

# Remote Video Appearances for Most Noncriminal Proceedings

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**Hon. Samantha Jessner**, Workstream Executive Sponsor

**Mr. Jake Chatters**, Workstream Business Lead; CEO (Placer)

**Ms. Heather Pettit**, Chief Information Officer, Judicial Council



# Chief Justice Directive to ITAC

*Following the Futures Commission Report*

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Consider the feasibility of, and resource requirements, for developing and implementing a pilot project to allow remote appearances by parties, counsel, and witnesses for most noncriminal court proceedings.



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# Workstream Membership

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**Ms. Linda Romero Soles**  
CEO, Merced

**Mr. Wannes Vanderbulke**  
CIO, Humboldt



# Workstream Guiding Concepts



Access to Justice



Preserve Litigant Rights



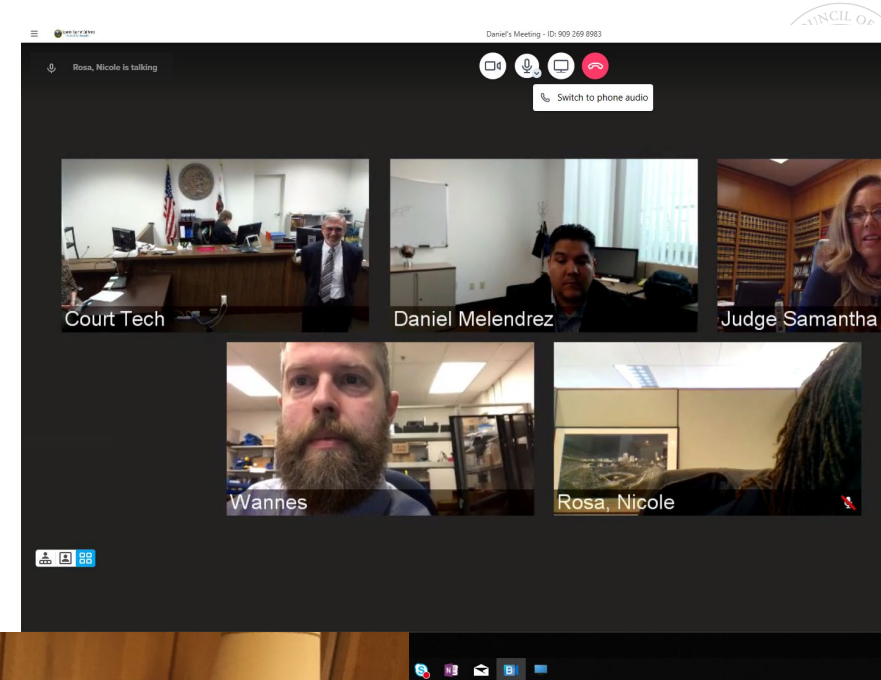
Ensure Dignity and Integrity of Process



Don't Over Complicate

# Workstream Activities

- Literature Review
- Issue Brainstorming, Identification, Debate, and Resolution
- Mock Hearings



# Workstream Considerations

## Procedures:



- Participant scheduling
- Documenting agreements
- Calendar management
- Facilitating private discussions

## Evidence:



- Evidence exchange & presentation
- Court role in facilitating evidence exchange

## Rules:



- Hearings & participants allowed
- Interpreter guidelines
- Quality control
- Cost for remote appearance

## Technology:



- Participant technical requirements
- Evidence display
- Video displays in the courtroom



# Workstream Approach to Recommendations

- Provide **general guidelines and allow flexibility** for early adopters.
- Consistent with telephonic appearance concepts that **provide general deference to local** courts.
- Deviates from concepts around telephonic appearances by **not including a presumption that video will be allowed**.
- **Authored before COVID-19**, but should still be considered once emergency orders expire.



