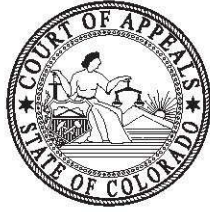


Colorado Court of Appeals WebEx Oral Argument Policies and Procedures



These policies and procedures are designed to help counsel prepare for WebEx remote oral arguments in the Colorado Court of Appeals. Please note that these policies and procedures supplement the court's regular oral argument protocols. Please read these policies and procedures carefully and in their entirety.

Counsel must file a notice containing counsel's contact information.

Within seven days of receiving Notice of Oral Argument, all counsel who will be arguing to the court must file a Notice of Counsel's Contact Information with the court that includes the following:

1. Counsel's name;
2. The party in the case that counsel represents;
3. Counsel's email address; and
4. The cellphone or telephone phone number at which counsel can be reached on the day of the oral argument.

If counsel does not timely file this Notice of Counsel's Contact information, the court may continue the oral argument setting or vacate it. The Notice is for Court use only, and counsel may file this document as suppressed or sealed.

Counsel must download and become familiar with the WebEx App before the oral argument.

Counsel must use the Cisco WebEx app for oral arguments; the call-in option or a Polycom call will not work. If counsel have never used the WebEx app before, they must download it to a laptop or to a smart device. Here is a link to download

the app on a desktop or a laptop computer: [Download-the-Cisco-Webex-Meetings-Desktop-App](#). And here is a link to download the app on a smartphone or a tablet: <https://apps.apple.com/us/app/cisco-webex-meetings/id298844386>

We recommend you do both.

Once counsel has downloaded the app, the next step is to check the connection. To do that, click on this link to conduct a test meeting:

A court employee will no longer hold precheck meetings with counsel before oral arguments. Instead, the court has posted a tutorial video explaining WebEx at the following link: https://youtu.be/DBciB2_Iy64

The Cisco website posts helpful instructions and videos. The Court suggests that counsel may wish to look at these:

- [Get-Started-with-Cisco-Webex-Meetings-for-Attendees](#)
- [Join-a-Webex-Meeting-from-an-Email-Invitation](#)
- [Choose-Your-Audio-and-Video-Settings-Before-You-Join-a-Webex-Meeting-or-Event](#)
- For lots of video tutorials on WebEx, visit: [Cisco-Webex-Meetings-Video-Tutorials](#)

The court also recommends that, if possible, counsel should download the Cisco WebEx app to a smartphone or other device that connects to a data plan. For counsel who experience internet interruptions, this may work better than using a desktop or laptop computer. The Court has found that smartphone and iPad users normally have strong audio and video connections.

If counsel has a connection issue on the day of the oral argument and that issue cannot be quickly addressed, the Court may either continue the argument or vacate it. If the court continues the argument, it may result in as much as a two-month delay.

To summarize, counsel must do the following *before* the date of the oral argument: (1) file a notice of contact information with the Court of Appeals within the specified timeframe; (2) review the tutorial video; (3) download the WebEx app; and (4) check the WebEx connection. Please note that the Court of Appeals uses the WebEx app differently than trial court: counsel should *not* rely on any experiences with WebEx in a trial court to prepare for oral argument in the Court of Appeals.

General rules for WebEx oral arguments.

1. Turn off all other applications on the device that counsel will use for the oral argument before it starts.

To maintain a strong connection, it is very helpful to close all other applications on the device that you are using for oral argument, such as browsers and the email/calendar function, such as Chrome, Explorer or Outlook.

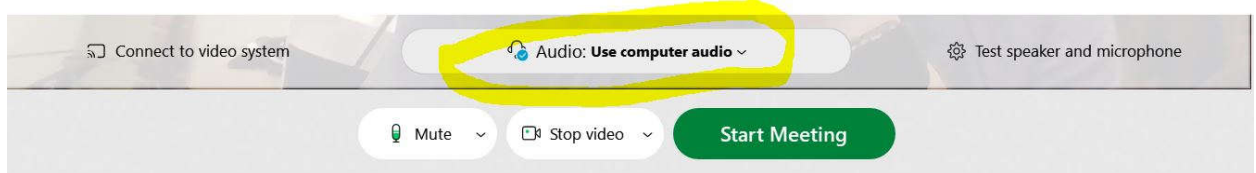
2. Test the connection at least an hour before the oral argument is set to begin.

Counsel can use the following link to test the connection: [test-meeting](#)

3. Check the settings.

- a. A half-hour before the oral argument is scheduled to begin, counsel should reboot the computer or restart the smart device that will be used for the argument. Doing so will clear the computer's memory and reset any changes to video settings made by other platforms such as Zoom. If counsel will be using a headset, it should be plugged in *before* logging in to WebEx. If the headset is not plugged in before joining WebEx, counsel will have to log out and log back in again before other participants will be able to hear counsel's voice.

- b. Counsel should pay attention to the WebEx audio settings. It has been the court's experience that the audio function causes most problems that counsel face during WebEx oral arguments. The court has provided some instructions immediately below to consult when checking the audio settings.

