## PLEASE CLICK "SPEAKER VIEW" PLEASE MUTE YOUR MICROPHONE

## ONLINE COURT FOR DEFENSE ATTORNEYS

Kathleen Casey-Gamez, Esq.

Texas Indigent Defense Commission

12:00 p.m. (Central)

LOCAL

### Texas judges will be able to conduct court online as coronavirus spreads

More than 3,000 judges across the state will have access to video conferencing to conduct court proceedings during a public health crisis.

Author: Bryce Newberry (KVUE) Published: 7:39 PM CDT March 19, 2020 Updated: 10:36 PM CDT March 19, 2020

AUSTIN, Texas — The way we do things is changing rapidly as the coronavirus pandemic disrupts operations of nearly everything.

Starting on Thursday and over the next couple of weeks, the <u>Texas Office of Court Administration</u> will roll out video conferencing capabilities to more than 3,000 judges across the state.

"Our intention is that we have as many judges as possible, if not all judges, using that technology to be able to conduct both their essential proceedings and even non-essential proceedings that maybe are not as urgent but still need to occur via that video, and allowing everyone, including the parties themselves, to join," David Slayton, the Office of Court Administration's administrative director, told KVUE via FaceTime on Thursday.

Article source: here.

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Mastering technology during this crisis is as important as understanding the rules of evidence.

You need to be the expert.

WHAT WE'LL COVER TODAY

- Basics of Zoom
- Advanced Zoom features
  you need to understand when
  representing your client
- Potential pitfalls of the technology
- Tips for improving your online practice



A caselaw review

## ARTICLE 27.18 PLEA OR WAIVER OF RIGHTS BY VIDEOCONFERENCE

#### Art. 27.18. PLEA OR WAIVER OF RIGHTS BY VIDEOCONFERENCE.

[...]

- (a)(3) on request of the defendant, the defendant and the defendant's attorney are able to communicate privately without being recorded or heard by the judge or the attorney representing the state.
- (b) On motion of the defendant or the attorney representing the state or in the court's discretion, the court may terminate an appearance by videoconference at any time during the appearance and require an appearance by the defendant in open court.
- (c) A record of the communication shall be made by a court reporter or by electronic recording and preserved by the court reporter or by electronic recording until all appellate proceedings have been disposed of. A court reporter or court recorder is not required to transcribe or make a duplicate electronic recording of a plea taken under this article unless an appeal is taken in the case and a party requests a transcript.

#### **ZOOM BASICS**

What you need to know

## WHAT IS ZOOM?

- Cloud-based video communication platform.
- Works on computers, phones and tablets.
- Host video conferences, presentations, and one-onone meetings.
- You don't have to buy a Zoom license to participate



Photo source: zoom.us

MINIMUM REQUIREMENTS An internet connection – broadband or wireless (3G or 4G/LTE)

Speakers and a microphone

A webcam or HD webcam



https://support.zoom.us/hc/en-us/articles/201362023-System-Requirements-for-PC-Mac-and-Linux

#### BOOKMARK THIS PAGE

- The Zoom Help Center has a breakdown of specific requirements for every supported device and operating system.
- Even if your computer or tablet works, you need to make sure your client's device is compatible with Zoom
- Don't rely on other people to confirm tech specifications.

