Oregon Judicial Department Remote Hearings Exhibit Management Guide

This guide provides options for receiving, accepting, maintaining, annotating, and displaying exhibits remotely. These methods provide for zero contact with the submitting party, and provides digital formats of all exhibits. Additionally there are methods provided for sharing different exhibits types within a Webex remote hearing.

Contents

Exhibits for Remote Hearings

When a trial, hearing, or other proceeding is conducted remotely and the parties are not appearing in person exhibits may be submitted electronically in the following manner:

- **File & Serve:** all exhibits that can be converted to a PDF format may be submitted through File & Serve.

  The filers must include an index or exhibit list and designate the exhibits appropriately. The filer must submit exhibits as confidential unless the case type is confidential, in which case they should submit the exhibits as public. Depending on the amount of exhibits and the size of the file, filers may either submit all exhibits as one document, or break the document up into multiple filings.

  Documents submitted in this format are maintained in the Odyssey court record, and should be annotated during the hearing/trial to indicate their received status.

- **SFTP Server:** all exhibits that cannot be converted to PDF format such as audio, video, and/or some images.

  Exhibits that cannot be converted to PDF, such as a video or audio file may be submitted contact free through OJD's secure SFTP server through the file request system. Before using this method, verify that it has been approved by your administrative authority and presiding judge.

  Exhibits submitted in this format are maintained separately from the Odyssey court record. These exhibits should be included on any the exhibit list submitted by the filer and that list should be annotated during the hearing/trial to indicate their received status. The court should define a local procedure for removing these exhibits from their stored location after the conclusion of the hearing/trial.

While exhibits for remote hearings may be received in a different format than an in-person hearing, requirements for serving the other party and the admission of exhibits remain. Each court or judge should review and update any existing timelines for submitting exhibits, process for objection to the admission of certain exhibits, and procedure for displaying and sharing different exhibit types during a remote hearing.

Exhibits Received through SFTP Server

Sending Requests and Receiving Exhibits

When a party wishes to submit exhibits that cannot be sent through File & Serve, the clerk may send the party a special request for those exhibits through the SFTP server. This request creates a unique email that is secure, allows the user to easily upload and send back their exhibits, and will expire after a specified time period.

Using this process verifies that the files are secure and does not require the user to take additional encryption steps.

1. Open https://ojdsftp.courts.oregon.gov/.
2. Enter your OJD **Email** address and windows **Password**.
3. Click **Login**.
4. From the top **Menu Bar**, s̶ ̶ ̶ ̶ **File Requests**.
5. Click **New File Request**.
6. Enter the following information:
   a. **Email address** of the recipient
   b. **Subject**
   c. **Message**
   d. Check **Send a copy to myself**
   e. Select the date the **Request Expires**
      This date should be the date the exhibits are due before the hearing/trial.
7. Click **Request File**.

Only files that may not be converted to PDF and submitted through File & Serve should be submitted through a file request through the SFTP server.
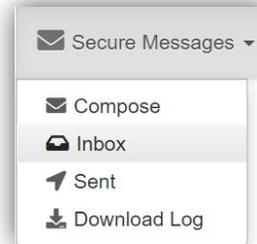
The email received by the party displays the OJD user's full name but does NOT display their OJD email address. A generic email address is displayed, and the receiving party must click the link in the email to respond.

The party receives an email with a link to upload their files. Once the party clicks the link they may drag and drop or upload their exhibits and send them back. The OJD user will be notified through the OJD email address used to send the request and the OJD user can download the files either from their email or from the SFTP server:

1. Click https://ojdsftp.courts.oregon.gov/.
2. Enter your OJD **Email** address and Password.
3. Click **Login**.
4. From the **Menu Bar**, select **Secure Messages**.
5. Click **Inbox**.
6. Find the email to download the attached exhibits.

Managing SFTP Received Exhibits

Exhibits received through a SFTP transfer should be maintained in a secure file location. The recommendation is to not store exhibits on a local computer, as that data could be lost.

The exhibits may be deleted either:

- after the hearing or trial if submitted by an attorney,
- after the appeal period for the issue has lapsed if submitted by a self-represented litigant.

The following guidelines should be set at the local court level:

- File location where exhibits should be saved (e.g. a local network drive)
- Naming convention for the file (e.g. case number, date of hearing/trial, etc.)
- Retention policy (e.g. deletion timelines of the exhibit files once hearing/trial has occurred)

Exhibits Received through File & Serve

When a trial, hearing, or other proceeding is conducted remotely and the parties are not appearing in person, all exhibits that can be converted to a PDF format may be submitted through File & Serve. Currently Amended CJO 20-006 subsection 7 temporarily allows filers to submit trial exhibits through File & Serve.

