



# Action Committee on Modernizing Court Operations

## VIRTUAL AND HYBRID HEARINGS AND COURT SERVICES: TOOLS AND RESOURCES

### ***A Statement from the Action Committee***

*Our Committee supports Canada's courts in their modernization efforts. It provides guidance for addressing challenges, and highlights opportunities and innovative practices to modernize court operations and improve access to justice for court users.*

### **CONTEXT AND SCOPE**

While recognizing that access to technology is still unequal across Canada, access to justice can be improved by building in the flexibility to do things either virtually, in person, or both, to better meet the varied needs of court users. To that end, many courts and tribunals offer virtual and hybrid hearings and service options as a complement to in person hearings and services, or in some cases, as a default or presumptive option for users. And to implement these technologies effectively for all involved, courts and other justice stakeholders have adopted a series of policy and practical tools for court users and personnel, and for public and media observers.

This reference document consolidates information on existing tools to assist courts and justice stakeholders in implementing virtual processes effectively within court operations. It describes the types of tools developed for this purpose, then lists specific resources and reference tools originating from different courts and justice stakeholders. This document was first developed as a resource to help courts respond to the COVID-19 pandemic (see [archived version](#)) and has been revised to support court modernization in a post-pandemic era.

### **TOOLS ON VIRTUAL HEARINGS AND COURT SERVICES**

The following tools can be combined as part of an overall strategy to promote effective access to virtual and hybrid hearings and other virtual or hybrid court services.

#### **1. Notices and Practice Directions**

Courts have issued notices and practice directions to inform legal professionals, the media and the public about the current use of virtual hearings and services. These include information on types of proceedings that are occurring remotely or virtually, and applicable procedures; whether hearings are open to the media and the public virtually, and how to gain access; and authorized or expected use of electronic filing of documents, and applicable procedures.

To ensure up-to-date information is easily accessible to all court users, some best practices include

- displaying the latest notices and practice directions as an automatic pop-up or prominently on the main page of the courts' website



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- disseminating new notices and practice directions to legal associations and media contacts
- consolidating notices and practice directions or archiving repealed or replaced notices

## 2. Electronic resource portals

Portals housed on websites of courts, tribunals, and legal associations serve as hubs for providing overview information and links to relevant resources for legal professionals, the media and the public on court or related procedures that use technology. Examples include thematic portals on virtual hearings or courtrooms, virtual access for the public and media, and e-filing.

## 3. User guides and practice tips for virtual hearings

With the growing use of virtual platforms to conduct hearings, courts, tribunals, and justice stakeholders have developed user guides and practice tips for hearing participants as well as public and media observers.

Common information for participants and observers includes

- technical requirements and recommendations for the use of specific platforms (e.g. hardware and software)
- step-by-step procedures and screenshots to help install and connect to the platform
- when and how to use functionalities such as microphones, cameras, and screen sharing
- frequently asked questions
- troubleshooting tips
- what to do in the event of technical difficulties during a hearing

Common practice tips for hearing participants include

- advance preparation and test runs
- preparing litigants and witnesses
- considerations related to self-represented litigants
- addressing certain issues in advance with the judge or registrar
- hearing etiquette and decorum
- management of documents during a hearing
- screen tips
- advocacy tips in virtual settings

## 4. Policies on public and media access to virtual hearings and on the use of electronic devices in the courtroom

Policies, protocols or guidelines on public and media access to hearings and on the use of electronic devices in the courtroom that were in place for in-person hearings have continued to apply to virtual hearings. In addition, many courts have clarified methods and rules of access to virtual hearings for the public and media, in an effort to balance [open access with the privacy and safety](#) of hearing participants. Common policy considerations include restrictions on the use of electronic devices, recording and broadcasting of proceedings, or publication bans. Additional safeguards implemented in many jurisdictions include advance registration; personalized and



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password-protected links; and acknowledgments or undertakings from participants and observers that they will not record or broadcast proceedings.