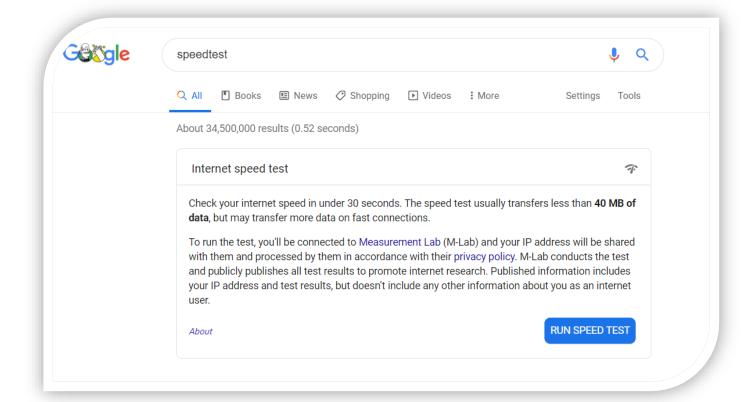
#### MINIMUM BANDWIDTH REQUIREMENTS

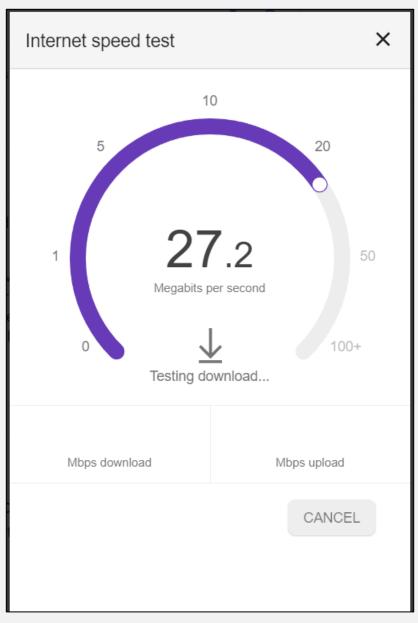
For I:I video calling:
600kbps (up/down) for
high quality video and I.2
Mbps (up/down) for HD
video

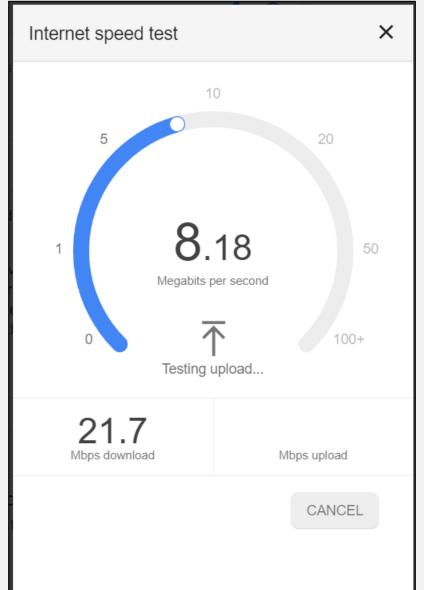
For group video calling:
600kbps/1.2Mbps
(up/down) for high quality
video. For gallery view:
1.5Mbps/1.5Mbps
(up/down).

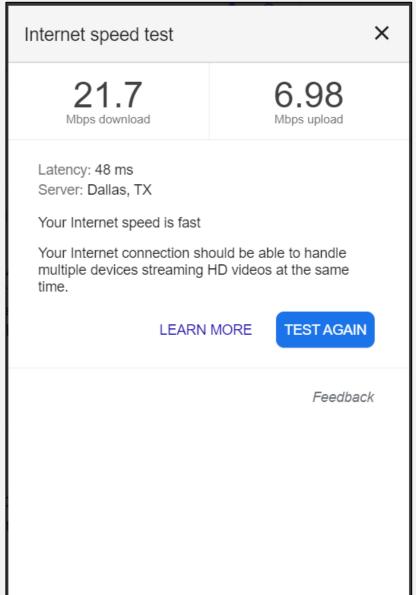
# CLOCKING THE SPEED OF YOUR INTERNET CONNECTION

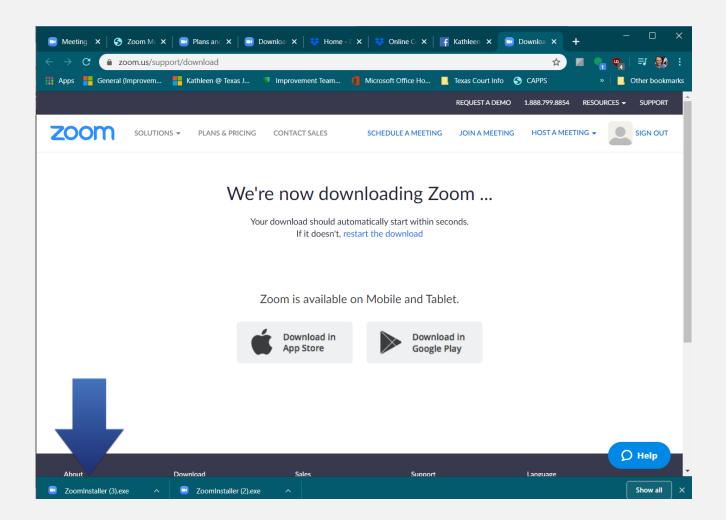
Go to Google.com and search for "speedtest"