# Recommendations

- Change necessary **Code of Civil Procedure, Government Code, and Rules of Court** to specifically authorize video remote appearances
- ***Key Considerations Guide for Early Adopters of Video Appearances in California Courts***





# COVID-19 Impacts and Inputs

- Vast majority of courts are performing remote hearings (civil and criminal)
- Provides experience and input, informs future decision-making
- Workstream's recommended changes enable remote video appearances post-COVID emergency



# Related Work Underway

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Pursuit of  
**legislative  
and rule  
changes**



Direction to  
explore  
remote  
appearances  
in **criminal  
proceedings**

Develop  
recommend-  
ations for  
**digital  
evidence**

Funding  
received to  
implement  
**remote  
video pilot  
solutions**



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# Legislative & Rule Changes

- **Ad hoc subcommittee collaboration among several advisory committees:**
  - Information Technology
  - Civil and Small Claims
  - Family and Juvenile Law
  - Probate and Mental Health
- **Proposes new CCP §367.7**, permitting all parties to appear in court by video in all civil actions and proceedings



# Remote Appearances for Criminal Proceedings

Technology Committee directed ITAC to further explore:

- Use case scenarios
- Technology standards
- Applicable Rules of Court



# Develop Recommendations for Digital Evidence

- Exploring the transmittal, acceptance, storage, and protection of digital evidence
- Evaluating related technologies and services, including through existing pilot efforts
- Proposing rule and statutory changes, as appropriate
- Developing a framework for possible future pilot efforts



