

WHITE PAPER



# Enhancing Courts and Justice with Technology. A Polycom Perspective.

## Introduction

When it comes to considering technology upgrades and enhancements in the courtroom setting, the primary question to ponder is whether or not justice will be improved based upon usage of the technology. Modern technology permits courts to improve the administration of justice, enhance efficiency, and even save money. The problem, of course, is finding reliable and economical solutions to real world problems that ensures justice is improved, and certainly, not hindered. In this paper, we provide an overview of how technology can enhance justice and improve efficiency.

## Courtroom technology defined

We can distinguish between courthouse operations and courtroom and hearing room decision-making. This brief analysis emphasizes courtrooms and hearing rooms or “courtroom technology.”

- Courtroom technology includes audio reinforcement, evidence presentation, technology-based court record (including possible web streaming for public transparency purposes) and remote court reporters and transcriptionists, assistive technology for those with disabilities, and the increasingly important use of audio and video technology for remote appearances.
- Remote appearances include remote first appearance and arraignment for criminal defendants; remote motion practice; remote ADR and settlement conferences; remote witness testimony, including experts and mental health court defendants; remote interpreters; and even remote judges, counsel, and jurors.

Increasingly, multiple technologies are being combined to provide more capable solutions. Counsel can present evidence, for example, using only smartphones, and counsel, judge, and jurors can view the evidence on tablets. Perhaps the most exciting development is “Unified Collaborative Communications.” (UCC). UCC are integrated communications solutions that include video conferencing, audio solutions, presence, recording, streaming, captioning, and content collaboration. Consider a technology-enabled motion argument. One party is arguing a motion to the judge and another party by video conferencing; a third party is appearing only by audio; the proceeding is being captured for court record purpose by digital audio and video recording with potential remote transcription; and the proceeding is available via web streaming. “Video conferencing” can include commercial quality audio and video or consumer Skype.

## Define the problem, identify technologies, determine legality

The initial question when contemplating a technology adoption or upgrade is what problem is the court seeking to solve or improve. Once the problem is defined, the next step is selecting potential technologies and then, specific products. After that, the next question is always legality. Is the specific application use prohibited or constrained by law? If so, is the problem one which can be easily be fixed, say, for example, by changing a court rule or is the problem fundamental enough to be a “show-stopper”? Of course, court officials must determine whether the proposed solution really works, is affordable, and if so, whether it is sufficiently robust and reliable enough to do the job. A critical area that sometimes is not addressed early enough is how well the proposed solution will work in a given court’s culture.

## Using UCC to enhance justice and efficiency

First and foremost, UCC technology creates easier access to the judicial system. One could argue that all citizens have the right to interact with the justice system via in-person appearances and representation. “In-person” now has an expanded meaning. High-quality secure video conferencing technology, for example, connects those in remote geographies, as well as those with disabilities, budgetary, or travel-limiting restrictions to the legal system with convenience and minimal cost. In British Columbia, Canada, for example, judges are nearly always available no matter how remote the location because a distant judge can always be connected to the necessary court location via video conferencing. In King County, Washington, persons pending mental health commitment can appear remotely from medical facilities. Every day in numerous locations nationwide, arrested persons receive their rights and conditions for release from magistrates and judges who appear remotely, saving prisoners the need to be transported to court with security precautions while also expediting the process and saving money.

Secondarily, UCC technology can speed up the justice process. Time spent traveling to and from the court can be reduced or eliminated, which allows for greater productivity for judges and attorneys. With less time wasted in travel to the courtroom, more cases can be handled and at a faster pace. This enhances the justice experience for citizens as they spend less time waiting for the legal process to unfold, decisions upon which often have major impacts on their lives and businesses.

Thirdly, UCC technology enables better witness protection services for victims of crimes. For example, those who have been battered or abused or those who have escaped from human trafficking who may be too traumatized or threatened to face the accused in court.

Fourthly, UCC permits sharing of critical court resources. Courthouses and even courts can share critical foreign language or sign language interpreters. Given the large number of languages spoken in many countries, it's critical to share these human resources to ensure that the right interpreter, especially a court-certified interpreter, is available when and where needed.

The benefits of implementing comprehensive UCC solutions in the courtroom are driven, to a large degree, by the quality of the technology, as well as how well it is implemented and used.

## Video conferencing today is not what it used to be

The days of poor connectivity, bad audio, unclear images, and poor or cumbersome camera placement are over. Today's high-quality solutions offer seamless connectivity, crystal clear audio, HD resolution, full content sharing, and automated cameras that locate and frame all participants. Bring-your-own device (BYOD) and dedicated video content collaboration capabilities allow you to transmit or record content, video, voice, all with the touch of an on-screen icon. Today's technology is vastly different—and better—than that of a few years ago.