## **5. Screening tools for privacy, security and confidentiality issues**

Since it is more difficult for courts to monitor access and conduct of participants and observers in virtual hearings, some courts have implemented screening protocols or standardized forms to identify any privacy, security or confidentiality issues in advance. This enables courts to implement additional safeguards or make special orders as required.

## **6. Hearing lists**

While hearing lists have been distributed electronically on court websites and disseminated directly to lawyers and accredited media for some time, many have been adapted and expanded to facilitate open access to virtual hearings, where available. Additional information has been included, such as the mode of hearing (e.g. in person, by phone or by video) and how to access a specific hearing (e.g., by registering in advance or through a pre-existing link).

## **7. E-filing systems and related practice tools**

Many courts have implemented e-filing systems that allow counsel and self-represented litigants to file a variety of documents electronically and that automate various stages of processing. This can enhance efficiencies and reduce processing times. E-filing platforms can vary from one jurisdiction to the next and may include functionalities such as web filing of court forms or evidentiary documents, or document-sharing between court officials and parties. To facilitate the use of these new systems, courts have also developed e-filing portals and resources such as notices or practice guides.

## **8. Digital case flow management systems**

Some jurisdictions have also implemented, or are developing, digital case flow management systems that centralize and automate certain administrative aspects of court operations. While systems vary by jurisdiction, common functionalities include case file tracking and management, case and resource scheduling, jury management, document management, digital decision management, digital signatures, financial management, and reporting. Some systems are internal facing only, meant for judges and court staff, while others also include public facing features such as e-filing and e-payment.

## **9. Court digital transformation strategies**

Several jurisdictions have adopted digital transformation strategies to guide the rollout of technology in their courts. While specifics may vary, these strategies often set out guiding principles such as improving access to justice with a user-centred lens, removing barriers for marginalized populations, and improving efficiencies. They also establish strategic priorities or expectations to promote a change management and leadership approach to strategic planning, and to help track progress and outcomes.



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### **10. Training sessions and practical demonstrations**

To promote awareness, buy-in, and effective use of new technologies such as virtual hearing platforms and e-filing systems, many courts have offered virtual training sessions, open house sessions or practical demonstrations to legal professionals and other relevant stakeholders.

### **11. Stakeholder consultation and collaboration**

To promote an effective and inclusive shift to virtual hearings and service delivery, various courts have engaged in ongoing consultations with affected stakeholders, including legal professionals and accredited media. In some cases, this has occurred through *ad hoc* discussions or committees and working groups created for this purpose. In other cases, courts have built upon pre-existing forums such as Bench and Bar Liaison Committees or recurring multi-stakeholder conferences to address current challenges and identify workable solutions.



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## ANNEX: RESOURCES AND REFERENCE TOOLS ON VIRTUAL HEARINGS AND COURT SERVICES

These external resources provide illustrative examples of existing tools to assist courts across Canada in promoting virtual or hybrid access to hearings and court services. They are provided in the official language in which they are published. As technology continues to evolve and additional services become available virtually, the Action Committee welcomes feedback on additional examples that could be featured here.