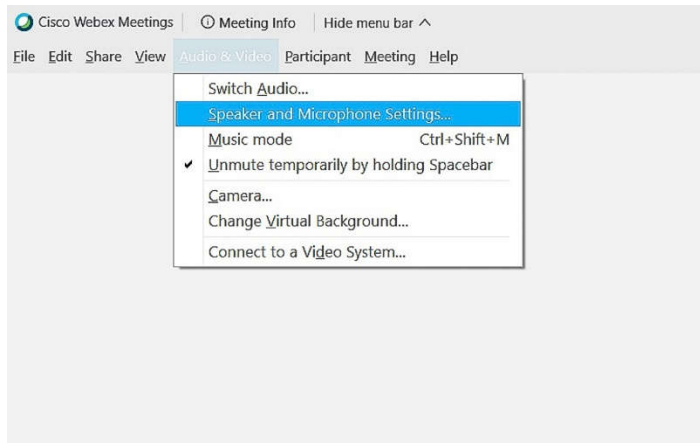


If you have a laptop and have plugged in an external monitor, make sure that Windows has not changed your audio settings. To test your audio, start a meeting. You do not need to invite anyone to join it with you.



On the WebEx Meetings menu bar in the upper left, click Audio

Under the Audio settings, click “Speaker, Microphone, and Camera.”



Under the Speaker portion, click the test button and listen for the music. If you do not hear the music, check your volume. If your volume is up, change the speaker setting from the drop-down menu next to the Test button until you can hear the music. Repeat this test for the Microphone setting.

The WebEx oral argument.

WebEx Invitation.

The court will send counsel an email containing the link to join the oral arguments about five to ten minutes before the argument is scheduled to begin. If counsel’s case is second on the docket, this will occur about thirty minutes after the first case on the docket is scheduled to begin.

WebEx Lobby.

Counsel will be automatically placed in the WebEx lobby when they join the argument. Counsel will see a screen with the WebEx meeting title, which will only be the court of appeals case number. Counsel will not see each other or anyone else. Once counsel is in the lobby, please be patient and wait: ordinarily,

counsel will not have to log out and log back in. The court will bring counsel into the oral argument from the lobby when the judges are on-line and ready to go. Please note that this is different from the standard used during in-person oral arguments, when the judges enter after counsel are seated at their tables.

WebEx v. livestream link.

Once admitted to the oral argument, counsel will be able to see each other and the judges, and the judges will be able to see each other and counsel. The court will only admit counsel who are arguing to the court to the oral arguments through the WebEx app. Please do *not* forward the WebEx link to others, such as co-counsel who are not arguing, clients, or other interested persons; the court will not admit them. The court livestreams and archives WebEx arguments in the same manner as it livestreams and archives in-person oral arguments. So, if persons other than counsel want to watch the oral argument, they can use the livestreaming link found on the court's website, or, if they want to watch the argument later, they can do so by using the link to the oral argument archives that is also on the court's website. They will be able to see all the participants in the oral argument.

Things that counsel should do first once they have been admitted to the oral argument.

When counsel has been admitted to the oral argument, WebEx should default to grid mode, which shows all the participants in the argument in windows of equal size. If not automatically in grid mode, counsel must change it to grid mode or they will not see the court's clock. Here is a link with instructions to make the change: [Switching View in WebEx](#). The court recommends that counsel practice making the change before the oral argument so that time is not wasted during the argument.

The clock will appear in the box entitled "host."

Counsel must mute their microphone; if counsel does not do so, the court will do so. This is necessary to prevent feedback noise and to make a clear record of the oral argument. The presiding judge will ask counsel to unmute before the argument begins to check counsel's audio connection.

Oral argument etiquette.

1. Counsel must remain muted until the presiding judge recognizes counsel and asks them to begin.

2. Counsel must watch the judges. A judge will raise their hand to ask a question. Counsel should stop and mute. The judge will unmute and ask a question, and then mute. Counsel should then unmute to respond. This sounds awkward, but, in the court's experience, counsel adjust quickly to this process.
3. Counsel must stay close to the microphone, facing it. In the court's experience, counsel's voice may become inaudible if counsel sits too far back from the microphone or if counsel turns their to the side to read notes or materials out loud.
4. Counsel for the appellant must watch the clock in order to reserve time for rebuttal. But, *if* counsel's video is lost but the audio function stays connected, the presiding judge will be willing to give counsel for the appellant a reminder, *if* counsel asks for one, of how much time they have left in the argument. In the court's experience, because the clock occupies the host's window on the screen, it is generally visible even when bandwidth issues cause counsel to lose their video connection to the argument.
5. WebEx oral arguments are as real and as formal as in-person oral arguments. The court therefore expects all counsel to dress appropriately.

If problems arise, keep calm and argue on.

The court does its best to plan for the unexpected, which is why it instructs counsel to check their connections before the oral argument. If, during the argument, counsel suddenly loses the connection or the audio, the court may ask counsel to log out and log back in. The court's staff will walk counsel through the process. In the court's experience, if counsel's bandwidth is becoming stretched, the first thing WebEx will do is limit counsel's video. If counsel turns off their video at that time, the video for the rest of the participants in the argument will often reappear. In this situation, maintaining the audio link is most important so that the court and opposing counsel can hear counsel's argument.