



1. EQUIPMENT AND SETTING

Q: What equipment will I need for a remote deposition?

A: Any device (laptop, ipad, computer, android or apple product) connected to the Internet with a camera, preferably through an ethernet cable and a speaker phone. You may want to set yourself up with a bluetooth speaker and microphone for the best quality audio. If you intend to use a cell phone to dial into the deposition, please make sure you have a sufficient charge to last the length of the deposition and your power cord standing by just in case. Also, with the newer iPhones please note that if you intend to use headphones, you will need an [adapter](#) to be able to charge your phone and use the headphones simultaneously.

Q: What strength Internet will I need?

A: The recommended bandwidth is 1.5 Mbps (up/down). Test your internet bandwidth in the location you will be and on the device you will be using during the deposition at speedtest.net.

Q: What is the best location setting for a remote deposition?

A: Set up your location for quiet, choose a plain background, make sure the area is well lit, and mute distracting noises such as phone notifications. Turn off programs email and instant messaging programs that may interrupt your deposition.

2. ATTENDING

Q: Is there a link I can use to learn more about attending?

A: Yes. https://wiki.livelitigation.com/index.php/Attend_On_PC#Attending_a_LiveLitigation_Event_From_a_PC_or_Mac_Computer

Q: If I have questions about how to attend a LiveLitigation remote deposition is there someone I can call for help?

A: Yes. David Garlisch at LiveLitigation Support 818-783-4311 ext. 1.

Q: Does LiveLitigation work on all devices?

A: Yes. It works on PC, MAC, Kindle, and other mobile devices. For mobile devices, just download the app.

Q: How do I access the remote deposition?

A: You will receive an email from LiveLitigation with a link to access the video stream. The email will have a conference call number for you to dial in for audio.

Q: Does every attendee have to appear on the video?

A: No. Only the witness must attend on camera. All others can choose to attend on camera or just telephonically. Sometimes it is helpful to the court reporter to see any attorneys who speak so that they can be identified on the record more easily.



Q: Will eLitigation run a test before the deposition to ensure connectivity?

A: Yes. 24 hours before the deposition eLitigation will schedule a test with all attendees. It is also advisable to access the remote deposition 10-15 minutes before the scheduled time in order to test connectivity and any other user issues with our technician.

3. SECURITY

Q: Is LiveLitigation HIPPA compliant?

A: Yes.

Q: Is LiveLitigation secure with end-to-end encryption?

A: Yes. LiveLitigation uses 256bit TLS encryption and provides an SSL socket to and from the server and each client. Furthermore, the email invitation to attend a remote deposition cannot be forwarded.

Q: Was LiveLitigation designed for the legal setting?

A: Yes. LiveLitigation is not a generic videoconferencing system. It has special features designed to protect work product, security, and privacy required at depositions. For example, there is no private chat feature and the group chats are not discoverable.

4. REALTIME

Q: Can I view realtime during the deposition?

A: Yes. LiveLitigation provides a realtime stream on the same device as the video.

Q: Is realtime advisable in a remote setting?

A: Yes. In a remote setting realtime can be very helpful in keeping track of deposition questions and answers. That's why we are giving it to all first time users for free until 6/1/20.

Q: If I show up late to the deposition, can I see the realtime feed from the beginning?

A: Yes.

Q: Can I search for key words during the deposition?

A: Yes.

Q: Can I highlight and annotate portions of the realtime for later review?

A: Yes. You can highlight portions, write notes, and print a report of your highlights and notes.



5. REMOTE TECHNICIANS

Q: Can eLitigation provide a remote technician to assist throughout the deposition?

A: Yes. The Remote Technician is an active participant throughout the deposition and it's free until 6/1/20.

6. EXHIBITS

Q: Is there a link I can use to understand how to handle exhibits remotely?

A: Yes. <https://wiki.livelitigation.com/index.php/Exhibits>

Q: How do I handle exhibits before the deposition?

A: Upload exhibits to your LiveLitigation repository. Upload exhibits to your LiveLitigation repository. You will receive an email from LiveLitigation with a link to the repository where exhibits can be uploaded for presentation during the deposition. Click on "Click Here to Manage Exhibits" to get started. Flash Player may need to be loaded or updated at that point. Enter your email. Then click on "Forgot Your Password? Didn't Receive One?" Submit your email to reset the password. Check your email to reset password. This is the password you will always use with LiveLitigation, going forward. When the password has been created, the system will take you back to the LiveLitigation Calendar. Click on the deposition event and you will see in the lower left hand a button that says "Upload Files." Click on "Upload Files" and you will be prompted to upload the files from anywhere on your computer or server.

