



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

*Item No.: 22-182.*

For business meeting on December 2, 2022

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**Title**

Report to the Legislature: Report on Remote Civil Proceedings

**Agenda Item Type**

Information Only

**Date of Report**

November 14, 2022

**Submitted by**

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### Executive Summary

Assembly Bill 177 (Stats. 2021, ch. 257, § 4) requires the Judicial Council to submit a report to the Legislature and the Governor by January 1, 2023, on the use of remote technology in civil actions by the trial courts. The report provides county-specific data that includes (1) the number of proceedings conducted with the use of remote technology, (2) technology issues affecting remote proceedings, (3) relevant expenditure information related to remote proceedings, (4) the impact of remote proceedings on court users' ability to access the courts, (5) the impact of the use of remote proceedings on case backlogs as a result of the COVID-19 pandemic, (6) information regarding court workers' and court users' experiences using remote technology, and (7) other information necessary to evaluate the use of remote proceedings by the courts. The attached report fulfills these Legislative reporting requirements.

### Relevant Previous Council Action

There has been no previous Judicial Council action regarding this particular issue. This is a one-time legislatively mandated report under Code of Civil Procedure section 367.8.

On April 6, 2020, in response to the COVID-19 pandemic, the Judicial Council of California adopted emergency rule 3 of the California Rules of Court, which generally provided courts the ability to require judicial proceedings and court operations to be conducted remotely.

Subsequently, Senate Bill 241 (Stats. 2021, ch 214) authorized a party to appear remotely for a court conference, hearing, proceeding, and trial in civil cases through use of remote technology. Assembly Bill 177 (Stats. 2021, ch 257) added to the Code of Civil Procedure 367.8 to require the Judicial Council to submit this report to the Legislature and Governor by January 1, 2023 to show the use of remote technology in civil actions by trial courts (see the Executive Summary for the specific requirements).

A separate report required under the Code of Civil Procedure section 367.9 required the council to convene a working group to provide recommendation regarding a statewide framework for remote civil court proceedings that address equal and fair access to justice. This is due to the Legislature and Governor by January 1, 2023.

### **Analysis/Rationale**

The attached report is responsive to Code of Civil Procedure section 367.8. Judicial Council staff relied on multiple data sources to fulfill the specified requirements. The data was collected from the trial courts through multiple methods and sources, including:

- Survey data collection;
- Case management system data submissions; and
- Judicial Branch Statistical Information System data.

It should be noted that although the attached report focuses on data collected between March and September 2002, remote hearings have taken place for many years prior to the present time period. The report acknowledges that, and includes some information, in footnotes, about the prevalence of remote hearings during the COVID-19 pandemic.

### **Fiscal Impact and Policy Implications**

This report does not incur policy or fiscal impacts. The fiscal impacts are primarily from court and Judicial Council staff work hours to stand up new data collection systems, collect and analyze data, and then assemble and transmit the report. A separate report from the Code of Civil Procedure Section 367.9 Working Group, recommending a statewide framework for remote civil court proceedings that addresses equal and fair access to justice, is also being submitted to the Legislature.

### **Attachments and Links**

1. Attachment A: *Report on Remote Civil Proceedings*



# Report on Remote Civil Proceedings

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REPORT TO THE LEGISLATURE  
REQUIRED UNDER CODE OF CIVIL  
PROCEDURE SECTION 367.8

JANUARY 2023



JUDICIAL COUNCIL  
OF CALIFORNIA

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OPERATIONS AND PROGRAMS DIVISION  
BUSINESS MANAGEMENT SERVICES

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## Executive Summary

Assembly Bill 177 (Stats. 2021, ch. 257, § 4) requires the Judicial Council to submit a report to the Legislature and the Governor by January 1, 2023, on the use of remote technology in civil actions by the trial courts. The report must contain county-specific data that includes but is not limited to the following: (1) the number of proceedings conducted with use of remote technology, (2) technology issues affecting remote proceedings, (3) any relevant expenditure information related to remote proceedings, (4) the impact of remote proceedings on court users' ability to access the courts, (5) the impact of the use of remote proceedings on case backlogs as a result of the COVID-19 pandemic, (6) information regarding court workers' and court users' experience using remote technology, and (7) any other information necessary to evaluate the use of remote proceedings by the courts. This report fulfills the legislative reporting requirement.

While courts have conducted hearings remotely for more than twenty years, starting in 1998 with telephonic appearances<sup>1</sup> and expanding to video remote proceedings during the COVID-19 pandemic with the passage of emergency rules 3 and 5 of the California Rules of Court, this report only includes data on remote appearances in civil cases for a seven-month period from March 2022 through September 2022.<sup>2</sup>

## Background

Senate Bill 241 (Stats. 2021, ch. 214) authorizes a party to appear remotely for a court conference, hearing, proceeding, and trial in civil cases through use of remote technology until July 1, 2023. Assembly Bill 177 adds section 367.8 to the Code of Civil Procedure to require the Judicial Council to submit a report to the Legislature and Governor by January 1, 2023, on the use of remote technology in civil actions by trial courts. This report is responsive to the reporting requirements specified in section 367.8.

