



Hybrid Hearing Considerations Checklist¹

- Reliable Internet**
 - Hearing room
 - Witness's location

- Advanced Testing of Video Teleconferencing (VTC) Platform (Zoom, Teams, WebEx, etc.)**
 - Responsibility of counsel
 - Clear audio and video (lighting, microphones, speakers)
 - No unsecured, public WiFi

- Adjust for Time Zones**
 - Consider taking witnesses out of order to ensure availability

- Screen Set-Up**
 - Small screens (each person uses own device)
 - Big screens/monitors
 - Multiple monitors

- Court Reporter Participation**
 - Seeing/hearing
 - Video recording (VTC platform or videographer)

- VTC Environment**
 - Who rolls out the VTC platform and acts as host?
 - Use of waiting room/lobby
 - Locking meeting room
 - No use of virtual backgrounds
 - No other recording of proceedings
 - Staying on mute unless speaking
 - No private chat functionality
 - Use of breakout rooms during recesses
 - Technical failure protocols
 - Wide-angle camera positioned in hearing room for remote attendees

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- Exhibit Sharing for Arbitrator & Witnesses
 - Court reporter's system (AAA-ICDR Deposition and Hearing Services, Veritext, U.S. Legal, Huseby, etc.)
 - If transcribed
 - AgileLaw
 - Allows witness to annotate exhibits
 - Screensharing

- Introduction for Witness & Agreement to Comply
 - Attest witness is alone (or only with counsel) – 360° (if needed)
 - Consent to take oath remotely
 - Clear table (except for exhibits)
 - Turning phones off (no texting or e-mailing)

- Relevant Health/Safety Protocols (for in-person portion of hearing)
 - Appropriate room size
 - Social distancing
 - Who is permitted to attend
 - Complying with venue rules for attendance
 - Testing, vaccination, and/or reporting illness

- Options for Handling Misconduct
 - Cease hearing
 - Sanctions (as may be appropriate)