

## **Remote Appeal Hearing Procedural Protocols**

### **General**

1. These protocols seek to provide basic guidance as to the conduct of remote hearings.
2. Seattle Office of Hearing Examiner (“OHE”) conducts remote hearings by Zoom. Please see OHE Zoom System Protocols for technical guidance and required prehearing processes.
3. To the degree possible, hearings conducted in accordance with these protocols should be treated as an in-person hearing in accordance with the Seattle Municipal Code and Hearing Examiner Rules of Practice and Procedure. This includes logging in to participate in the hearing on time, and each participant conducting themselves with the decorum and respect owed to each other and the hearing forum for an in-person hearing.
4. A call line for all hearings will be established for the public. The call number will be listed on the webpage of the Office of Hearing Examiner on the Hearing Calendar for each case. Callers will be able to listen to the hearing, but will not be participants in the hearing for any purpose.
5. It is inevitable that remote hearings will encounter limitations concerning technology. All parties are urged to be patient with regard to the technological and other difficulties experienced by others.
6. If in the determination of the Hearing Examiner, the technology supporting the hearing is not performing adequately, the Examiner may suspend or continue the hearing, make arrangements for submission of materials or testimony at a later date, or make other necessary arrangements.

### **Participation During the Recorded Hearing.**

1. This is a recorded proceeding. In order to get a clear recording for the record, it is important that only one person speak at a time, and that you speak clearly.
2. When speaking, always identify yourself first before continuing.
3. Participants that are not actively presenting testimony or argument (e.g. waiting to appear as a witness) should mute their own microphones.
4. Every effort should be made to isolate yourself from background noises in the home or office environment from which you are broadcasting.
5. Keep your eyes on the video screen. Pay attention to other participants in the meeting. If a speaker’s audio is disrupted please signal the speaker with a raised hand that they should stop. If you are speaking and see the signal to stop, stop speaking until your audio is reestablished.
6. The Hearing Examiner reserves the right to mute any participant that is not able to follow these protocols and/or introduces unacceptable levels of intrusive noise or speech.
7. If you have technical or general procedural questions that do not require attention from the Hearing Examiner, participants can submit these to the OHE Legal Assistant via the chat option during the hearing.

### **Witnesses Testifying**

1. Each witness should be called by name to appear by the appropriate representative.
2. Before testifying, each witness will be asked by the Hearing Examiner to state and spell their name for the record, and must take an oath or affirmation to tell the truth.
3. In providing testimony a witness should enunciate and speak clearly. It may be necessary to slow the cadence of your presentation to ensure you can be heard. Please keep your eyes on the camera as you speak so you can be aware of whether your comments are reaching other recipients, whether an objection has been raised, or some other issue arises requiring you to stop or clarify testimony.
4. If a witness's audio is disrupted during your testimony you may be signaled by other hearing participants. Please stop speaking if you see this. When the connection is resumed you may be asked to repeat some of your statement if it was not conveyed to the hearing recording.
5. Cross examination of witnesses is allowed. Each party is allowed to ask questions of the other party's witnesses at the appropriate time.

### **Objections**

1. Representatives: State objections clearly, and accompany your verbal objection with a raised hand gesture. State the objection and the basis thereof. Opposing counsel should be prepared to respond to the objection or withdraw a question being asked.
2. Witnesses: Stop speaking immediately, and do not respond to a question when an objection has been raised. You will be signaled when/if it is ok for you to proceed.