VIRTUAL AND HYBRID HEARING AND SERVICES: WEBPAGES, PORTALS, PRACTICE DIRECTIVES	
<p><b>National</b></p> <ul style="list-style-type: none"><li>• <a href="#">Federal Court</a> (Online Access Tab)</li><li>• Canada Agricultural Review Tribunal – <a href="#">Practice Note re: Virtual and In-Person Oral Hearings</a></li></ul> <p><b>Alberta</b></p> <ul style="list-style-type: none"><li>• <a href="#">Court of Appeal</a></li><li>• <a href="#">Court of King’s Bench</a></li></ul> <p><b>British Columbia</b></p> <ul style="list-style-type: none"><li>• <a href="#">Provincial Court</a></li><li>• <a href="#">Virtual Counter</a></li></ul> <p><b>Manitoba</b></p> <ul style="list-style-type: none"><li>• <a href="#">All levels of court</a></li></ul> <p><b>New Brunswick</b></p> <ul style="list-style-type: none"><li>• <a href="#">Court of Appeal</a></li><li>• <a href="#">Provincial Court</a></li></ul>	<p><b>Newfoundland and Labrador</b></p> <ul style="list-style-type: none"><li>• <a href="#">Provincial Court</a></li></ul> <p><b>Nova Scotia</b></p> <ul style="list-style-type: none"><li>• <a href="#">The Courts of Nova Scotia</a></li></ul> <p><b>Ontario</b></p> <ul style="list-style-type: none"><li>• <a href="#">Court of Appeal</a></li><li>• <a href="#">Superior Court of Justice</a></li><li>• <a href="#">Ontario Court of Justice</a></li></ul> <p><b>Quebec</b></p> <ul style="list-style-type: none"><li>• <a href="#">Court of Appeal of Quebec</a></li><li>• <a href="#">Superior Court of Quebec</a></li><li>• <a href="#">Court of Quebec</a></li></ul>



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## USER GUIDES FOR VIRTUAL PLATFORMS

### Zoom

- Federal Court – [Virtual hearings – User Guide for Participants](#)
- Ontario Court of Justice – [Zoom User Guide for Remote Hearings](#)
- Ontario – Law Society Tribunal – [Zoom Hearing Guidelines](#)
- Canadian Bar Association (British Columbia Branch) – [Best Practices in a Zoom Courtroom](#)
- [Zoom how-to video tutorials](#)

### Microsoft Teams

- Provincial Court of British Columbia – [Microsoft Teams Guide](#)
- Manitoba – see link to “A Teams Video tutorial” on the Manitoba Courts’ Virtual Hearings [Webpage](#)
- Quebec Court of Appeal – [Technical Conditions](#)
- Canadian Bar Association (British Columbia Branch) – [Using MS Teams in Court Proceedings via Desktop](#)
- Canadian Bar Association (British Columbia Branch) – [Using MS Teams in Court Proceedings via Telephone](#)
- [Microsoft Teams video training](#)

### Cisco WebEx

- Alberta Court of Appeal – [Connecting and Attending an Electronic Hearing Guide – For Counsel and Self-Represented Litigants](#)
- Alberta Court of King’s Bench – [Remote Hearing Protocol & Troubleshooting – Instructions and Etiquette Guide](#)
- [Webex Help Center](#)

### JVN/ WebRTC

- Ontario Courts – [Virtual Hearing Room – JVN WebRTC Manual](#)
- Ontario Courts – [JVN WebRTC Virtual Hearing Room: Trouble Shooting Tips](#)

## VIRTUAL HEARING GUIDES

### For counsel and litigants

#### National

- Federal Court – [General Policy Statement re: Virtual Hearings](#)
- Federal Court – [Virtual hearings – User Guide for Participants](#)
- Canada Industrial Relations Board – [Instructions to the Parties for Video conference Hearings and mediations](#)
- Canadian Human Rights Tribunal – [Guidelines for virtual proceedings](#)
- Canadian International Trade Tribunal – [Videoconference and teleconference hearings](#)



