



JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

Item No.: 21-141

For business meeting on October 1, 2021

Title

Report to the Legislature: Final Report on the Court Innovations Grant Program

Agenda Item Type

Information Only

Submitted by

Laura Speed, Director
Leadership Support Services

Date of Report

September 23, 2021

Contact

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Executive Summary

The Budget Act of 2016 (Stats. 2016, ch. 318) allocated \$25 million to the judicial branch to promote court innovations and efficiencies through the Court Innovations Grant Program. The act directs the Judicial Council to report to the Legislature on the progress of that program and its grant projects no later than September 30 each year. The Budget Act of 2020 (Stats. 2020, ch. 7) authorized encumbrances or expenditures until December 31, 2020, extending the timeline from the program's original sunset date of June 30, 2020. The Court Innovations Grant Program provided not only an opportunity for trial and appellate courts to innovate, but for the branch to establish a framework for encouraging, supporting, and replicating innovations across the California courts. This final report to the Legislature, included as Attachment A to this report, discusses the implemented innovations, the project teams' learning experiences, and how these projects are informing branchwide opportunities.

Previous Council Action

These reports have been submitted annually as required to the Legislature. Previous reports can be found at www.courts.ca.gov/7466.htm.

Analysis/Rationale

The Budget Act of 2016 allocated \$25 million to the judicial branch to promote court innovations and efficiencies through a competitive grant program. Of this \$25 million, \$12 million was earmarked for collaborative courts; \$8 million for family, juvenile, and self-help programs; and \$5 million for other efficiencies. Five percent (\$1.25 million) was authorized for the Judicial Council to administer and evaluate the program.

After all funding adjustments are considered (including awards and return of unexpended funds), the grant program funded 51 grants across 30 courts, totaling \$21,876,426.26. The Judicial Council used \$607,205 (or 2.4 percent) of their total designated funds for grant program administration. Unspent funds totaled \$2,516,368.74 and will revert back to the General Fund as directed by the Budget Act of 2016.

Summary of findings

Innovation is at the heart of California and is foundational for providing access to justice through new approaches and services, increased efficiencies, and a flexible and resilient infrastructure. The Court Innovations Grant Program provided not only an opportunity to trial and appellate courts to innovate, but for the branch to establish a framework for encouraging, supporting, and replicating innovations across the California courts. The grant projects all experienced success—not because they all worked as imagined, but because every innovative project provided the judicial branch with an understanding of what does and does not work and why, and of how to anticipate and mitigate potential issues in the future.

The innovation projects also provided insight about the areas in which court users need the most assistance and helped guide the scope and use of modernization funding and budget change proposals. The judicial branch will continue to identify opportunities for innovation, not solely for experimental purposes, but to proactively plan, inform, and guide the branch through adverse events and to further drive the commitment to increasing access to justice for the people of California.

The final report to the Legislature discusses these implemented innovations, the grant project teams' learning experiences, and how these grant projects are informing branchwide opportunities. These grant projects continue to:

- Provide valuable information on the impact of emerging technologies and methodologies to enhance services and outcomes in collaborative courts;
- Provide for remote video participation;
- Deliver robust services online;
- Support data-driven decision making;
- Expand self-help services;
- Expand collaborative court services; and
- Support collaboration within the branch.

The Judicial Council was also able to create a framework and set of processes to track, manage, support, and encourage innovation through the Court Innovations Grant Program. This framework can now be updated and used for future branchwide innovation opportunities that may arise.

Impact of the COVID-19 pandemic

The COVID-19 pandemic resulted in shelter-in-place and social distancing protocols imposed at federal, state, and local levels to curb infection rates. Those limitations also provided an opportunity to utilize some grant projects sooner than expected and cultivate new branch initiatives to address service gaps resulting from social distancing protocols in courts across the state. Grant recipient courts and the judicial branch were also able to apply project learning experiences to multiple areas of operations.