Zoom.us/support/download

# DO I NEED TO DOWNLOAD A PROGRAM?

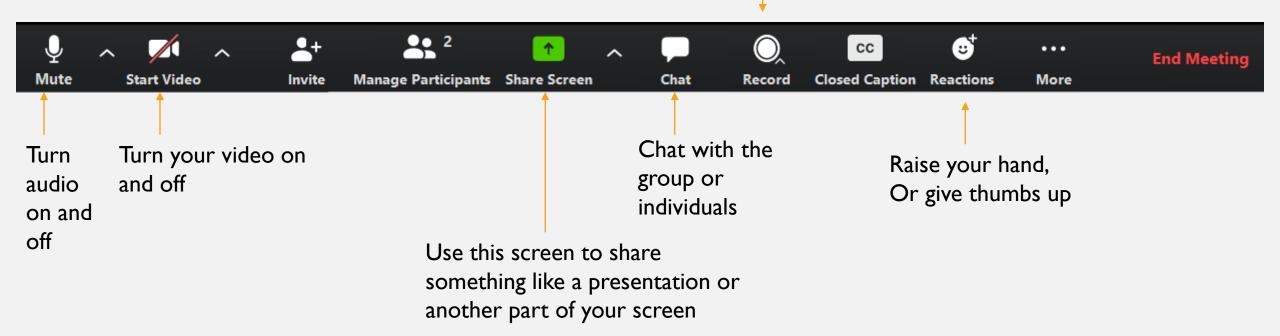
- Technically, no you can use the Zoom web client
- But you <u>should</u> download the Zoom Desktop Client if your computer has the capability
- You will need the Zoom app for Apple and Android devices
- Use the link to the left to download all versions

#### ADVANCED ZOOM

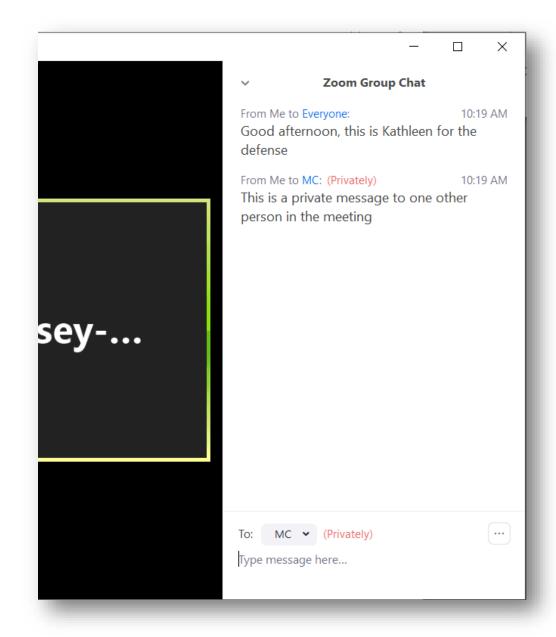
Things you need to know for your practice

#### **ADVANCED FEATURES**

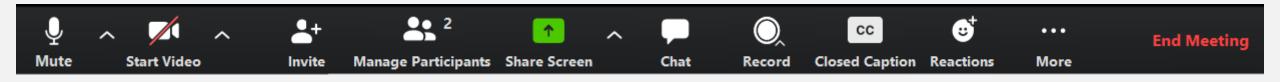
You can record the meeting and download to your computer