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	<ul style="list-style-type: none"><li>• Federal Public Sector Labour Relations and Employment Board – <a href="#">Videoconferences</a></li><li>• Immigration and Refugee Board of Canada – <a href="#">Refugee Protection Division virtual hearing guide</a></li><li>• Specific Claims Tribunal – <a href="#">Virtual Hearing Guiding Principles</a></li></ul> <p><b>Alberta</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Connecting and Attending a Virtual Hearing Guide</a></li><li>• Court of King’s Bench – <a href="#">Remote Hearing Protocol &amp; Troubleshooting</a></li><li>• Alberta Court of Justice – <a href="#">Conduct Guide for Remote Appearances</a></li></ul> <p><b>British Columbia</b></p> <ul style="list-style-type: none"><li>• Provincial Court – <a href="#">Participating Remotely</a></li></ul> <p><b>Manitoba</b></p> <ul style="list-style-type: none"><li>• Court of King’s Bench and Provincial Court – <a href="#">Virtual Courts</a></li></ul> <p><b>Nova Scotia</b></p> <ul style="list-style-type: none"><li>• All Levels of Court – <a href="#">Virtual Court</a></li></ul> <p><b>Ontario</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">General Practice Direction Regarding All Proceedings in the Court of Appeal</a></li><li>• Ontario Court of Justice – <a href="#">Remote Appearance Code of Conduct</a></li></ul> <p><b>Quebec</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Online hearings</a></li><li>• Justice Québec – <a href="#">Courtroom hearings held in virtual rooms (in French only)</a></li></ul>
<b>For the public and media</b>	<p><b>National</b></p> <ul style="list-style-type: none"><li>• Federal Court of Appeal – Guidelines on <a href="#">public and media access</a></li><li>• Federal Court – <a href="#">Virtual hearings – User Guide for the Public and Media</a></li></ul> <p><b>Alberta</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">View Virtual Hearings</a></li></ul> <p><b>British Columbia</b></p> <ul style="list-style-type: none"><li>• Supreme Court – <a href="#">Media FAQ's</a></li><li>• Provincial Court – <a href="#">media access policies and accreditation</a></li></ul>



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	<p><b>Ontario</b></p> <ul style="list-style-type: none"><li>• Superior Court of Justice – <a href="#">Public and Media Access to SCJ Virtual Hearings</a></li><li>• Ontario Court of Justice – (<a href="#">Media</a>) <a href="#">Access to Court Proceedings</a></li></ul>
<b>REFERENCE AND PRACTICE TOOLS</b>	
<b>Best Practices for Virtual Hearings</b>	<ul style="list-style-type: none"><li>• Federal Court of Appeal – <a href="#">Introduction to Zoom Best Practices (Webinar Recording)</a></li><li>• Federal Court: Powerpoint – <a href="#">Practice Tips for Remote Hearings</a></li><li>• Ontario Superior Court of Justice – <a href="#">Best Practices for Remote Hearings</a></li><li>• Provincial Court of British Columbia – <a href="#">Participating Remotely</a></li><li>• Ontario E-Hearings Task Force – <a href="#">Best Practices for Remote Hearings (2nd edition)</a></li><li>• Canadian Bar Association (British Columbia Branch) – <a href="#">Best Practices in Virtual Hearings</a></li><li>• Council of Canadian Administrative Tribunals – <a href="#">COVID-19 Resource Repository</a> – see <i>Guidelines/Best Practices</i> and <i>International Best Practices/Resources</i></li><li>• Social Security Tribunal – <a href="#">Best Practices for Remote Hearings</a></li></ul> <p><b>United States</b></p> <ul style="list-style-type: none"><li>• American College of Trial Lawyers<ul style="list-style-type: none"><li>○ <a href="#">Remote Proceeding Advocacy</a></li><li>○ <a href="#">Interim Guidelines – Conducting Remote Hearings by Use of Remote Video</a></li><li>○ <a href="#">Interim Guidelines on Conducting Non Jury Trials by Use of Remote Video</a></li><li>○ <a href="#">Guidelines on Conducting Appellate Arguments by Use of Remote Video</a></li><li>○ <a href="#">Guidelines on Conducting Remote Video Depositions and Examinations for Discovery</a></li><li>○ <a href="#">Mastering Zoom Advocacy – Interim Guidelines</a></li></ul></li><li>• National Centre for State Courts<ul style="list-style-type: none"><li>○ Joint Technology Committee – <a href="#">Managing Evidence for Virtual Hearings</a></li><li>○ Civil Justice Improvements Committee – <a href="#">Remote Conferencing – Findings and Recommendations</a></li></ul></li><li>• National Institute for Trial Advocacy – <a href="#">Best Practices for Remote Hearings (podcast)</a></li><li>• Southeast Louisiana Legal Services – <a href="#">Tips for Videoconferenced Court Hearings</a></li></ul> <p><b>United Kingdom – Judiciary of England and Wales</b></p> <ul style="list-style-type: none"><li>• <a href="#">Civil Justice in England and Wales: Protocol Regarding Remote Hearings</a></li><li>• <a href="#">Remote Hearings in the Family Justice Systems: Reflections and Experiences</a></li></ul>





