

# Hybrid Courtroom: Findings & Recommendations

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November 17, 2023



A photograph of a courtroom. In the foreground, a person with long dark hair is seen from behind, looking towards a courtroom. In the background, several people are seated at a long wooden bench. A large, semi-transparent blue banner is overlaid across the middle of the image, containing white text. The banner is positioned over a video conference window that shows several participants in a grid layout.

## What is a “hybrid courtroom”?

A court proceeding in which some participants are *in person* and some participants are connected *via a remote device*.

# Introduction

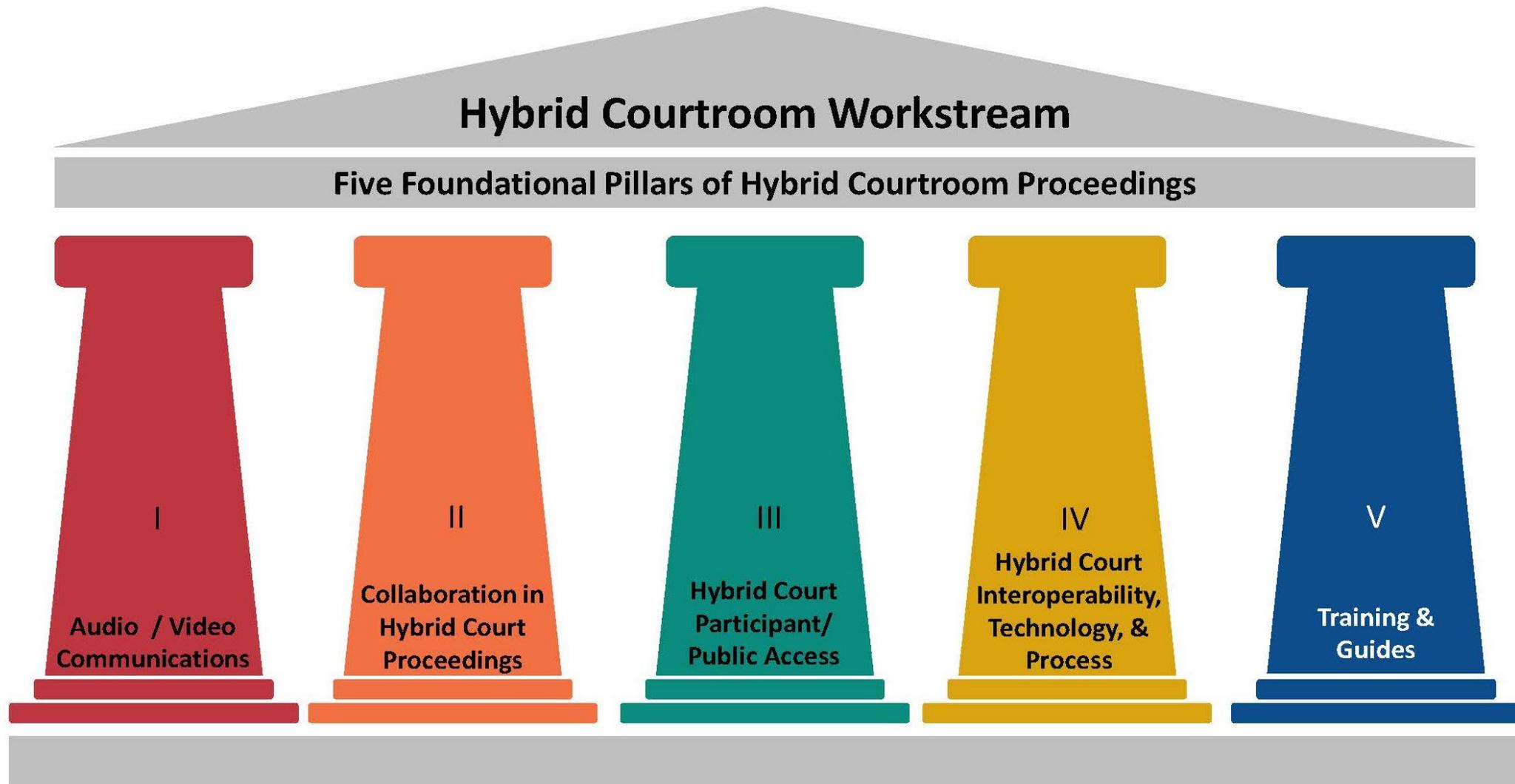
ITAC initiated a workstream to:

- Assess the current implementation of “hybrid” courtrooms and make recommendations for practices

Separately, another effort is underway:

- SB 133 requires minimum technology standards to allow remote participation in court proceedings
- To be submitted to ITAC, with council adoption required by April 1, 2024

# Hybrid Courtroom Concepts: Five Pillars



# I. Audio/Video Communications

- ✓ Remote Participants can hear and be heard and preferably see and be seen
- ✓ Participants must be able to have confidential conversations
- ✓ Limited English Proficiency (LEP) participants will need to have access to an interpreter
- ✓ Court must have power to mute or remove a participant if necessary



## II. Collaboration in Hybrid Court Proceedings

- ✓ Emulate the physical experience
- ✓ Ability to share, submit, display, annotate, and highlight documents, forms, evidence, and other types of materials
- ✓ Access by range of mobile devices
- ✓ Interpretation
- ✓ Feedback



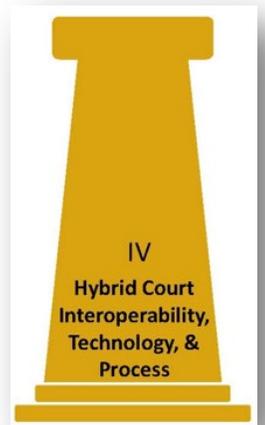
# III. Hybrid Court Participant / Public Access

- ✓ Technology standards
- ✓ Public access transparency
- ✓ Remote access statewide (per AB 716 when courtrooms are not publicly accessible)
- ✓ Infrastructure upgrades
- ✓ Controls – confidentiality



## IV. Hybrid Court Interoperability, Technology, and Process

- ✓ Compatible and interoperable technology
- ✓ Meet ADA and computing accommodation and accessibility standards
- ✓ Remote conferencing software that can be configured based on case type and other unique needs



# V. Court Participant Training and Guides

- ✓ Training for courtroom staff
- ✓ Training for users (e.g., litigants, lawyers, witnesses)
- ✓ Help-Desk, troubleshooting, triage failed devices, and other user issues
- ✓ Assume there is a digital divide and train to it or provide support



# Sample Artifacts

- ✓ Roles and Responsibilities Matrix
- ✓ Technical Requirements Matrix

# Recommendations: Judge

## Recommendations

Be on camera

Be on mic (audio reinforced)

Ability to appear from alternate location

Remote participants can hear and be heard and preferably see and be seen

View evidence being presented

# Responsibilities: Judge

Responsibilities	
Control AV System	Side bars (courtroom, chambers and hallway)
Control electronic recording	Speak to court reporter
Exhibit control	Review court reporter electronic text or electronic recording speech to text

# New Hardware

<b>Camera(s) for remote participant view</b>	<b>Displays/Monitors</b>	<b>Video Conferencing Device (PC)</b>
Judge	Judge	Judge
Witness	Witness	Clerk (control capabilities)
Attorney table(s)	Attorney table(s)	
Arraignment (at custody facility)	Arraignment (at custody facility)	

# Questions & Discussion

Thank you!