

REMOTE HEARING PROCEDURES

STATE OF CONNECTICUT DEPARTMENT OF BANKING

ATTENTION ATTORNEYS AND SELF-REPRESENTED PARTIES:

PLEASE CAREFULLY READ AND BE FAMILIAR WITH THESE PROCEDURES AT LEAST 2 WEEKS BEFORE YOUR UPCOMING REMOTE HEARING AS THERE ARE TIME SENSITIVE DEADLINES AND TASKS TO COMPLETE PRIOR TO YOUR HEARING.

The Department of Banking (“DOB”) intends to hold all hearings remotely whenever possible. Until further notice, no parties, attorneys, witnesses or court reporters will be permitted to attend administrative hearings in-person unless a timely request for an in-person hearing is submitted and the request is granted by the Hearing Officer. Special requirements for in-person administrative proceedings will be provided to all parties in the event a request is granted and may include, but are not limited to, mandatory face coverings, temperature checks, and a hearing room occupancy limit. To ensure that your scheduled remote hearing runs smoothly, all participants must abide by the policies and procedures below.

If you require accommodation of a disability or need an interpreter to participate in the hearing, please contact the designated Hearing Officer immediately.

I. TECHNOLOGY & DEVICE REQUIREMENTS

- 1. EMAIL ADDRESS** – ALL COUNSEL AND/OR PRO SE PARTIES MUST PROVIDE A VALID E-MAIL ADDRESS WHEN FILING THE APPEARANCE AND REQUEST FOR HEARING FORM.

If you do not contact the DOB prior to the scheduled hearing to provide your email address, or if you do not attend via Microsoft Teams after indicating that you will attend, the hearing will proceed without you and any allegations made against you by the DOB will be deemed admitted.

- 2. PLATFORM** – The DOB will be using Microsoft Teams to conduct remote administrative hearings. Download [Microsoft Teams](#) for free.

YOUR ONLY INVITATION TO PARTICIPATE WILL BE SENT VIA EMAIL MESSAGE, therefore the above requirement to provide an email address IS MANDATORY. Please bookmark and save the invitation email. If you have difficulty finding the email the day of your hearing, you will need to request the link to be resent.

There are three participation options:

- Join meeting using Microsoft Teams App Installed on PC or Mobile Device
- Join meeting with Microsoft Teams Web App
- Join meeting using a telephone number with Conference ID*

** Cellular telephones are subject to interference or loss of transmission not experienced by conventional telephones. This may result in your inability to hear questions asked by the Hearing Officer or testimony from a party. Landlines are the preferred method for telephone participation in remote hearings.*

More detailed instructions on how to join a Microsoft Teams meeting can be found [here](#).

- 3. DEVICES** – A desktop computer, laptop computer, tablet, or smartphone may be used for the hearing. A camera is preferred, but at minimum a microphone IS REQUIRED*.

** Most devices have a built-in microphone and camera - additional equipment is NOT required. If you do not have the required equipment to participate in the hearing, immediately contact the Hearing Officer assigned to your matter.*

II. PREPARING EVIDENCE FOR THE REMOTE HEARING

- 1. No later than two weeks (14 days) prior to the hearing date, unless otherwise determined by the hearing officer,** counsel and/or pro se parties shall exchange any and all exhibits and have a substantive, good faith conference via the Microsoft Teams platform in order to ensure that the parties understand how to participate in the hearing and to address stipulations and objections to the admissibility of any exhibits.
- 2. After such conference and no later than 3 business days before the hearing date, unless otherwise determined by the hearing officer,** the parties are to pre-mark the exhibits that they intend to use during the hearing, scan, and email those exhibits to the Hearing Officer with the opposing party copied on such correspondence. If there are objections to the admissibility of any exhibits, the party raising the objection shall identify the exhibit and identify the ground(s) of any objection.
- 3. In the event that either party has additional exhibits to introduce on the day of the hearing either prior to or during the proceedings, they must be submitted via email to the Hearing Officer support staff at DOB.hearingsupport@ct.gov.**
- 4. Exhibits should be grouped into two categories: 1) exhibits that remain for identification only, unless and until admitted into evidence, and 2) exhibits that parties have stipulated may become full exhibits.**