Court operations were modified and limited, but courts were still required to maintain access to justice during this time. This resulted in fast-tracked reengineering and implementation of technology and modified processes and procedures, many of which were based on grant projects. These grant project innovations facilitated the branch's pivot from regular operations and delivery of services to modified processes in a rapid but deliberate, efficient, and effective manner, resulting in tools that will provide lasting benefits, rather than simply serving as a temporary solution. The successes from the program's project modification in response to the pandemic will aid in providing services during future emergencies.

Fiscal Impact and Policy Implications

Because this program was grant funded, there was no fiscal impact to the Judicial Council. The program was fully aligned with the judicial branch's strategic plan goals to support innovation and efficiency in the judicial branch.

Attachments and Links

1. Attachment A: *Final Report on the Court Innovations Grant Program* (Sept. 30, 2021)



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HON. TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

HON. MARSHA G. SLOUGH
Chair, Executive and Planning Committee

HON. DAVID M. RUBIN
Chair, Judicial Branch Budget Committee
Chair, Litigation Management Committee

HON. MARLA O. ANDERSON
Chair, Legislation Committee

HON. CARIN T. FUJISAKI
Chair, Rules Committee

HON. KYLE S. BRODIE
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MR. MARTIN HOSHINO
Administrative Director
Judicial Council

September 30, 2021

Hon. Nancy Skinner
Chair, Senate Committee on Budget and Fiscal Review
Chair, Joint Legislative Budget Committee
State Capitol, Room 5019
Sacramento, California 95814

Hon. Philip Y. Ting
Chair, Assembly Committee on Budget
Vice-Chair, Joint Legislative Budget Committee
State Capitol, Room 6026
Sacramento, California 95814

Re: *Final Report on the Court Innovations Grant Program*, as required under the Budget Act of 2016 (Assem. Bill 1623; Stats. 2016, ch. 318)

Dear Senator Skinner and Assembly Member Ting:

Attached is the final report on the Court Innovations Grant Program required under section 2, item 0250-101-0932, of the Budget Act of 2016.

The Court Innovations Grant Program provided not only an opportunity for trial and appellate courts to innovate, but for the branch to establish a framework for encouraging, supporting, and replicating innovations across the California courts. This final report discusses the implemented innovations, the project teams' learning experiences, and how these projects are informing branchwide opportunities.

If you have any questions related to this report, please contact Ms. Laura Speed, Director of Leadership Support Services, at 916-323-3235 or laura.speed@jud.ca.gov.

Sincerely,

Martin Hoshino
Administrative Director
Judicial Council

Hon. Nancy Skinner
Hon. Phillip Y. Ting
September 30, 2021
Page 2

MH/LS/ME/me

Attachment

cc: Cara L. Jenkins, Legislative Counsel
Erika Contreras, Secretary of the Senate
Sue Parker, Chief Clerk of the Assembly
Eric Dang, Policy Consultant, Office of Senate President pro Tempore Toni G. Atkins
Alf Brandt, Senior Counsel, Office of Assembly Speaker Anthony Rendon
Gabrielle Zeps, Policy Consultant, Office of Assembly Speaker Anthony Rendon
Amy Alley, Policy Advisor, Office of Senate President pro Tempore Toni G. Atkins
Anita Lee, Principal Fiscal and Policy Analyst, Legislative Analyst's Office
Gabriel Petek, Legislative Analyst, Legislative Analyst's Office
Jessie Romine, Budget Analyst, Department of Finance
Margie Estrada, Chief Counsel, Senate Judiciary Committee
Mary Kennedy, Chief Counsel, Senate Public Safety Committee
Eric Csizmar, Consultant, Senate Republican Policy Office
Morgan Branch, Consultant, Senate Republican Policy Office
Alison Merrilees, Chief Counsel, Assembly Judiciary Committee
Gregory Pagan, Chief Counsel, Assembly Public Safety Committee
Jennifer Kim, Consultant, Assembly Budget Committee
Lyndsay Mitchell, Consultant, Assembly Republican Office of Policy & Budget
Gary Olson, Consultant, Assembly Republican Office of Policy & Budget
Daryl Thomas, Consultant, Assembly Republican Office of Policy & Budget
Amy Leach, Minute Clerk, Office of Assembly Chief Clerk
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MR. MARTIN HOSHINO
Administrative Director
Judicial Council

