

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

Representative Bryan Cutler,	:	
Leader of the Republican Caucus	:	
of the Pennsylvania House of	:	
Representatives,	:	
Petitioner	:	
	:	
v.	:	No. 588 M.D. 2022
	:	
	:	
Leigh M. Chapman, Acting Secretary	:	
of the Commonwealth, The	:	
Pennsylvania Department of State,	:	
and The Board of Elections of	:	
Allegheny County,	:	
Respondents	:	

**PER CURIAM** **ORDER**

**NOW**, January 10, 2023, the oral argument scheduled to be heard on Wednesday, January 11, 2023, at 2:00 p.m., in Courtroom 3002, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pennsylvania will now be heard via WebEx video conferencing on the same date and time. The Court **ORDERS** as follows:

1. All Counsel shall appear at the January 11, 2023 argument via WebEx video conferencing. To facilitate participation in the January 11, 2023 argument, counsel shall provide their email and telephone number to [CommCourtRemote@pacourts.us](mailto:CommCourtRemote@pacourts.us) as soon as possible and no later than 1:00 p.m. on January 10, 2023.
  
2. To facilitate participation in the argument, various WebEx applications are available for download at [pacourts.webex.com](http://pacourts.webex.com). Please see the Protocol for WebEx Video, attached to this Order. Counsel for the Board is directed to connect to the hearing 15 minutes before the starting time. In the event of technical difficulties, please contact the Court’s IT staff at 717-255-1626. All other inquiries should be directed to the Prothonotary’s Office.

# Protocol for WebEx Video Hearings

## Protocol BEFORE the hearing:

- A. Twenty-four (24) hours before the scheduled hearing, the Court shall provide counsel, any pro se party, and the court reporter with the information for connecting to the video hearing, including the date and time of the hearing. This invitation will be sent by email.
- B. It is the responsibility of counsel to provide the connection information to their clients and witnesses. It is the responsibility of any pro se party to provide the connection information to their witnesses.
- C. It is the responsibility of all parties to provide the Court with their contact information. An email address will be required to join the video.
- D. A witness list must be provided to the Court by the date set forth in the court's scheduling order, and otherwise no later than forty-eight (48) hours before the hearing, with a valid email address for each witness. The Court will provide the attorneys with a contact email to which the witness list should be sent. The witness list shall include the case caption and docket number and the full name of each prospective witness.
- E. All participants must appear by video connection unless otherwise authorized by the Court.
- F. Email invitations will be sent to participants at least 24 hours before the hearing. If a participant has not received the email invitation from the Court, please check your SPAM or Junk folder before contacting the Court.
- G. All parties and witnesses must connect to the hearing or call into the video system at least 15 minutes before the scheduled start time.

## 2. Minimum Technology requirements:

- A. All counsel and pro se parties appearing before the Court must have one of the following:
  - 1. A computer with a functioning web camera, microphone and speakers;
  - 2. A video conferencing system that supports Session Initiation Protocol (SIP) calling;

## Protocol for WebEx Video Hearings

3. A tablet device that supports Cisco WebEx with a functioning forward facing camera, microphone and speakers; or
  4. An alternative device used to connect to Cisco WebEx in the past.
- B. If you experience audio issues with your computer/tablet audio, the Court recommends that you have our system call you by using the option listed in 5.C below.
- C. The Court's IT Department will endeavor to contact counsel, any pro se party, and witnesses in advance of the hearing to test their connection to the WebEx platform.

### 3. Ground Rules and Video Conferencing Etiquette:

- A. When not speaking, please mute your microphone. This helps prevent background noise.
- B. Earbuds or headphones are preferable to avoid feedback.
- C. Be aware of your behavior. Because you are on a video conference, people can see what you are doing at all times and *WebEx video conferences are recorded*. Further, others may view the proceedings via public livestream web link that will be provided to the parties and posted to the Court's website in advance of the proceeding.
- D. If connecting from a laptop, plug in the laptop wall power.
- E. Follow all instructions in the video conference invitation and note important supplemental information, such as a backup phone number in case you are disconnected.
- F. Please be respectful; speak slowly and only one at a time.
- G. Try not to speak over other parties. There is a slight delay when using video technology.
- H. The Court appointed crier will be on the call to open and close court and to swear-in witnesses if needed.

