microsoft to access the camera and microphone on his/her device—select *Allow*.
8. Appearing below your name are options to activate or mute your

camera and microphone.

9. If you are making an appearance before the Court, be sure that the toggle next to the camera icon is switched to the RIGHT of the oval in order to activate it.

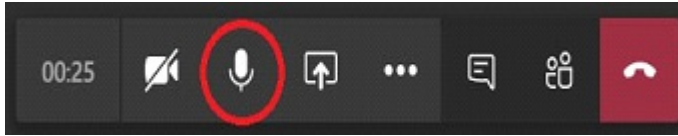


10. As for audio, your microphone toggle should be switched to the LEFT of the oval in order to **MUTE** your microphone.
11. In order to improve the quality of the recorded proceeding and avoid any ambient noise, your microphone should **remain muted** (even during your hearing) until you are actually addressing the Court.
12. You may also select Background Effects to *blur* the background in your location or to select an alternate background from those provided.
13. Click “***Join now***” and you will be admitted to a virtual lobby. Court staff will admit you to the hearing.



14. On a day in which several hearings are scheduled (i.e., a docket day), you should de-activate your camera by toggling it to the left until your particular hearing is called.

15. When your hearing is called, move your mouse over the screen and a bar will appear.

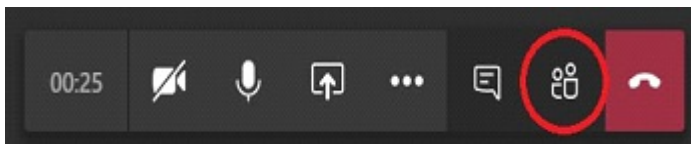


16. Clicking on the microphone icon will mute or unmute your microphone. Your camera can be activated or deactivated in the same manner.
17. If other parties are complaining of an echo that you cannot hear, you are likely the source of it. Please mute your microphone to confirm this. The use of a headset 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 Teams has been deactivated for all hearing participants. Just as attendees are precluded from independently recording proceedings in the actual courtroom, parties making a Virtual Appearance are ***precluded from recording*** any aspect of the hearing through any methodology.
20. Teams will display nine (9) speakers at the present time in a 3x3 format,¹ although other participants can still see and hear the proceeding. That capability is likely to increase in the future.

¹ 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. Teams 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. You can *pin* a speaker or multiple speakers so that their video appearance is more prominent or stays visible regardless of speaking order. To do this, move your mouse so that the following bar appears:



25. By clicking on the two-person icon, a bar with participant names will appear on the right side of the screen. If you move your mouse over the name of a participant, three dots will appear next to that name.
26. Clicking on those three dots give you the option to *pin* (or *unpin*) that person's video. You may do this with more than one participant.

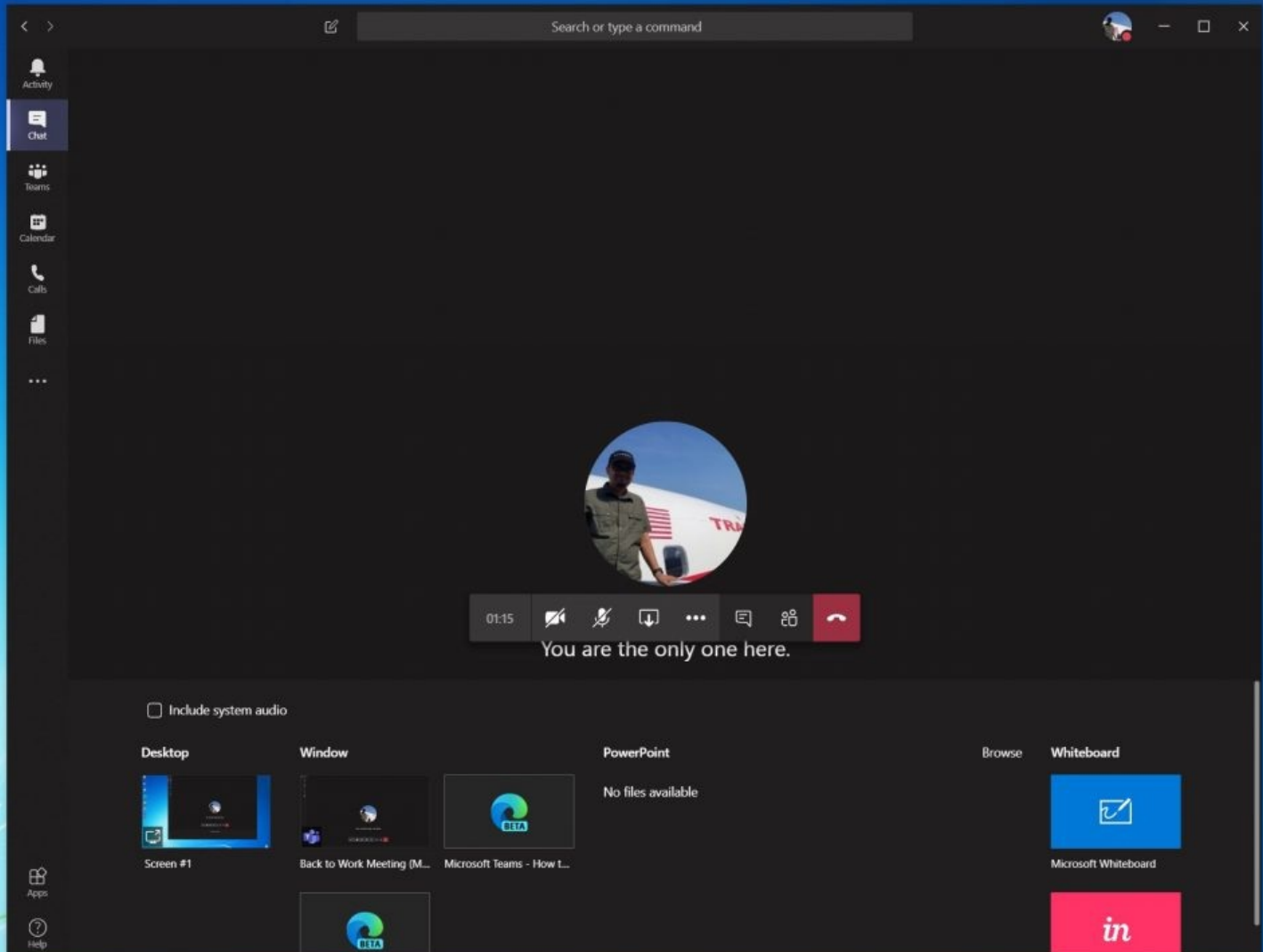
27. Technical problems may arise during the virtual hearing and they will be resolved with the goodwill of all of the participants.

Submission of Exhibits @ Teams Virtual Appearance:

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. With respect to a party making a Virtual Appearance, LBR 9014(d)(2) is altered to require each such 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. A party making a Virtual Appearance 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 hearing.
7. However, a party making a Virtual Appearance who seeks to introduce an exhibit 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 Teams.

8. To use the 'screen sharing' facility within Teams, move your mouse to the bottom-middle corner of the screen. Choose the chat control options.
9. Select the icon with a square box and an arrow. It will be the third icon from the left. This is the *Share* icon.
10. Click the *Share* icon. You will then receive a prompt and you can then choose a screen, window or program to share.



11. A red outline of the shared screen will appear on every participant's screen to indicate that a screen sharing session is presently occurring.
12. When you are finished with the presentation, select *Stop Sharing* icon in the bottom right-hand corner of the screen.
13. If you are utilizing Teams 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.
14. 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.