5. **Parties should ensure to the extent possible, all personal and confidential information is redacted from sensitive documents, such as copies of checks and bank statements, before submitting the documents on the record.**

III. PREPARING WITNESSES FOR THE REMOTE HEARING

1. **At least one week prior to the hearing** you must notify the Hearing Officer and DOB Staff Attorney assigned to your case in writing of any witnesses you intend to call to testify. All witnesses must utilize Microsoft Teams unless another method of participation in the remote hearing has been authorized by the hearing officer. When submitting the witness list, please include the witness' full names and email addresses.
2. Pursuant to current COVID-19 guidelines and orders from all levels of government, participants must abide by applicable social distancing requirements and limit in-person contact. As such, witnesses do not need to be present with the attorneys or self-represented parties during the videoconference hearing and it is preferred that such witnesses participate in the videoconference hearing remotely from their own home or office.
3. In the event the rule of sequestration is invoked, the witnesses will be instructed to disconnect from the remote hearing platform and counsel and/or a self-represented party will be responsible for contacting the witness when it is time for their testimony.
4. The witness shall be instructed not to look or refer to any other document or device during his or her testimony.
5. Counsel and/or self-represented party is responsible for providing these instructions to any witnesses and ensuring full compliance.
6. Witnesses are discouraged from being in the same physical space as the attorney or self-represented party. However, in the event a witness or party testifying is in the same physical space as the attorney or *pro se* party questioning the witness, the witness must be at least 6 feet away from any other person in the room and the camera shall be directed at the witness. The attorney or self-represented party may not assist the witness with answers in any way, including but not limited to gestures, notes, or facial expressions, or otherwise impact or influence the witness' testimony "off camera." Please note, using multiple devices in close proximity will cause "feedback" and may disrupt your videoconference hearing.

IV. PROCEDURES DURING THE REMOTE HEARING

1. All participants who seek to attend a session of the remote video proceeding, other than witnesses, shall log on to the Platform at least 10 minutes in advance of the scheduled start time of the videoconference hearing. All participants will be waiting in the virtual Microsoft Teams "lobby" until the Hearing Officer initiates the videoconference hearing. At the

beginning of the videoconference hearing, the Hearing Officer will call the case and instruct all participants when to announce themselves for purposes of the record.

2. All efforts shall be undertaken not to interrupt other speakers during the remote hearing, unless it is necessary to assert an objection. All participants shall place their microphones on mute unless they are speaking or wish to make an objection.
3. If an interpreter is necessary, the Hearing Officer must introduce and swear in the Interpreter before beginning the sworn testimony portion of the hearing. All participants shall be asked to speak slowly, in short complete sentences or questions, and allow time for translation. No one shall respond to a question posed by another participant until the question has been translated.
4. Participants MAY NOT use the Microsoft Teams App or any other device to record the remote hearing without advance consent of the Hearing Officer.
5. A recording of the proceeding will be available on the DOB website within 7 days of the conclusion of the proceeding. Parties may request a copy of the transcript from the court reporter and such copy shall be made available to any party upon payment of the cost of the transcript.
6. All participants are required to identify anyone that may be observing the proceedings with them. You are expected to have a quiet location with minimal background distractions. Turn off or silence mobile device notifications such as e-mail, text messages, social media and news/weather alerts. The same applies for notifications on laptops or desktop computers.

V. EMERGENCY NOTIFICATIONS/BACK-UP PLAN

Any participant who has temporarily lost an adequate connection to the platform or experienced a security incident must promptly notify assigned support staff. This can be done by emailing DOB.hearingsupport@ct.gov or by calling a telephone number which will be provided during the pre-hearing conference.

Also during the pre-hearing conference, the participants shall identify a back-up plan pursuant to which the parties will reconvene, e.g. by teleconference with previously-distributed call-in information, if technical challenges prevent one or more participants from continuing to participate in the proceeding; the back-up communication may be used to trouble-shoot the technical problem, to reschedule the proceeding, or otherwise to facilitate the completion of the proceeding.

This proposed emergency notification process will necessarily interrupt the proceeding and is therefore intended to apply only where the compromised connection affects one or more Participants whose attendance is required for the fair and orderly conduct of the proceeding.