## Reporting Requirements

Code of Civil Procedure section 367.8 requires the Judicial Council to provide county-specific data that includes the following:

- (1) The number of proceedings conducted with use of remote technology.
- (2) Technology issues affecting remote proceedings.
- (3) Any relevant expenditure information related to remote proceedings.
- (4) The impact of remote proceedings on court users' ability to access the courts.
- (5) The impact of the use of remote proceedings on case backlogs as a result of the COVID-19 pandemic.
- (6) Information regarding court workers' and court users' experience using remote technology.

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<sup>1</sup> See California Rule of Court [3.670\(c\)](#).

<sup>2</sup> While we do not have totals from all of the courts, preliminary data from 17 courts in the 18 months leading up to March 2022 shows more than 1.2 million remote proceedings, including at least 651,000 civil proceedings and 315,000 criminal proceedings were conducted (see the [August 1, 2022 Assembly Appropriations Committee analysis, page 3](#)). See also the [June 10, 2022 letter](#) to the Assembly Judiciary Committee for more detail.

- (7) Any other information necessary to evaluate the use of remote proceedings by the courts.

**Requirement 1: The number of proceedings conducted with use of remote technology.**

The operational definition of civil remote proceedings used in this reporting contains the following elements:

- *Civil proceeding.* A hearing or event in civil limited, civil unlimited, probate, small claims, landlord-tenant, civil mental health, juvenile dependency, juvenile delinquency, and family law matters connected to a court filing.
- *Remote technology.* Video, telephone, and/or audio technology used to connect at least one user to a proceeding. Any combination of in-person and remote appearances by parties are counted as a remote proceeding (i.e., entirely remote and hybrid proceedings were both counted as remote proceedings).

Monthly data collection began in March 2022 and continued through September 2022. A total of 51 courts submitted data regarding remote proceedings in civil cases consistent with the operational definition above. Table 1 displays the count of civil remote proceedings<sup>3</sup> by reporting courts. It shows the total count of proceedings; specifies the number of months a court submitted data; calculates the monthly average of civil remote proceedings based on the total count of proceedings and the number of months reported. The final column displays the percentage of civil filings each court represents of the total statewide filings based on three-year average data (fiscal years 2019–20, 2020–21, and 2021–22). The submitting courts represent approximately 96 percent of total statewide civil filings.

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<sup>3</sup> The Superior Court of Los Angeles County gave summary data on remote proceedings. For juvenile and mental health case types, the Los Angeles court captures data at the participant level, not the event level. These counts are not included in table 1. Los Angeles reported 188,439 total participants in these case types for a monthly average of 26,920 participants in juvenile and mental health case type proceedings

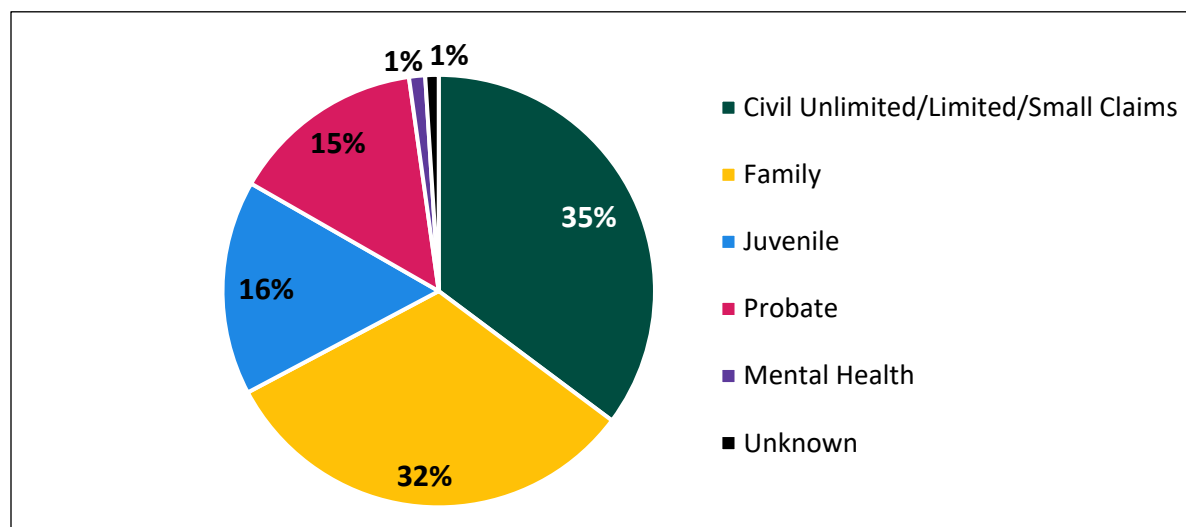
**Table 1. Civil Remote Proceedings by Reporting Courts, March to September 2022**