The filers must submit exhibits in a single unified PDF unless the envelope is larger than 25MB or otherwise directed by the local court. The filer must include an index, such as an exhibit list, and designate the exhibits appropriately and should submit exhibits as confidential unless the case type is confidential, in which case they should submit the exhibits as public.

Receiving Exhibits through File & Serve

When accepting exhibits through File & Serve, verify the following:

- The Exhibit (EX) filing code is used.
- Exhibits are submitted and accepted with Confidential security, unless submitted in a confidential case type.
- An index is attached at the beginning of each submitted document that identifies the exhibits submitted.
- Each exhibit identified in the index is electronically linked to the exhibit in the document, and that each exhibit is bookmarked.
  - These are links within the PDF document to another spot in the PDF document. To check this feature, open the PDF in a separate viewer and click on an exhibit in the index and a bookmark to make sure they are working correctly.
- Exhibits are clearly identified throughout the document.

> *Exhibits should not be rejected due to wrong filing codes or security type. Instead, update the filing code and security before accepting.*

Managing Exhibits through File & Serve

Exhibits received through File & Serve are maintained in Odyssey on the Documents tab of the case record. The document will also be related to the **Exhibit (EB)** case event. There is no necessity to destroy, remove, or otherwise "return" the exhibits to the party who submitted them after the conclusion of the case.

- In public case types, the exhibit document should be submitted as confidential so it not viewable by the public.
- In confidential case types, such as juvenile or mental health cases, the exhibit document does not need to be made confidential, as only those with specific access to those cases in OECI would be able to view those materials.

Preparing Exhibits for the Remote Hearing

Before the remote hearing is scheduled to occur, review and verify the procedure for the following items and communicate to the case parties and judge as necessary.

- Verify all expected exhibits have been received, either through File & Serve, SFTP, or conventionally.
- Verify exhibit lists encompass all exhibits submitted are included.
- Determine with the judge or administrative authority protocols on how a party may introduce an exhibit during the hearing/trial and the procedure for objections
- Establish who will be expected to share exhibits in the remote hearing for the following party types:
  - Attorneys
  - Partner agencies (DHS, DOJ, etc.)
  - Self-represented litigants
- For any conventional (paper) exhibits, verify the party or court also has a digital copy that may be shared if required.
- Before the hearing, open any exhibits that the court may be required to share, and have them available on the monitor.
  - Verify audio and video exhibits play as expected
  - Know what applications (e.g. Adobe, Powerpoint, Media Player, etc.) will be utilized
  - Test sharing exhibits before the remote hearing
- In Odyssey, open any PDF exhibit document submitted through File & Serve and prepare the document for annotation.
  - Create a new document version to annotate during the hearing.

Annotating Exhibits During a Hearing or Trial

Electronically submitted exhibits must be annotated to indicate which documents were received. This should be done during the court proceedingsas exhibits are presented and received by the court.

Verify the exhibit list submitted by the party includes all exhibits submitted, including exhibits submitted through File & Serve, through the SFTP server, or conventionally.

> *Both the exhibit list and any PDF exhibits should be annotated received if they are received by the court.*

- From *the Documents (F12+U)* tab of the Odyssey case record, right click the exhibit document.
- Click **Annotate PDF Document**.
- Annotate the Exhibit List as Received or Not Received.
- *If the exhibit is a PDF exhibit,* locate the correct page that corresponds to the start of the exhibit and annotate either Received or Not Received on the first page of that exhibit.
- NOTE: This may be done using an image or text. Check with your local administrative authority for the preferred method.
- Repeat for each received exhibit.
- Click Save (Alt+S)
- OCR the PDF Document.
- Right- click the document and select Perform OCR.

Performing OCR "flattens" the document and does not allow other parties to remove annotations. Do not click Perform OCR more than once.

Displaying Documentary Exhibits in Webex

There are two options to use when sharing documentary exhibits in Webex Events or Meetings. The options are to either Share Your Screen or Share an Application.

Sharing Your Screen

Selecting share your screen will allow everyone to see what is on the monitor you are displaying. Anything open on that monitor such as a PDF document or a PowerPoint slide will display and also anything that may pop up such as a website, chat window, or email notification.

Before your meeting, mute notifications and close any personal or sensitive documents. This way, you don't have to worry about accidentally sharing private or distracting information.

Sharing your screen:

1. Select Share from the bottom menu bar.
   a. Select the Screen you would like to share.

Sharing a Specific Application

When selecting a specific application to share, others can't see anything other than the shared application. For example, if you have both your browser and Adobe open and you choose to share Adobe, the other participants will be unable to see the browser tabs you have open. However, if you have several PDF documents open, you can switch between them and they'll still be shared.

