



Virtual hearings at the Federal Court – User Guide for the Public and Media

I. Overview

To ensure access to justice, the Federal Court is moving to increase virtual hearings. Based on an assessment of current capabilities, and a survey of the experience of others, the Court has, for now, opted for the Zoom Business platform.

The Federal Court remains committed to the Open Court Principle, and remains accessible to the public through electronic means.

The Federal Court understands that it may not be possible for some people to participate in a Zoom call (e.g. some Indigenous communities, self-represented persons and counsel may not have access to a reliable internet connection). In this event, the presiding judge or prothonotary may direct otherwise to ensure a fair hearing.

In addition, there may be other reasons for the presiding judicial officer to adapt the guidance set out below, based on submissions of the parties and the circumstances of each particular case. For most hearings, however, the Court expects to follow the guidance set out below.

The following guide is intended to help you understand the Zoom platform.

Please note that the images used in this guide are from a Zoom meeting being held on a Windows laptop. If you are using a different device, such as a smartphone or tablet, or if you are using iOS, you will have access to similar features, but their placement may be different.

II. Recording and Broadcasting Policy

Recording and/or broadcasting virtual hearings is not permitted, except under certain conditions outlined in the [Policy on Public and Media Access](#).

Parties who use Zoom to view the virtual hearing are expected to follow this Policy. By clicking on the link to join the hearing, they will be acknowledging that they have accepted these terms.

III. Attending a Virtual Hearing

Members of the public and the media may consult the [Hearings List](#) to find out which matters are to be held by virtual hearing. Under the existing [Policy on Public and Media Access](#), hearings of the Federal Court, other than pre-trial or dispute resolution conferences, are generally open and accessible to the public and media, with specific exceptions. To obtain a link to the virtual hearing, please write to HEARINGS-AUDIENCES@FCT-CF.CA two business days before the hearing.

For most hearings, you will receive an email invitation to register for a Zoom webinar, which is the function used to allow you to attend the hearing. This function allows you to observe the judicial officer and counsel, but you cannot participate. The judicial officer and counsel will not hear you or see you. In some cases, a different method may be chosen. If that is the case, you will be advised by email and encouraged to refer to the Participant Guide. However, even if you are referred to the Participant Guide, note that the restrictions described here will still apply. Your microphone will be muted and your camera will be turned off. You will then be identified only as a member of the public or media.

In practice, there will be no difference between attendance as a full participant or as an observer in a webinar. The same terms will apply, as set out in the Policy.

If a member of the media or another non-party wishes to seek standing to participate, they will need to take the usual steps by bringing a motion to the Court. Members of the media that want to object to a publication ban under the Policy described above will be able to do so by communicating directly with the registry officer, to have their microphone activated so that they can communicate this to the presiding judicial officer and the parties.

Please follow the instructions sent to you by email to “Register for the webinar.” You will receive a confirmation with the link to the hearing. **Do not share this information. This link is personal to you, and it cannot be used on several devices or by several persons on multiple devices. Each individual of the public or media should make their own request.**

Registration will only require your email. The Court will keep a record of your email in case follow up is necessary after the hearing.

A. *Technical requirements (what you need)*

Viewing a Zoom webinar is free and does not require an account. You do need:

- a) A stable internet connection;
- b) Speakers (built-in to your device) or a headset/headphones; and
- c) The Zoom Webinar confirmation email (following registration).

Or

- a) A telephone.

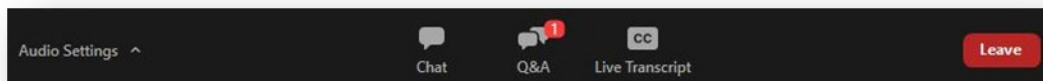
B. *Preparing for the hearing*

- a) Click on the Zoom Webinar link and follow prompts to download the program (desktop client); and
- b) Test audio: <https://zoom.us/test> (there will be another opportunity to test audio before joining the webinar). To change the language of the website, go to the bottom right of the screen.

NOTE: The camera and microphone on your computer or device will be disabled during the virtual hearing.

C. *Joining the hearing*

- a) Click on the link provided in your email confirmation of registration (“Click here to join”).
- b) Click “Open Zoom.”
- c) Before the hearing begins, you will be in a virtual waiting room.
- d) Once the hearing begins, you will see the videos and hear the participants.
- e) To exit the hearing, press “leave” to the right of the ribbon that will show up at the bottom of your screen (hover your mouse if it does not appear).



Alternatively, you can call in with your telephone by dialing the number in the email confirmation. In that case, you will not be able to see the participants, only hear the proceeding.