<b>Court</b>	<b>Total Remote Civil Proceedings Reported</b>	<b>Number of Months Reported</b>	<b>Monthly Average of Remote Civil Proceedings Reported</b>	<b>% of Statewide Civil Filings</b>
Alameda	18,297	7	2,614	3.1
Alpine*	34	5	7	0.0
Amador	464	7	66	0.1
Butte	2,459	7	351	0.5
Calaveras	225	7	32	0.1
Colusa	114	7	16	0.0
Contra Costa	17,310	7	2,473	2.0
Del Norte*	-	-	-	0.1
El Dorado	1,712	7	245	0.4
Fresno	15,277	7	2,182	2.6
Glenn	208	7	30	0.1
Humboldt	4,227	6	705	0.3
Imperial	602	7	86	0.4
Inyo	353	7	50	0.0
Kern	11,051	7	1,579	2.4
Kings	2,449	7	350	0.4
Lake	2,549	7	364	0.2
Lassen	293	7	42	0.1
Los Angeles†	252,249	7	36,036	32.3
Madera	3,875	7	554	0.5
Marin*	-	-	-	0.4
Mariposa*	-	-	-	0.0
Mendocino	428	7	61	0.2
Merced	9,322	7	1,332	0.7
Modoc	42	7	6	0.0
Mono	376	7	54	0.0
Monterey	6,298	7	900	0.8
Napa	2,878	7	411	0.3
Nevada*	174	7	25	0.2
Orange	57,497	7	8,214	7.0
Placer	5,045	7	721	0.8
Plumas	-	-	-	0.0
Riverside*	16,598	7	2,371	6.1
Sacramento	4,185	7	598	5.6

Court	Total Remote Civil Proceedings Reported	Number of Months Reported	Monthly Average of Remote Civil Proceedings Reported	% of Statewide Civil Filings
San Benito	251	7	36	0.1
San Bernardino	17,677	7	2,525	6.6
San Diego	35,222	6	5,870	7.3
San Francisco*	-	-	-	2.1
San Joaquin	5,103	7	729	2.0
San Luis Obispo	8,228	7	1,175	0.5
San Mateo	9,207	7	1,315	1.2
Santa Barbara	9,404	7	1,343	0.8
Santa Clara†	5,107	7	730	2.9
Santa Cruz	4,813	7	688	0.4
Shasta*	-	-	-	0.5
Sierra	117	7	17	0.0
Siskiyou	287	6	48	0.1
Solano*	-	-	-	1.1
Sonoma	4,717	7	674	0.9
Stanislaus	6,259	7	894	1.4
Sutter	386	7	55	0.3
Tehama	948	7	135	0.2
Trinity	311	7	44	0.0
Tulare	4,207	7	601	1.2
Tuolumne	222	7	32	0.1
Ventura	3,078	7	440	1.7
Yolo	2,422	7	346	0.4
Yuba	1,657	7	237	0.2
<b>Total</b>	<b>556,214</b>	<b>-</b>	<b>80,407</b>	<b>100.0%</b>
<p>* Courts transitioning case management systems during data collection and either unable to collect relevant data or reported incomplete data.</p> <p>† Mental health and juvenile case types not included.</p> <p>‡ Due to technical issues during data collection, counts may be underestimated.</p>				

Figure 1 displays the proportion of specific civil case types for reporting courts. Thirty-five percent of reported proceedings were general civil, including small claims. Thirty-two percent of proceedings were family law case types, including domestic violence. Sixteen percent of proceedings were juvenile case types. Fifteen percent of proceedings were probate case types. One percent of proceedings were mental health case types, along with one percent constituting an unknown case type.

**Figure 1. Civil Case Type Breakdown From Reporting Courts, March to September 2022**



Note: Excludes reporting from the Superior Court of Los Angeles County because mental health and juvenile case types were captured at the participant level instead of the event level.

## **Requirement 2: Technology issues affecting remote proceedings.**

Judicial Council staff collected survey feedback data from users of the Zoom virtual meeting platform for remote proceedings, which is widely used throughout California courts. Fifty courts use Zoom for at least some court proceedings. To collect this data, each participant in a proceeding using the Zoom platform received a short survey about their remote experience. An initial question asked if the user had a negative or positive experience. If the participant indicated a negative experience, they were encouraged to give more specific information about the issue.

This feedback form was initially only available to court employees<sup>4</sup> because of added security in the government version of the Zoom platform. An identical survey instrument was created and implemented by Judicial Council staff for external court users (i.e., nonemployees of the judicial branch) at a later date. The data collection for court employees began in March 2022, while data collection for all other court users started in August 2022. More data was collected from court workers (any participant with a court email address) compared to external court users because of this difference in data collection duration.

