

Virtual hearings: 10 golden rules for instructing counsel



Platform

Think about the choice of video conferencing platform – different systems offer different functionality, strengths and weaknesses.



Support

Consider engaging a dedicated third-party hearing manager with experience of the particular video platform and any other IT (eg electronic bundles) you are using.



Set-up

Review your set up – background, computer, camera and microphone – and give thought to a back-up internet connection, such as a mobile phone hotspot, in case connectivity issues arise. Ensure others within your organisation who will be participating do the same.



Communication

Decide how you will communicate during the hearing, both with external legal counsel and with members of your own team (will you be using a break out room via the platform; email; an encrypted messaging service). Set up any groups in advance.



Practice

Arrange at least one practice run – test logging on to the platform and ensure everyone is familiar with its features. Ensure that you and your team have the relevant materials to hand and you are all comfortable using the electronic bundles.



Wellbeing

Ensure that sufficient breaks have been arranged during the day, at a minimum every two hours – virtual hearings can be especially taxing due to screen fatigue.



Witnesses

Make sure that any witnesses from your organisation are properly prepared for their role on the day, that they are familiar with how the proceedings will be conducted, that their set up (including the backdrop and range of their camera) is suitable and that they also participate in the practice run.



Presenting

Ensure that anyone speaking during the hearing has been briefed on how to present effectively during virtual hearings – be concise (attention spans are lower); consider standing up to present, as you would in real life; speak slowly and move through your points deliberately; maintain eye contact with the tribunal and think about your facial cues.



Location

Identify a quiet and private location and make sure others do the same – notify relevant individuals that you must not be disturbed; block out your diary; set an out of office message; switch off unnecessary alerts; and, if possible, divert all calls to voicemail.



Regulations

Make sure you and others within your organisation comply with any local rules and restrictions relating to virtual hearings. For example, in some jurisdictions individuals cannot join the hearing without the court's permission and are not allowed to record, take a screenshot of or report on the proceedings. There are also some local regulations regarding witness participation in international proceedings.