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<b>Hearing lists</b>	<p><b>National</b></p> <ul style="list-style-type: none"><li>• Supreme Court of Canada – <a href="#">Scheduled Hearings</a></li><li>• Federal Court – <a href="#">Calendar of Hearings</a></li><li>• Canada Agricultural Review Tribunal – <a href="#">Hearing Schedule</a></li><li>• Canadian Human Rights Tribunal – <a href="#">Human rights public hearings</a></li><li>• Competition Tribunal – <a href="#">Upcoming hearings</a></li><li>• Environmental Protection Tribunal of Canada – <a href="#">Hearing Schedule</a></li><li>• Public Servants Disclosure Protection Tribunal – <a href="#">Hearing Schedule</a></li><li>• Specific Claims Tribunal – <a href="#">List of Upcoming Hearings</a></li></ul> <p><b>Alberta</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Current Hearings List</a></li></ul> <p><b>British Columbia</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Hearing List</a></li><li>• Supreme Court – <a href="#">Hearing List</a></li><li>• Provincial Court – <a href="#">Watching a court case</a></li></ul> <p><b>Manitoba</b></p> <ul style="list-style-type: none"><li>• Court of Appeal and Court of King’s Bench – <a href="#">Hearing List</a></li><li>• Provincial Court – <a href="#">Courtroom Assignment Lists</a></li></ul> <p><b>New Brunswick</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">List of Cases</a></li></ul> <p><b>Newfoundland and Labrador</b></p> <ul style="list-style-type: none"><li>• Provincial Court – <a href="#">Docket</a></li></ul> <p><b>Nova Scotia</b></p> <ul style="list-style-type: none"><li>• All courts – <a href="#">Docket List</a></li></ul> <p><b>Northwest Territories</b></p> <ul style="list-style-type: none"><li>• All courts – <a href="#">Docket</a></li></ul> <p><b>Ontario</b></p> <ul style="list-style-type: none"><li>• All courts – <a href="#">Court Lists (Dockets)</a></li></ul> <p><b>Prince Edward Island</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Schedule</a></li></ul>
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	<p><b>Quebec</b></p> <ul style="list-style-type: none"><li>• All courts – <a href="#">Excerpts from hearing rolls</a></li></ul> <p><b>Saskatchewan</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Court Schedule</a></li></ul> <p><b>Yukon</b></p> <ul style="list-style-type: none"><li>• Supreme Court – <a href="#">Dockets</a></li></ul>
<b>E-filing systems and practice tools</b>	<p><b>National</b></p> <ul style="list-style-type: none"><li>• Supreme Court of Canada – <a href="#">Guidelines for Preparing Documents</a></li><li>• Federal Court of Appeal – <a href="#">Filing Electronic Documents</a></li><li>• Federal Court<ul style="list-style-type: none"><li>○ <a href="#">E-Filing Portal</a> – includes a link to the <a href="#">Electronic Filing System</a></li><li>○ <a href="#">E-Filing Resources</a></li></ul></li><li>• Tax Court of Canada – Online filing – <a href="#">Notice of Appeal/Application to Extend Time / Other documents</a></li><li>• Canada Industrial Relations Board – <a href="#">E-Filing</a></li><li>• Competition Tribunal – <a href="#">E-Filing</a></li><li>• Federal Public Sector Labour Relations and Employment Board – <a href="#">E-Filing</a></li></ul> <p><b>Alberta</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Notice – Mandatory Electronic Filing</a></li><li>• Court of Appeal – <a href="#">Practice Direction – Electronic Filing</a></li><li>• Court of King's Bench – <a href="#">Guidelines for Documents Filed by Email or Digital Upload</a></li></ul> <p><b>British Columbia</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Notice Regarding Modified Filing Directions in Civil and Criminal Appeals</a></li><li>• <a href="#">Court Services Online</a></li><li>• <a href="#">BCEID information</a></li></ul> <p><b>Ontario</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Guidelines for Filing Electronic Documents</a></li><li>• Superior Court of Justice – <a href="#">File civil or Divisional Court documents online</a></li></ul> <p><b>Saskatchewan</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">eFiling</a></li></ul>