Audio and visual technical issues were the most common complaints reported. Table 2 shows the percentage of respondents who had either an audio or visual issue during the remote proceeding. Audio issues included the participant unable to hear, others unable to hear the participant, disruptive noises (e.g., static noises, echoes, etc.), or sound cutting in and out. Visual issues included the participant unable to see things on the screen, others unable to see the participant, frozen images, different views not working, and poor lighting. The next most common

<sup>4</sup> Court employees are any individual with a court email address.

complaints were issues logging in for a proceeding (including issues in transferring from a virtual waiting room) and internet connectivity. These were reported at a rate of 0.5 percent and 0.3 percent, respectively.

**Table 2. Percentage of Respondents Reporting an Audio or Visual Technical Issue, March to October 2022**

<b>Court</b>	<b>Number of Responses</b>	<b>% Reporting an Audio Technical Issue</b>	<b>% Reporting a Visual Technical Issue</b>
Alameda	5,768	1.3	0.4
Alpine	61	0.0	0.0
Amador	46	13.0	8.7
Butte	103	1.9	3.9
Calaveras	2	0.0	0.0
Colusa	36	11.1	0.0
Contra Costa	1,437	2.1	0.3
Del Norte	9	11.1	11.1
El Dorado	5	0.0	0.0
Fresno	27	3.7	0.0
Humboldt	98	0.0	0.0
Imperial	38	0.0	0.0
Inyo	10	10.0	0.0
Kern	200	1.0	1.0
Kings	8	0.0	0.0
Lake	328	0.0	0.0
Lassen	54	1.9	1.9
Madera	3	0.0	0.0
Marin	1,828	1.1	0.5
Mariposa	363	1.7	1.1
Mendocino	474	3.2	1.7
Merced	1,642	1.2	0.5
Modoc	22	0.0	0.0
Mono	42	9.5	2.4
Monterey	1,153	2.3	0.8
Napa	529	1.7	0.9
Nevada	305	1.6	1.0
Orange	3,469	1.9	0.5
Placer	24	0.0	0.0
Plumas	6	0.0	0.0
Riverside	3,512	2.7	0.7

Court	Number of Responses	% Reporting an Audio Technical Issue	% Reporting a Visual Technical Issue
Sacramento	3,610	1.9	1.1
San Benito	8	0.0	0.0
San Bernardino	553	2.7	1.6
San Diego	10	0.0	0.0
San Francisco	421	5.0	2.4
San Joaquin	39	0.0	0.0
San Luis Obispo	1,034	1.1	0.4
San Mateo	1,173	1.3	0.5
Santa Barbara	1,534	1.1	0.3
Santa Clara	34	0.0	5.9
Santa Cruz	521	3.3	1.2
Sierra	109	0.0	2.8
Siskiyou	188	4.3	0.5
Solano	1,135	1.5	0.5
Sonoma	6	0.0	0.0
Stanislaus	559	0.9	0.2
Sutter	7	0.0	0.0
Tehama	1	0.0	0.0
Trinity	1	0.0	0.0
Tulare	877	0.7	0.9
Tuolumne	19	0.0	10.5
Yolo	319	2.2	0.9
Yuba	262	0.4	1.9
Unspecified Court	353	5.9	3.7
<b>Total</b>	<b>34,375</b>	<b>1.8</b>	<b>0.7</b>

The Superior Court of Los Angeles County uses a custom-built remote technology platform called LA Court Connect (LACC) for remote proceedings in most case types. The Los Angeles court was able to provide separate summary statistics on the rate of technical issues experienced through this widely used platform. LACC employs a call center to handle any technical or informational issues court users may have. From January through September of 2022, the LACC service desk received an average monthly call volume of approximately 3 percent of all remote participants. From this call volume, typically 10 percent were technical in nature (e.g., issues relating to equipment, browser compatibility, downloading software, etc.). The vast majority of service desk calls were for general, procedural, and training information.

**Requirement 3: Any relevant expenditure information related to remote proceedings.**

The Budget Act of 2020 and the Budget Act of 2021 appropriated funding for judicial branch technology modernization. Based on recommendations by the Judicial Council’s Technology Committee, the council approved allocations intended to modernize court operations through technology. The allocations support projects that align with the judicial branch’s technology goals while allowing individual courts to expand their use of technology to best meet their particular needs. Many, though not all courts, used these funds to update remote technology. Approved allocations included funds for hardware, software, and licensing that supported remote proceedings. However, courts may have spent monies from other funds on remote technology not captured in this table.