Keep in mind:

- When you are watching the hearing as an observer, through the Zoom webinar function, the “participants” to the hearing (the judicial officer, counsel, etc.) cannot see or hear you.

D. *Tips and suggestions*

- Check the battery and plug in your computer or device.

- Close any programs which stream video or require high-bandwidth (e.g. VPN or Remote Desktop) in order to obtain the best sound and video quality.
- If you are moving between screens on your computer, you can return to watching by clicking on the Zoom icon on your taskbar (white video camera on blue background).
- For more information on Zoom, please go to <https://support.zoom.us/hc/en-us>

IV. **Interpretation Services, Accommodations and Self-Represented Parties**

The Court's current policies and resources remain in place.

The Court will make simultaneous interpretation services, from one official language to the other, available upon the request of any party to the proceedings as per its usual policy, which can be found on the Court's [website](#).

Parties must make a request in writing to the registry as early as possible before the hearing.

Parties should also advise the registry of any other accommodation that may be needed for virtual hearings.

Self-represented parties are encouraged to consult the resources available on the Court's [website](#).

V. **Frequently Asked Questions**

1. Why is it necessary to register?

The Court requires an email address to send you the link. It will keep your email in case it is necessary to reach you to follow up after a hearing.

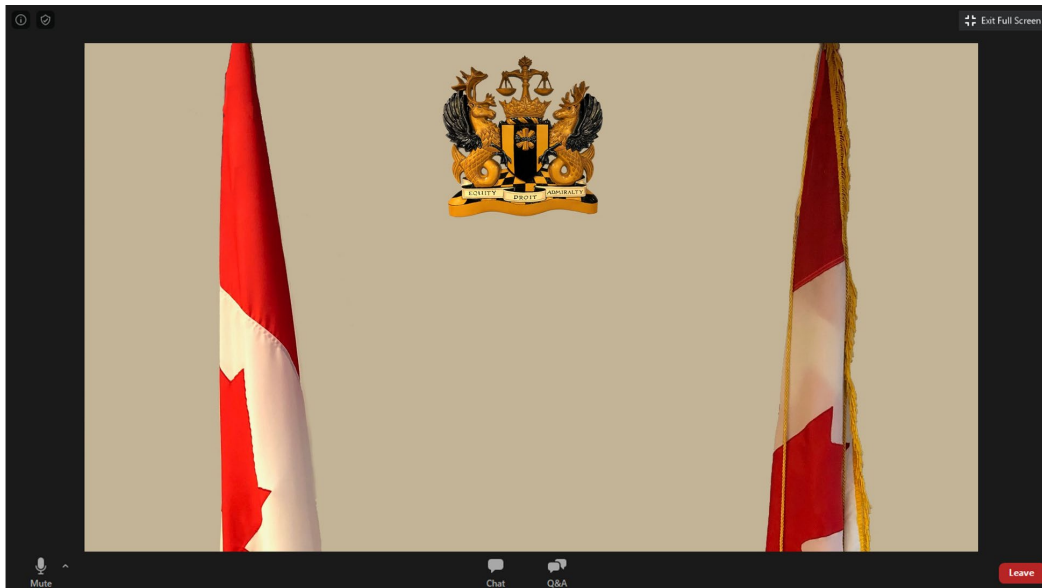
2. The webinar stream has shut down – what can I do?

- Try reconnecting by clicking on the “Zoom” icon at the bottom of your screen.
- Try reconnecting by using the same steps described above to join a Zoom Webinar via another device.

3. How can members of the media raise an objection to a publication ban?

Members of the media wishing to seek standing to participate can take the usual steps by bringing a motion to the Court. Please refer to the existing [Policy on Public and Media Access](#). They will be able to make an objection if needed by being granted access to activate their microphones.

4. What should I see when I join the meeting?



The square at the centre of the image is an example of a virtual background that the Federal Court might use. Your screen will look similar to this, but the square will be replaced with multiple squares, one for each participant to the hearing. The ribbon at the bottom of your screen will allow you to leave the hearing.

VI. Helpful Links

Federal Court Website:

- E-filing and best practices: <https://www.fct-cf.gc.ca/en/pages/online-access/e-filing-resources#cont>
- Interpretation services: <https://www.fct-cf.gc.ca/en/pages/law-and-practice/interpretation-services>
- Resources for self-represented parties: <https://www.fct-cf.gc.ca/en/pages/representing-yourself#cont>

Office of the Privacy Commissioner of Canada:

- Privacy Tips Regarding Video Conferencing: <https://www.priv.gc.ca/en/blog/20200501/%20>

VII. **Comments**

We welcome your feedback and suggestions on this Guide. If you have any comment or suggestion, please send them by email to media-fct@fct-cf.gc.ca.