



# Raising the bar for lawyers and litigants attending Provincial Court remotely

Updated: August 2024

The Court began conducting some proceedings virtually using the Microsoft Teams video platform in the pandemic's early months. At the time, people were isolated in their homes and learning to use new technology. Judges understood the challenges they faced in creating appropriate environments for virtual court appearances and learning the ropes.

However, all court proceedings, both virtual and in-person, are conducted with a level of formality and solemnity because of the crucial role they play in resolving disputes and their importance to the people involved. Participants, particularly legal professionals, are expected to conduct themselves in a manner that contributes to the solemnity and dignity of the Court's function and work.

The convenience of appearing in court remotely brings with it responsibilities – responsibilities for everyone appearing in court by telephone or video to conduct themselves with the same dignity, formality, and respect for the proceedings as if they were physically in a courtroom.

Unfortunately, in 2020 and 2021, the Court saw remote appearances being made from inappropriate locations (in a coffee shop line-up, while driving a car) as well as inappropriate behaviour during virtual proceedings (eating food, using the chat function to chat or tell jokes, lawyers dressing informally).

To make the Court's expectations clear, on July 15, 2021, the Chief Judge issued an updated [Notice 21](#) with directions for anyone attending either a virtual or an in-person proceeding in the Provincial Court remotely, whether by telephone or using Microsoft Teams. It contains directions on etiquette, procedures, and technical aspects of virtual proceedings and remote attendance.

Of particular note to lawyers, it requires them to:

- wear business attire
- appear in a quiet, private space with a neutral background
- use cameras for video-conference proceedings

It also makes clear that:

- like those who appear in court in person, participants appearing remotely may neither eat or drink anything except water, nor smoke or vape, during the proceeding
- all profiles and background images used for remote appearances should be appropriate for any courtroom
- people using a smartphone to participate remotely should flip the phone horizontally and enable landscape mode so their full headshot displays
- no one is permitted to audio- or video-record, photograph, or take a screenshot of any portion of a virtual or in-person proceeding

Everyone appearing in or observing court by telephone or video should read the full text of Notice 21. Both lawyers and litigants will contribute to the effectiveness of a court proceeding when they follow the directions in the Notice.

[Notice 21, Virtual Proceedings and Remote Attendance in the Provincial Court](#)

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