**Table 3. Court Technology Modernization Fund Expenditures on Remote Technology**

Court	FY 2020–21	FY 2021–22	FY 2022-23 (As of 10/31/2022)	Total
Alpine	\$36,201	\$0	\$0	\$36,201
Amador	0	0	571	571
Butte	0	0	0	0
Colusa	453	79,423	0	79,876
Contra Costa	102,330	298,616	0	400,946
Del Norte	51,964	34,790	4,497	91,251
Imperial	209	2,520	0	2,729
Kern	34,405	106,348	72,886	213,639
Kings	0	4,239	0	4,239
Lassen	42,621	1,819	0	44,440
Los Angeles	543,387	719,636	260,130	1,523,153
Madera	24,970	44,570	0	69,540
Mariposa	41,488	13,670	0	55,158
Merced	57,728	70,519	0	128,247
Modoc	7,942	2,058	0	10,000
Mono	15,600	0	0	15,600
Monterey	66,493	314,463	0	380,955
Orange	931	298,381	63,656	362,969
Placer	78,986	271	80,902	160,159
Sacramento	660,551	116,837	178,061	955,448
San Bernardino	146,052	–1,901	0	144,151
San Diego	301,074	45,000	0	346,074
San Luis Obispo	0	0	8,933	8,933
Santa Clara	136,535	0	0	136,535
Santa Cruz	6,009	45,679	35,339	87,027

<b>Court</b>	<b>FY 2020–21</b>	<b>FY 2021–22</b>	<b>FY 2022-23 (As of 10/31/2022)</b>	<b>Total</b>
Sierra	46,184	19,116	0	65,300
Solano	0	99,832	34,165	133,997
Stanislaus	136,766	69,783	0	206,549
Sutter	0	37,494	–1,792	35,703
Trinity	57,000	–350	0	56,650
Tulare	33,099	0	0	33,099
Tuolumne	17,163	202,572	0	219,735
Yolo	21,424	57,944	0	79,368
Yuba	22	3,165	0	3,186
<b>Total</b>	<b>\$2,667,585</b>	<b>\$2,686,495</b>	<b>\$737,348</b>	<b>\$6,091,428</b>

**Requirement 4: The impact of remote proceedings on court users’ ability to access the courts.**

Assembly Bill 177 also added section 367.9 to the Code of Civil Procedure to require the Judicial Council to form a working group to recommend a statewide framework for remote civil court proceedings addressing equal and fair access to justice. The council convened the Code of Civil Procedure Section 367.9 Working Group—consisting of judges, court executive officers, attorneys, court reporters, court interpreters, legal aid organizations, and court-appointed dependency counsel, as required by the law—and the working group met six times in 2022.

The working group gathered information from different constituents, court users, and stakeholders regarding their ability to access the courts—including the appropriateness and effectiveness of remote technology used in different proceeding types, case types, and roles in the court. Through various information-gathering methods, the working group found themes regarding the impact of remote proceedings on court users’ ability to access the courts. It should be emphasized that this information is qualitative and does not address the prevalence or magnitude of these themes.

The following issues were identified as benefits to increasing the availability of remote proceedings:

- Reduced travel time and costs for court users;
- Increased likelihood of court users appearing for scheduled proceedings;
- More precise scheduling and efficient use of time (i.e., less waiting); and
- Increased feelings of well-being and safety for certain court users.

The working group found there were challenges as well, including:

- Court users’ lack of access to technology for remote proceedings;

- Additional effort for language interpreters and court reporters;
- Technology platform limitations; and
- Enforcing courtroom decorum in a virtual environment.

A report describing the efforts of the Code of Civil Procedure Section 367.9 Working Group, including the recommendations it considered, can be found on the “Legislative Reports” page of the California Courts website at [www.courts.ca.gov/7466.htm](http://www.courts.ca.gov/7466.htm).

**Requirement 5: The impact of the use of remote proceedings on case backlogs as a result of the COVID-19 pandemic.**

Patterns in trial court filings and dispositions from March 2020 to June 2022 (the most recent period for which the data are validated) help demonstrate the impact of the use of remote proceedings on case backlogs. On average, before the pandemic, there were about 500,000 total filings per month in California courts. Filings (see figure 2, red line) dropped by nearly half in April 2020 at the start of the pandemic. Starting in June 2020, some case types moved back toward pre-pandemic levels while others remained lower than their pre-pandemic filing rates. There was a dip in winter 2020–21 corresponding to new shelter-in-place restrictions as the number of COVID-19 cases surged. Filings increased in spring 2021, possibly a sign of previously suppressed demand corresponding to increased access to vaccines, schools reopening, and more movement of people.