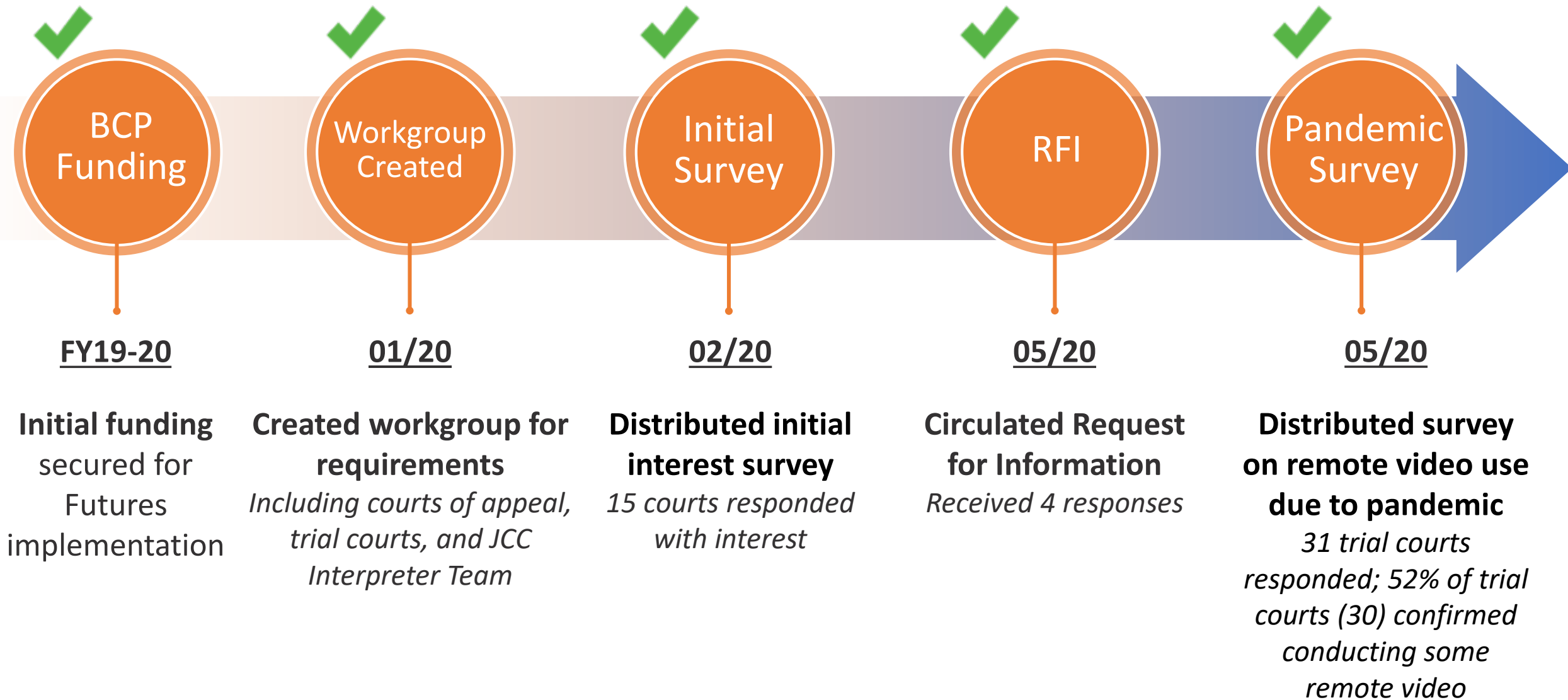
# Implementing Remote Video Solutions

Technology Committee and ITAC directed JCIT to explore a pilot for remote video solutions:

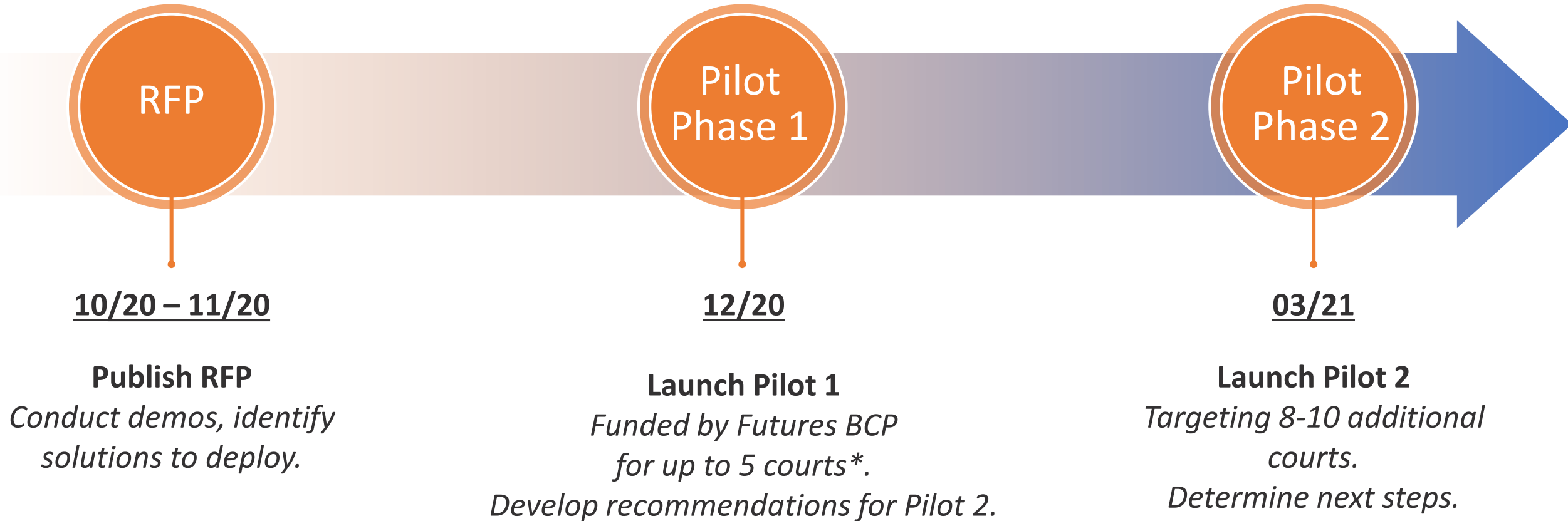
- Seek funding
- Engage with vendors
- Apply recommendations from Remote Video workstream and Video Remote Interpreting workstream



# Remote Video Project: Completed Tasks



# Remote Video Project: Next Steps



*Note: \* Additional courts funded by Language Access funding in Gov budget*



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*Thank you!*

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Questions?

