

# Remote Examinations

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# Context

- Remote examinations are not new, though they were probably infrequent previously
- While litigants are still able to conduct in-person examinations at examiner's office during the current COVID 19 pandemic, an increasing number of examinations are being conducted remotely

# Technology to Consider: Software

- The programs being used by examiners are largely Zoom and Webex

# Technology to Consider: Hardware

1. internet connection / wifi connection
2. computer / tablet with a camera
3. headset and microphone (optional)
4. consider a backup system (e.g. cell phone) and the conference and password information necessary to get back online

# Challenges arising from remote discoveries

- Difficulty in seeing all participants at the same time
- Difficulty in seeing facial expressions
- Difficulty in accessing documents needing translation
- Logistics involved in providing interpreting services beyond the immediate examination (e.g. for the benefit of the deponent and his/her solicitor)

# Before the examination

- Ensure your computer / tablet works
- Obtain a copy of the pleadings
- Obtain a list of proper names or technical terms for ease of reference
- Consider your physical surroundings
- Just before the examination begins, remind participants of your presence and involvement in the examination and of the importance of only one person speaking at a time

# During the examination

- Immediately communicate any connectivity problems, by video conference messaging systems, texting
- to avoid mental fatigue ask for breaks when needed