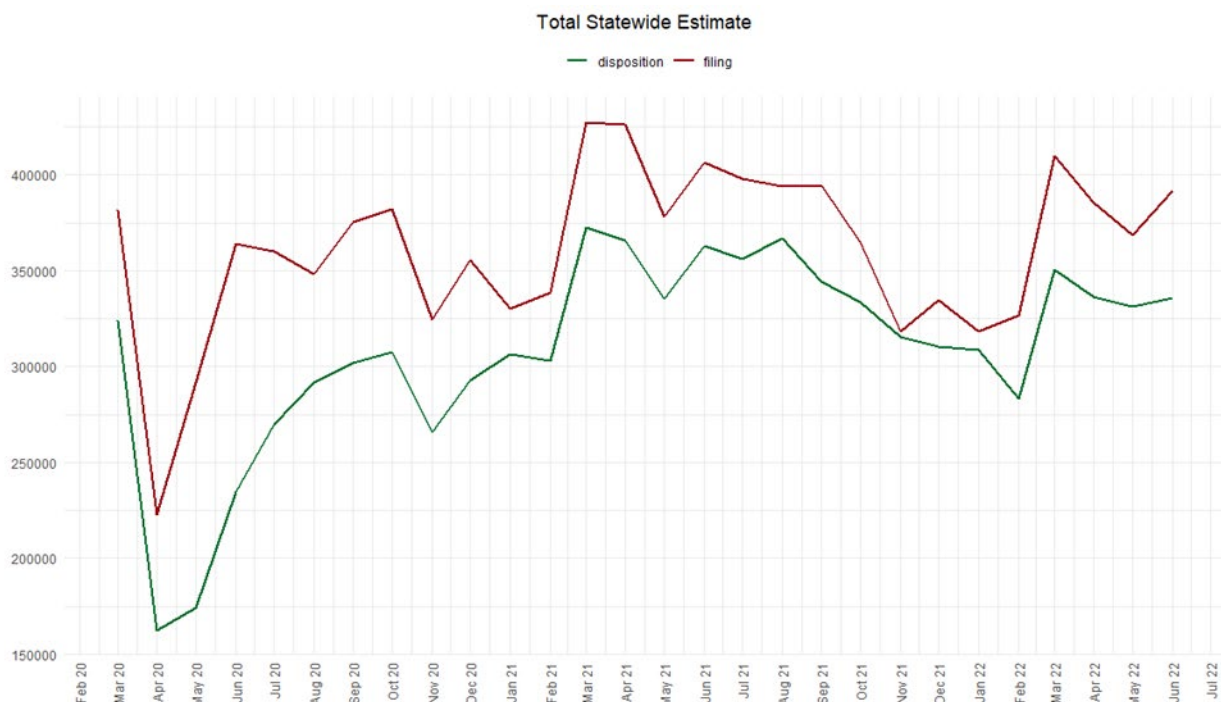
Case dispositions<sup>5</sup> should, in general, follow the same trajectory as filings. Caseload clearance, a measure of court workflow, measures how well courts keep up with workload by comparing the number of incoming cases (i.e., filings) to the number of outgoing cases (i.e., dispositions) in any given period. Periods in which filings exceed dispositions can be an indicator of backlog.

Statewide dispositions are shown in figure 2 as the green line. The gap between the red and green lines is an indicator of the backlog that developed due to physical distancing requirements and other capacity limits that slowed case processing, particularly in the early part of the pandemic.

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<sup>5</sup> A case disposition is a final settlement or determination in a case. Rules for counting and reporting dispositions mirror those for filings, although a case filed in one year may be disposed of by the court in a subsequent year.

**Figure 2. Statewide Filings and Dispositions, March 2020 to June 2022**



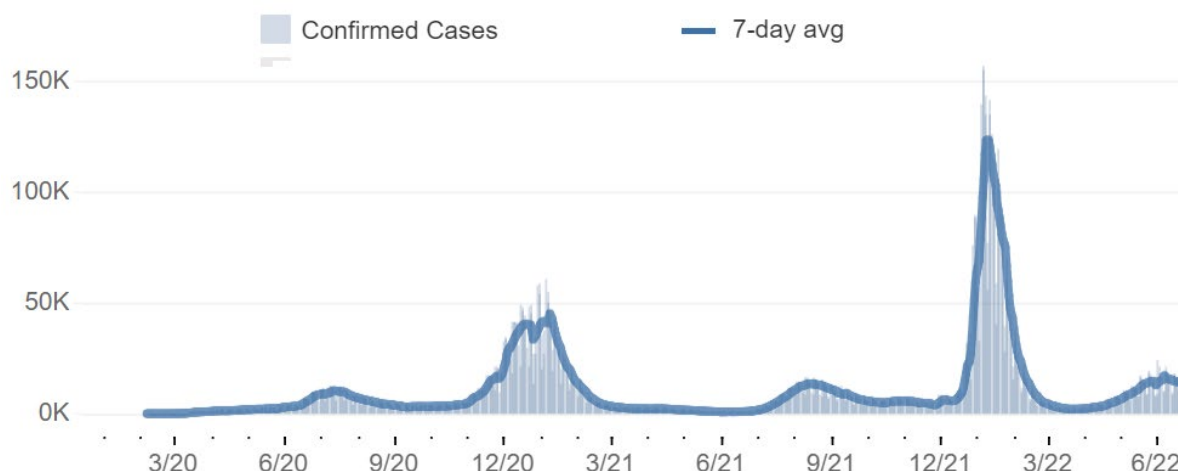
Building on foundations laid by previous technology investments, the judicial branch quickly implemented a number of measures to maintain the public’s access to its services and, in turn, access to justice. Among the investments was support for remote hearing capacity. Before the pandemic, 13 courts reported having the technology to offer video remote hearings for at least one or more case types. By November 2020, all courts implemented additional remote hearing capacity. Currently all courts have the capacity to hold remote hearings.