At the Center for Legal and Court Technology, an entrepreneurial public service initiative of William & Mary Law School and the National Center for State Courts, you will find the latest technology being evaluated and used in a courtroom



Voir dire in the 2016 CLCT "Laboratory Trial" in William & Mary Law School's McGlothlin Courtroom. Wall-mounted displays permit remote judges and witness. Tripod-based camera used to create the world's first virtual reality court record.

setting. Formerly known as the Courtroom 21 Project, CLCT's McGlothlin Courtroom at the Law School is generally recognized as the world's most technologically advanced trial and appellate courtroom and is "dedicated to advancing the efficient use of technology in the administration of justice." Major technology brands, including Polycom, have their equipment in operation at the center in order to familiarize legal professionals with what is possible with today's technology. "Video conferencing technology has the potential to greatly improve the delivery of legal services," says Chancellor Professor Fredric I. Lederer, CLCT director. "We see courtrooms all over the world extending the usage of video conferencing and broader UCC technology solutions not only to improve justice, but to keep pace with expectations of today's younger generations of citizens and hearing participants." Lederer notes that in 2015, CLCT demonstrated the feasibility of using videoconferencing to permit remote juror participation when necessary for ADA accommodation.

## Major cost savings and re-prioritization

While judges primarily focus on ensuring justice and enhancing access to justice, for court administrators, budget is always a special concern. UCC solutions offer significant cost savings not only for the courtroom, but also for the courthouse—with applications for training and development, as well as meetings.

State of Michigan judges and court administrators found that they could realize major cost savings while improving the delivery of justice as the same time. When a Michigan prisoner needs to appear at a 15-minute procedural hearing, but is incarcerated hours away, transportation costs taxpayers approximately \$1,800 and requires two escort officers to lose at least two full days of regular duty.

With more than 11,000 circuit, district, and probate hearings per year, prisoner transports average \$800 each. Michigan turned to Polycom video collaborative solutions, to allow participants to engage in hearings remotely without the expense, impact on law enforcement, and risk to public safety associated with physical transports. They equipped 300 courtrooms and plan 900 video-enabled courtrooms statewide. Today, one in four hearings uses their UCC video. As a result, Michigan Corrections has saved more than \$2.2 million on physical transports.

The cost savings ripple down and out to make legal services more affordable for all. Saving the travel time necessary for in-court appearances, especially in major congested cities, allows attorneys who use video conferencing to be more productive and serve more clients at more competitive costs. Taxpayers also value the cost savings video permits, as Michigan taxpayers can attest to.

## Video Collaboration Cuts Costs

Los Angeles County:

**2,500** video chats with inmates per month led to **\$3.7M** in time and cost savings.

Pennsylvania Courts System:

**\$21M** saved each year by using video conferencing technology to conduct preliminary arrangements and other court proceedings.

Michigan Corrections:

**\$2.2M** saved by switching to video court hearings instead of physical transports.

In conjunction with cost savings, UCC solutions allow for reprioritization of duties for law enforcement, corrections, and judicial system employees. As in Michigan's case, instead of having two law enforcement officers pulled away from their regular duties for prisoner transport, technology eliminates the need for travel, and these officers can focus on other important public safety assignments. This has great value for all.

While our special focus in this paper is UCC in the courts, we note that implementation of video in other related areas has an overall positive impact on justice. Video in prisons allows inmates to communicate with family, mental health providers, counselors, clergy, and overall improves their chances of reintegrating into society. Access to technology in governmental agencies allows for easier cross-agency collaboration and

communication and again eliminates travel, freeing up people up to focus on the work at hand. Taken as a whole, UCC solutions have the potential to improve efficiency, effectiveness, communication, decision-making, and drive cost savings.

## Leveraging grants for affordable courtroom technology

Purchasing and implementing UCC in courthouses and courtrooms requires an investment in equipment, installation, training, and support. However, at Polycom, we believe that cost should not prevent courts from attaining the technology they need to modernize and enhance justice and the delivery of legal services. That's why we established the Polycom Grants Assistance Program, with dedicated personnel who, at no charge to you, consult and work with you to determine your budget needs, research available grants from Federal, State and non-profit organizations, and walk you through the grant application process. We have sponsored grant writers available to work with you in applying for grants. You can learn more about our program at [polycom.com/grants](http://polycom.com/grants) or contact [polycomgrantassistanceprogram@polycom.com](mailto:polycomgrantassistanceprogram@polycom.com).

## Conclusion

Modern technology, and especially UCC solutions, allow courts to enhance the administration of justice, realize significant cost savings, and meet the technology expectations of today's court participants and taxpayers. Numerous dedicated video solutions are available to meet each court's unique needs, and our free services are also available to obtain grants to help you fund the purchase and implementation.

To learn more about Polycom's comprehensive UCC solutions, visit [www.polycom.com](http://www.polycom.com).

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## About Polycom

Polycom helps organizations unleash the power of human collaboration. More than 400,000 companies and institutions worldwide defy distance with video, voice and content solutions from Polycom. Polycom and its global partner ecosystem provide flexible collaboration solutions for any environment that deliver the best user experience and unmatched investment protection.

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