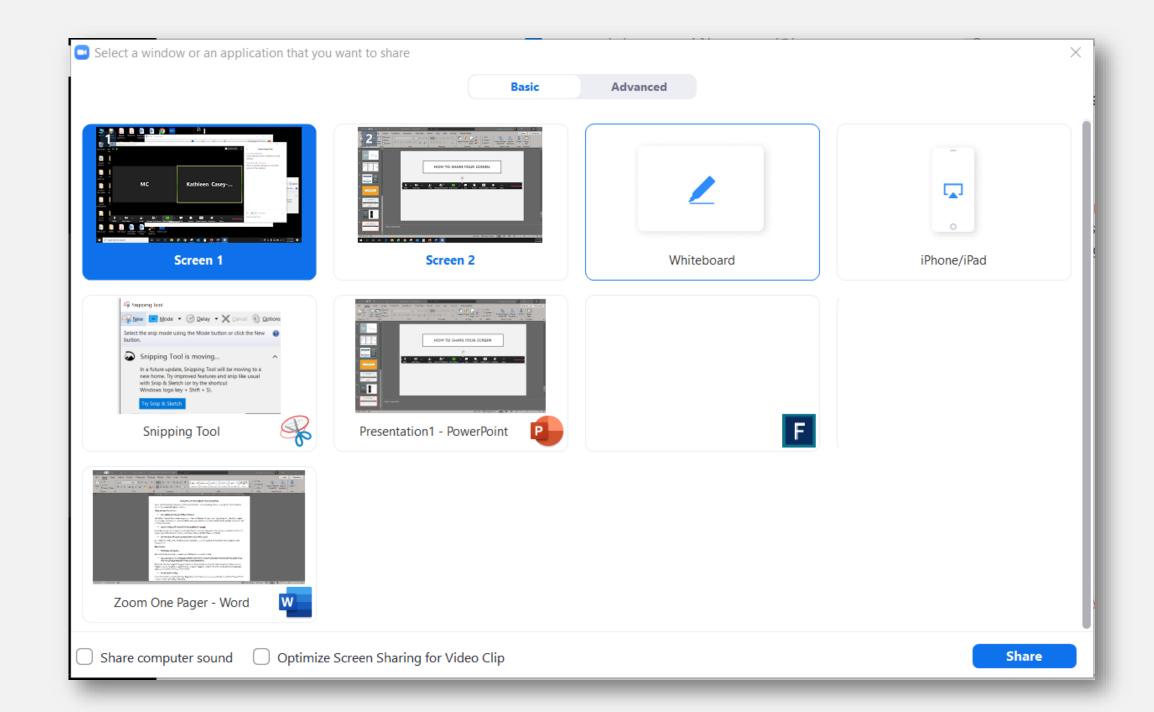
# HOW TO USE THE CHAT FUNCTION

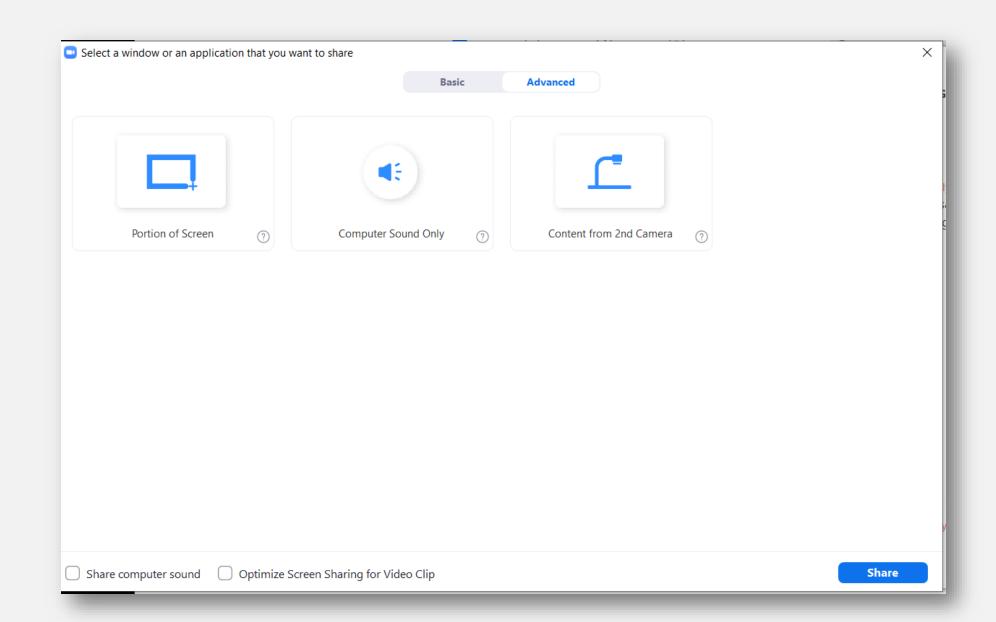


#### HOW TO SHARE YOUR SCREEN



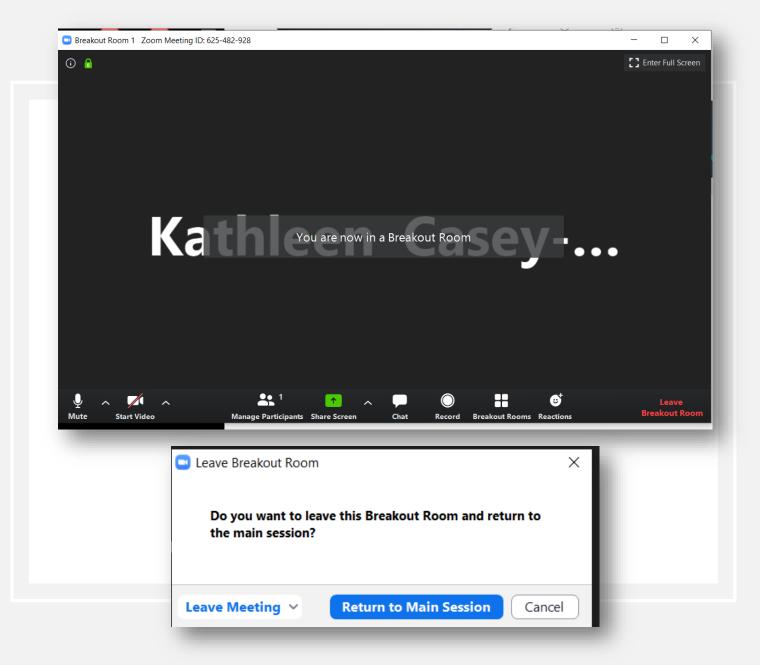
Click on "Share Screen"





## BREAKOUT ROOMS

- The moderator (judge or court reporter) will place you in a breakout room
- Can be used for communication with your client, or sidebars
- THESE ARE NOT COMPLETELY CONFIDENTIAL
- When using Chat, continue to use "Private chat" function



## IMPORTANT CHANGES FROM IN-PERSON HEARINGS

Setting norms in an online world

#### THINGS TO KNOW

- The meeting can have up to
   500 participants
- The proceedings will be broadcast via **Youtube** (or possibly **Facebook**)
- The recording is not considered part of the official record at this moment
- The judge can mute you and anyone else

#### CONFIDENTIALITY IS AN ISSUE

You will need to be the guardian of confidentiality in your client's communications.

## ACCESS TO TECHNOLOGY IS AN ISSUE

You will need to protect your client's rights if he or she does not have access to the same technology as the State.

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#### PRACTICE TIPS

#### **BEST PRACTICES**

- Watch your mute button
- Ask if you can record the proceeding yourself
- Remember you are on camera, and so is your client!

#### THINK LIKE A DIRECTOR

- Think about camera angles, lighting and sound quality for you and your client
- Consider a <u>virtual background</u>
- Practice using Zoom if you plan to screen share or use advanced features
- Check out the TIDC Online Court Dropbox for more materials

#### QUESTIONS?

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