Remote technology was added at the same time that other technological updates were made, such as e-filing capability; meanwhile courts reconfigured their spaces to accommodate new physical distancing requirements. With so many co-occurring factors at play, it is impossible to isolate the impact of remote hearings on court backlog. However, the data clearly indicate that remote hearings, in combination with other changes to the service delivery model in courts, helped maintain access to justice in the time since the initial onset of the pandemic. Those trends can be seen when looking at the change in the distance between the red and green lines in figure 2; over time, the distance between the lines shrunk, an indicator of lessening backlog.

The trend is further substantiated when looking at the trajectory of California COVID-19 cases over the same time period (figure 3). Surges in COVID-19 cases did not affect court filings and disposition counts to the same extent as during the initial pandemic period. For example, during the second wave of COVID-19 cases, from approximately November 2020 to January 2021,

statewide filings and dispositions dipped slightly, but not to the same extent as during the April 2020 time frame.

**Figure 3. California COVID-19 Cases, March 2020 to June 2022**



Source: CA.gov COVID-19: California Case Statistics (downloaded Sept. 12, 2022), [https://public.tableau.com/app/profile/ca.open.data/viz/COVID-19CasesDashboardv2\\_0/CaseStatistics](https://public.tableau.com/app/profile/ca.open.data/viz/COVID-19CasesDashboardv2_0/CaseStatistics).

**Requirement 6: Information regarding court workers’ and court users’ experience using remote technology.**

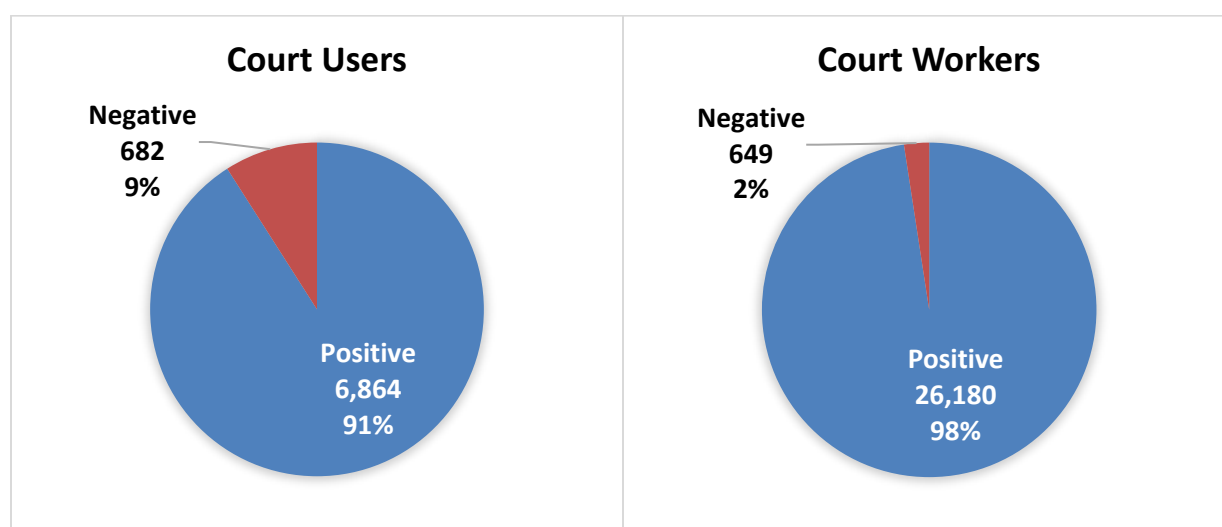
Table 4 displays the total feedback data collected throughout California for courts using the Zoom platform. As stated previously, there were more feedback surveys collected from court workers than from external court users because of technical limitations in deploying the feedback survey to external users. An identical survey for external users was created and deployed at a later date. As a result, there is a difference in the volume of data collected between the two groups. Of the total number of feedback responses, 7,546 were external court user responses and 26,829 were court worker responses. Data was collected from March to October 2022 for court workers, and August to October 2022 for external users.