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	<p><b>Quebec</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Digital Office</a></li><li>• Superior Court and Court of Quebec – <a href="#">Digital Office</a></li></ul>
<p><b>Policies on public and media access/ use of electronic devices in court</b></p>	<p><b>National</b></p> <ul style="list-style-type: none"><li>• Supreme Court of Canada – <a href="#">Terms and Conditions</a> – see Webcasts – restrictions</li><li>• Federal Court of Appeal – <a href="#">Guidelines on Public and Media Access</a></li><li>• Federal Court – <a href="#">Policy on Public and Media Access</a></li></ul> <p><b>Alberta</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Policy on the Use of Electronic Devices in Courtrooms</a></li><li>• Court of King’s Bench – <a href="#">Public and Media Access</a></li></ul> <p><b>British Columbia</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Policy on Use of Electronic Devices in Courtrooms</a></li><li>• Court of Appeal – <a href="#">Media</a></li><li>• Supreme Court – <a href="#">Media</a></li><li>• Provincial Court – <a href="#">Media</a></li></ul> <p><b>Manitoba</b></p> <ul style="list-style-type: none"><li>• All courts – <a href="#">Information for Media</a></li></ul> <p><b>Newfoundland and Labrador</b></p> <ul style="list-style-type: none"><li>• Supreme Court – <a href="#">A Guide to Accessing Court Proceedings and Records for the Public and Media</a></li></ul> <p><b>Nova Scotia</b></p> <ul style="list-style-type: none"><li>• All courts – <a href="#">Guidelines re: Media and Public Access</a></li></ul> <p><b>Northwest Territories</b></p> <ul style="list-style-type: none"><li>• Supreme Court – <a href="#">Policy on the Use of Electronic Devices in the Courtroom</a></li></ul> <p><b>Ontario</b></p> <ul style="list-style-type: none"><li>• Superior Court of Justice – <a href="#">Consolidated Provincial Practice Direction</a> – see Part VI, section D</li><li>• Ontario Court of Justice – <a href="#">Protocol Regarding the Use of Electronic Communication Devices in Court Proceedings</a></li></ul> <p><b>Quebec</b></p> <ul style="list-style-type: none"><li>• Court of Appeal – <a href="#">Guidelines Concerning the Use of Technological Devices in Courtrooms</a></li></ul>



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<b>Publication Bans</b>	<ul style="list-style-type: none"><li>• Supreme Court of Canada – <a href="#">Publication Bans and Other Limitations of Access</a></li><li>• Supreme Court of British Columbia – <a href="#">Publication Bans</a></li><li>• Ontario Superior Court of Justice – <a href="#">Consolidated Provincial Practice Direction</a> – see Part VI, Section F</li><li>• Saskatchewan Courts – <a href="#">Discretionary Publication Ban Application</a> (e-Form)</li></ul>
<b>Access to audio or digital recordings of court proceedings</b>	<ul style="list-style-type: none"><li>• Supreme Court of Canada – <a href="#">Access to Court Documents, Photographs and Recordings</a></li><li>• Federal Court – <a href="#">Pilot Project for Access to Digital Audio Recordings</a></li><li>• Court Martial Appeal Court of Canada – <a href="#">Access to Digital Audio Recordings of Proceedings</a></li><li>• Alberta Court of Justice – <a href="#">Policy for Access to Court Audio Recordings</a></li><li>• Ontario Court of Justice – <a href="#">Policy Regarding Access to Digital Audio Recordings</a></li></ul>