

1 IN THE SUPREME COURT
2 OF THE STATE OF OREGON
3

4 In re: the Conduct of)
5) Case No. 00-00
6 ACCUSED ATTORNEY)
7 Bar No. 000000,)
8 Respondent) ORDER REGARDING ZOOM
9) HEARING PROTOCOLS
10)
11)
12)

9 Pursuant to Chief Justice Order No. 20.009 § II(E) and BR.2.4(e)(15), this matter is set for
10 trial by videoconference. This Order applies to all participants. A copy of it is to be provided to
11 any witness a party intends to call during the trial. Participants are to conduct themselves as they
12 normally would in an in-person hearing. This includes:

- 13 • Turn off or silence your cell phone.
- 14 • Refrain from speaking to or otherwise distracting participants in the hearing.
- 15 • Hats or head coverings are not permitted, except for religious reasons.
- 16 • Sunglasses are not permitted, except for medical reasons.
- 17 • Photography, video, or audio recording of the hearing is not allowed unless
18 permission has been granted by the Adjudicator.
- 19 • Refrain from eating during the hearing.
- 20 • Always follow the instructions of the Adjudicator or panel members.
- 21 • The hearing will be recorded by a court reporter. Everything you say in the
22 hearing will be on the record.
- 23 • All behavior during the hearing must be courteous and respectful.
- 24 • Refrain from speaking while another participant is speaking.

- 1 • Remote participants must use a private and quiet room that will be free of
- 2 interruptions.
- 3 • Appearing for the hearing via Zoom while outdoors, in-vehicle, or occupying a
- 4 public place is not permitted.
- 5 • Remote participants must place their mobile devices on a solid surface with the
- 6 camera at eye level. Do not hand-hold mobile devices and do not lay phones or
- 7 tablets flat on a desk or tabletop.

8 JOINING A ZOOM HEARING

9 Before joining a Zoom hearing on a computer or mobile device, you may download the
10 app from the Zoom download center. If you have not done so, you will be connected when you
11 click on the link provided by the Disciplinary Board Clerk.

12 **To participate in the hearing** you will need an internet connection, speakers or earphones,
13 and a microphone OR a telephone connection.

14 A webcam or HD webcam—built-in or USB plug-in.

15 **If joining from your computer**, you will also need one of the following Operating
16 Systems:

- 17 • macOS X with macOS 10.9 or later
- 18 • Windows 10*
- 19 • Note: Devices running Windows 10 must run Windows 10 Home, Pro, or Enterprise. S
20 Mode is not supported.
- 21 • Windows 8 or 8.1
- 22 • Windows 7
- 23 • Ubuntu 12.04 or higher
- 24 • Mint 17.1 or higher

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- 1 • Red Hat Enterprise Linux 6.4 or higher
- 2 • Oracle Linux 6.4 or higher
- 3 • CentOS 6.4 or higher
- 4 • Fedora 21 or higher
- 5 • OpenSUSE 13.2 or higher
- 6 • ArchLinux (64-bit only)

7 **It is recommended that you test your video connection before the hearing.** To do so,
8 go to: <https://zoom.us/test>

9 **To join the hearing:**

- 10 1. Click on the link in your meeting invitation, open the Zoom desktop app, or go
11 to
- 12 2. Click on Join a Meeting.
- 13 3. Enter the meeting ID number (if necessary), the password (if necessary, it will
14 be provided) and the name you would like displayed on the screen.
- 15 4. Select if you would like to join with video and/or audio. You can also call in
16 to the phone number provided to use your phone for audio and computer for
17 video.

18 **BEFORE THE HEARING STARTS**

19 The hearing will run more smoothly if you follow these suggestions:

- 20 • That your laptop or other device is sufficiently charged and that you have the charging
21 cable available if needed;
- 22 • That the documents you will rely on at the hearing are at hand or available on your device
23 (All exhibits must be provided to the panel members prior to the hearing. Exhibits to be
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1 used during examination should be provided in hard copy form to the witnesses ahead of
2 time.);

- 3 • That all unnecessary applications on your device have been closed;
- 4 • That you are able to take notes either electronically or by handwriting; and
- 5 • That you have a glass of water handy for when you are speaking.

6 **MUTE** your microphone for the entire hearing until it is your turn to speak. The lawyers or
7 respondent may keep their microphones active in order to state any objections.

8 **TECHNICAL PROBLEMS INTERRUPTING HEARING**

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10 If the Adjudicator conducting a remote proceeding determines at any time that the audio
11 or video connection is so poor as to interfere with the fair administration of justice, the hearing
12 shall be postponed until such time as a better connection can be obtained or the matter can be set
13 for an in-person proceeding. However, it shall be the responsibility of a party or counsel for a
14 party to promptly inform the Adjudicator if there has been a disruption at their end of the
15 communication that substantially interferes with his or her ability to see or hear what is occurring
16 during the video conference. An objection to the quality of an audio conference or a video
17 conference should be made at the time the connection is substantially impaired but must be made
18 to the Adjudicator on the record before the remote hearing has concluded. Any objection to the
19 quality of the audio conference or video conference made thereafter will be deemed untimely.
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21 **CONFIDENTIAL COMMUNICATIONS**

22 If respondent and counsel need to confer, the party shall request leave to do so from the
23 Adjudicator. A breakout room from the session will be created by the Adjudicator. Respondent
24 and counsel will be moved into the separate breakout room for a specified amount of time. The
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1 breakout room is private and unrecorded. When the Adjudicator closes the breakout room a
2 notice will be given to the parties that the room will close in ten seconds.

3 DATED this ___ day of _____, 2021

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6 Mark A. Turner
7 Adjudicator
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