**Table 4. Count and Percentages of Positive vs. Negative Remote Proceedings Experiences, March to October 2022**

Remote Proceedings Experience Response	Court Users	Court Workers	Total
Positive	6,864 (91.0%)	26,180 (97.6%)	33,044 (96.1%)
Negative	682 (9.0%)	649 (2.4%)	1,331 (3.9%)
<b>Total</b>	<b>7,546 (100%)</b>	<b>26,829 (100%)</b>	<b>34,375 (100%)</b>

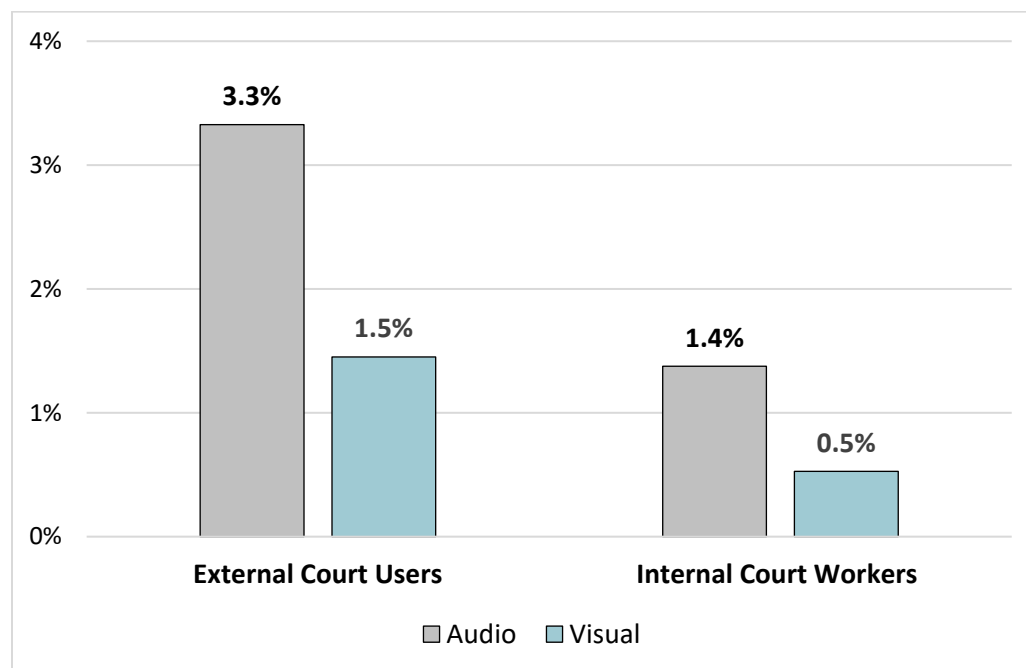
Figure 4 visually depicts the proportion of positive to negative experiences for both court users and court workers. The negative experiences reported were mostly technical issues (e.g., audio, visual, etc.), with a few respondents noting business process challenges (e.g., lack of general information, lack of protocol, etc.). Around 9 percent of court users surveyed reported a negative experience with their remote proceedings; 91 percent of court users reported a positive experience. Similarly, around 2 percent of internal court workers surveyed reported a negative experience with their remote proceedings; 98 percent of court workers reported a positive experience.

**Figure 4. Positive vs. Negative Experiences Reported by Court Users and Court Workers, March to October 2022**



Court users reported slightly higher rates of audio and visual technical issues compared to internal court workers. Figure 5 presents external court users reporting audio and visual technical issues at a 3.3 percent and 1.5 percent rate, respectively. Internal court workers reported slightly lower rates of audio and visual technical issues, at 1.4 percent and 0.5 percent, respectively.

**Figure 5. Prevalence of Audio and Visual Technical Issues—External Court Users Compared to Internal Court Workers, March to October 2022**



Overall, a very small percentage of negative experiences was reported. Compared to court workers, external court users reported a higher rate of negative experiences. However, external users' experiences are subject to a host of issues that are outside of a court's control, such as device type, internet connection, user error, environmental noise, and the like. As users become more familiar with remote technology, both in courts and in other venues, it is likely that the number of negative experiences will decrease over time.

**Requirement 7: Any other information necessary to evaluate the use of remote proceedings by the court.**

A companion report mandated under Assembly Bill 177 contains recommendations from the Code of Civil Procedure Section 367.9 Working Group for a statewide framework for remote civil court proceedings that addresses equal and fair access to justice.<sup>6</sup> The report details multiple recommendations under different substantive areas relating to remote proceedings in the courts.

<sup>6</sup> Judicial Council of Cal., *Assembly Bill 177 Remote Civil Court Proceedings: Code of Civil Procedure Section 367.9 Working Group Final Recommendations to the Legislature*, [www.courts.ca.gov/7466.htm](http://www.courts.ca.gov/7466.htm).