Sharing an open application:

1. Select Share from the bottom menu bar.
   a. Select the application from the list of open applications.
2. To share an application that is not open:
3. Select Share from the bottom menu bar.
   a. Scroll to the bottom of the pop up box and select Other Applications.

Sharing a File

Sharing files allows you to share a single file. This could be any type of file, such as a document, audio file, or video file stored on your computer.

Sharing a file ensures that only that singular file can possibly be shared with the group. However, there are some limitations such as file sharing may not work if the file you are sharing has embedded video or audio, such as a powerpoint.

Sharing a file

1. Select **Share** from the bottom menu bar.
   a. Click **Share File**.
   b. Browse and select the file to be shared.

Displaying Media Exhibits in Webex

Webex Events

When using Webex Events sharing files allows you to share a single media file. This file could be either an audio file or video file stored in a location you can access from your computer file explorer.

Do not try and share any audio or video embedded in another application. For example, if a video is contained within a powerpoint, remove the video from the powerpoint and share the video file separately.
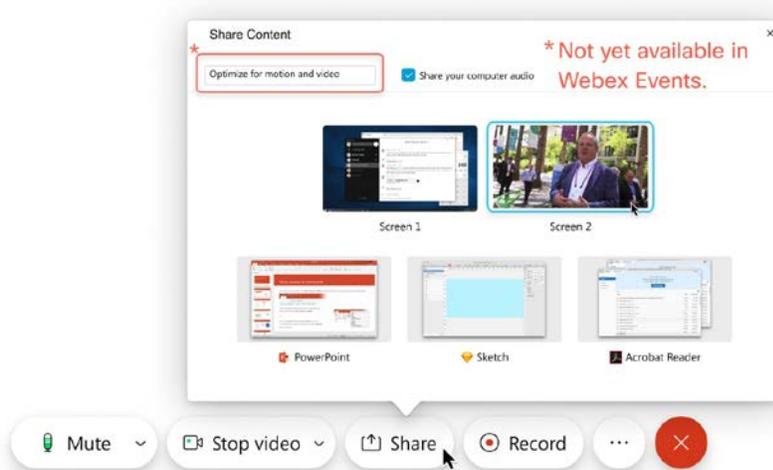
Sharing a file

1. Select **Share** from the bottom menu bar.
   a. Click **Share File**.
   b. Browse and select the file to be shared.

Webex Meetings

Sharing Audio Only
Sharing audio is slightly different from sharing any other type of content. That's why Webex Meetings has a sharing mode that's optimized for audio and video.

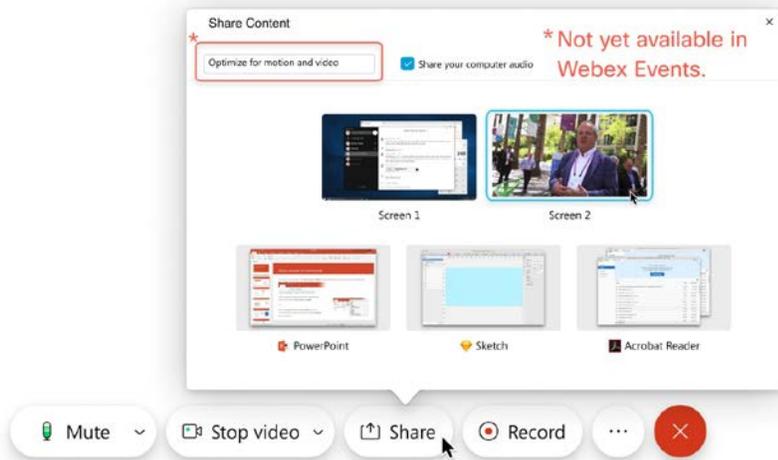The Optimize for motion and video option is only available in Webex Meetings.

1. Select **Share** from the bottom menu bar.
   a. From the drop-down, select **Optimize for motion and video**
   b. Verify **Share your computer audio** is checked
   c. Select the content you would like to share

Sharing a Video
Sharing video is slightly different from sharing any other type of content. That's why Webex Meetings has a sharing mode that's optimized for video.

The Optimize for motion and video option is only available in Webex Meetings.

Sharing a video

2. Select **Share** from the bottom menu bar.
   a. From the drop-down, select **Optimize for motion and video**
   b. Verify **Share your computer audio** is checked
   c. Select the content you would like to share

References

Amended CJO 20-006, Section 7

UTCR 21.040(1)

UTCR 21.040(2)

UTCR 21.040(4)

UTCR 21.070(6)