Q: Is there someone I can call to help me with loading Exhibits?

A: Yes. David Garlisch at LiveLitigation Support 818-783-4311 ext. 1.

Q: What formats can the exhibits be in?

A: PDF, PNG, JPG

Q: What is the maximum number of pages per document?

A: 500

Q: What is the file size per document?

A: 50 MB

Q: Can my legal team see the exhibits in the repository before they are presented at the deposition?

A: Yes, and anyone on your team can upload exhibits.

Q: Can I mark up an exhibit during questioning?

A: Yes.



Q: Can the witness be given control over the marking tools?

A: Yes.

Q: Can I enter into the record a clean and/or marked up version of the exhibit?

A: Yes.

Q: Who presents exhibits at the remote deposition?

A: Attorneys can easily present their own exhibits or rely on our remote deposition technicians to assist them so that they can focus on questioning. Our remote technicians are free until 6/1/20.

Q: Who marks the exhibits?

A: Attorneys can easily mark their own exhibits or rely on our remote deposition technicians to assist them so that they can focus on questioning. Our remote technicians are free until 6/1/20.

Q: Can the introduced exhibits be downloaded by all attendees at the end of the deposition?

A: Yes.

7. CHAT FUNCTION

Q: Can attorneys chat with anyone attending the deposition?

A: No. Attorneys can only chat with their own team. The witness does not have chat capabilities. We don't want the chat function to be used for private coaching of witnesses.

Q: Is the chat discoverable?

A: No. Chat content is not retained on any servers at any time.

8. REMOTE WITNESS

Q: What are the notice requirements for remote depositions?

A: Please consult California Code of Civil Procedure 2025.310 and California Rule of Court 3.1010 and in addition Governor Newsom's Executive Order N-38-20.

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP§ionNum=2025.310

http://www.courts.ca.gov/cms/rules/index.cfm?title=three&linkid=rule3_1010

<https://www.gov.ca.gov/wp-content/uploads/2020/03/3.27.-20-EO-N-38-20-text.pdf>



Q: What equipment will the witness need for a remote deposition?

A: Any device (laptop, ipad, computer, android or apple product) connected to the Internet with a camera, preferably through an ethernet cable and a speaker phone. You may want to set yourself up with a bluetooth speaker and microphone for the best quality audio. If you intend to use a cell phone to dial into the deposition, please make sure you have a sufficient charge to last the length of the deposition and your power cord standing by just in case. Also, with the newer iPhones please note that if you intend to use headphones, you will need an [adapter](#) to be able to charge your phone and use the headphones simultaneously.

Q: How will the witness be sworn in?

A: The reporter will state on the record: "The attorneys participating in this deposition acknowledge that I am not physically present with the witness and that I will be reporting this deposition remotely. They further acknowledge that, in lieu of an oath administered in person, the oath will be administered remotely and the witness will declare that his/her testimony in this matter is under penalty of perjury. Before we proceed, I will ask counsel to agree on the record that there is no objection to my administering a binding oath to this witness not appearing personally before me. Please state your name and agreement on the record."

9. VIDEOGRAPHY

Q: Is there a recording available from the session?

A: Not without hiring a professional videographer. LiveLitigation does not have a built-in recording function because this recording would capture all audio, including off the record conversations. We don't believe it is wise to have a video that can later be discoverable which does not represent the record.

Q: Why do I need a certified legal videographer?

A: Legal videographers have the technical capability to record on the highest quality, most compact video format, MPEG4 and the ability to improve the audio quality before production. Additionally, our videographers are California Notaries Public for physician and expert witness video testimony, as required by the California Code of Civil Procedure. Only certified video transcripts are admissible.

10. INTERPRETERS

Q: Can eLitigation provide interpreters for remote depositions?

A: Yes. Interpreters attend in the same manner that the reporter does.

11. ADDITIONAL HELP

Q: If I have any other questions about LiveLitigation is there someone who can help me?

A: Yes. David Garlisch at LiveLitigation Support 818-783-4311 ext. 1.