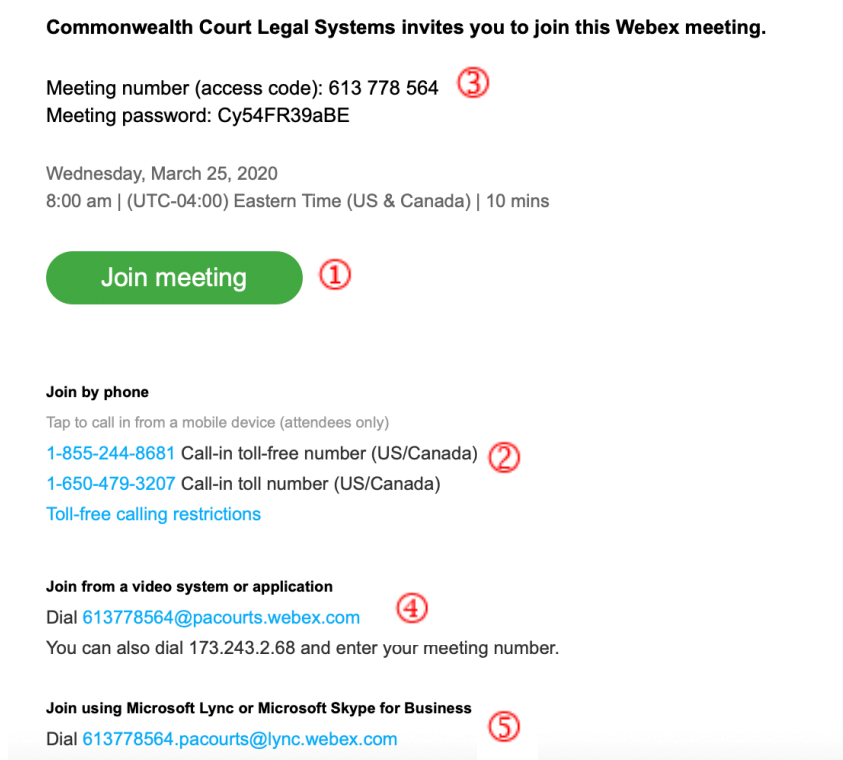
### Technical Support

If you have any questions or need technical assistance, contact 717-255-1626.

# Protocol for WebEx Video Hearings

## 4. Invitation from the Court:

- A. Prior to your scheduled hearing, you will receive an email from the Court with connection instructions. Please make sure to monitor your SPAM or Junk folder so that you receive the message. It should come from @pacourts.us. Here is the information from a sample invitation.



- B. In the invitation, there are multiple connection options:
1. WebEx: Click on the Green *Join Meeting* button.
  2. Phone: Dial either of the numbers listed under *Join by phone*. When prompted, enter the Meeting number (access code) listed near the top of the invitation.
  3. Use the SIP dial in connection number provided for non-WebEx devices such as video conferencing systems.
  4. Microsoft Lync/Skype for Business connection information is also provided.

# Protocol for WebEx Video Hearings

## 5. Controls while connected to WebEx:

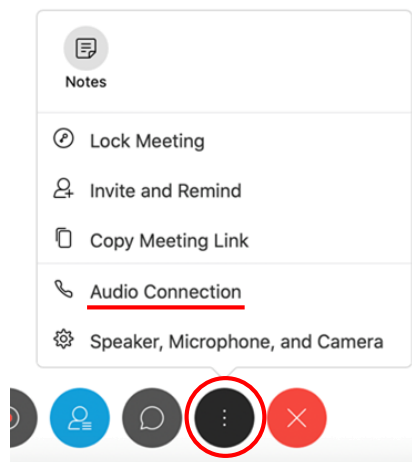
- A. Once connected to a meeting, if you move your mouse, the below control panel should appear. These are the normal controls, but some of them may be disabled which means they will not appear. The icons will be the same.



- B. From left to right, the controls are:

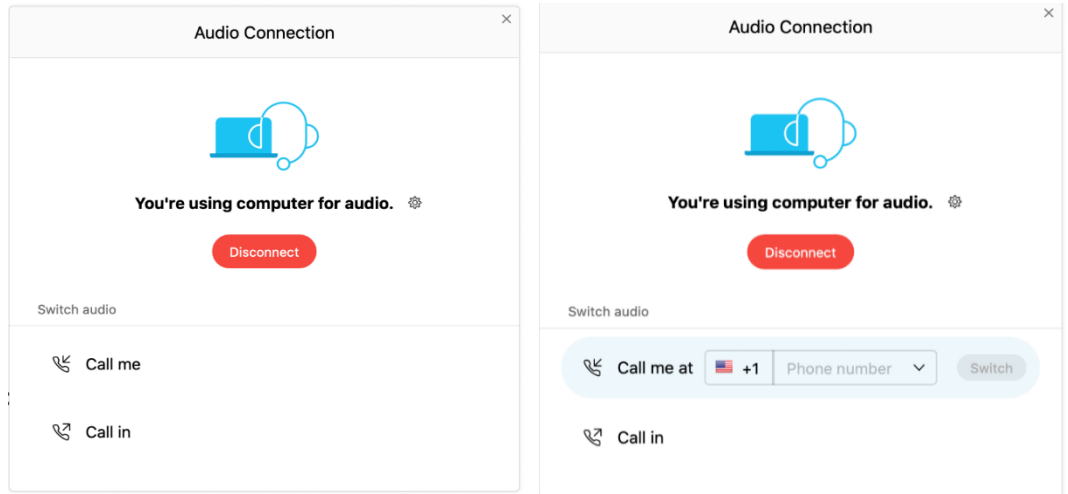
1. Mute/unmute microphone
2. Turn on/off camera
3. Share your desktop
4. Recording control (Only available to the Court)
5. Open/Close the participant list
6. Chat windows
7. Options – has more controls available
8. End Meeting

- C. Under the More Options button (7 above, the 3 dots icon). If you are having audio difficulties with your computer audio, you can have the system call you. Click on the 3 dots icon and then choose Audio Connection.



## Protocol for WebEx Video Hearings

- D. Click on the option “Call Me.” Enter the phone number that the system should call and press the switch button. When the call comes in, you will be prompted to press “1” to connect.



- E. At the end of your call, press the red X to be disconnected.

### 6. Procedures regarding Exhibits:

- A. Exhibits should be pre-marked numerically: i.e., P-1, P-2, etc.; and R-1, R-2, etc.
- B. Be aware of personal identifying or confidential information contained in exhibits used during a video hearing, and redact where appropriate consistent with the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.
- C. No later than the date on any order of the Court, or in the absence of a specific date, twenty-four (24) hours prior to the hearing, counsel and any pro se party shall upload all exhibits intended for use during the hearing to the link provided and should email the Court at [CommCourtRemote@pacourts.us](mailto:CommCourtRemote@pacourts.us) to confirm all exhibits have been successfully uploaded. Parties are directed to provide their witnesses with copies of the exhibits in advance of the hearing to which the witnesses can refer during their testimony.