Report title: *Final Report on the Court Innovations Grant Program*

Statutory citation: Budget Act of 2016 (Assem. Bill 1623; Stats. 2016, ch. 318)

Date of report: September 30, 2021

The Judicial Council has submitted a report to the Legislature in accordance with the Budget Act of 2016.

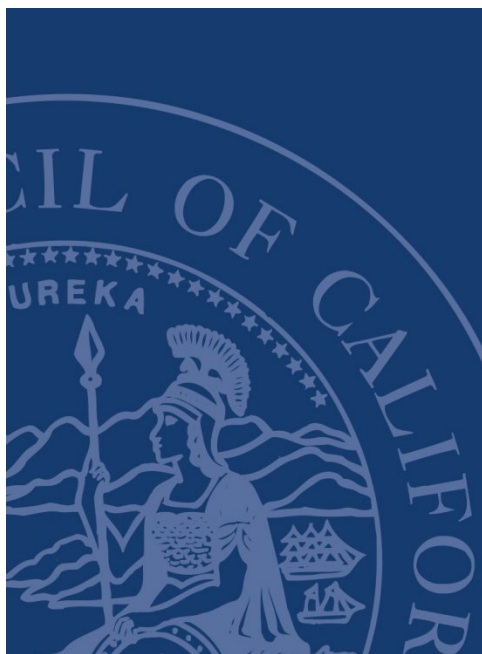
The following summary of the report is provided under the requirements of Government Code section 9795.

The Budget Act of 2016 allocated \$25 million to the judicial branch to promote court innovations and efficiencies through a grant program. Of this \$25 million, \$12 million was earmarked for collaborative courts; \$8 million for family, juvenile, and self-help programs; and \$5 million for other efficiencies. The Court Innovations Grant Program funded 51 grants across 30 courts, totaling \$21,876,426.26. Unspent funds will revert back to the General Fund as directed by the Budget Act.

The Court Innovations Grant Program provided not only an opportunity for trial and appellate courts to innovate, but for the branch to establish a framework for encouraging, supporting, and replicating innovations across the California courts. This final report discusses the implemented innovations, the project teams' learning experiences, and how these projects are informing branchwide opportunities.

The full report can be accessed here: www.courts.ca.gov/7466.htm.

A printed copy of the report may be obtained by calling 916-643-4612.



Final Report on the Court Innovations Grant Program

REPORT TO THE LEGISLATURE UNDER THE
BUDGET ACT OF 2016 (ASSEM. BILL 1623;
STATS. 2016, CH. 318)

September 30, 2021



JUDICIAL COUNCIL
OF CALIFORNIA

LEADERSHIP SERVICES DIVISION
SPECIAL PROJECTS

JUDICIAL COUNCIL OF CALIFORNIA

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Chair of the Judicial Council*

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Executive Summary

The Budget Act of 2016 (Assem. Bill 1623; Stats. 2016, ch. 318) appropriated \$25 million to the judicial branch for the Court Innovations Grant Program, a competitive grant-funded initiative to develop programs and practices that promote innovation, modernization, and efficiency in California's trial and appellate courts. The Budget Act of 2020 (Assem. Bill 89; Stats. 2020, ch. 7) authorized encumbrances or expenditures until December 31, 2020, extending the timeline from the original sunset date of June 30, 2020.

The grant program produced numerous projects that improved and expanded services and access to the public, in turn allowing both trial and appellate courts to produce collaborative programs and to develop and build positive relationships with local justice partners and stakeholders. Additionally, technology was expanded to expedite services, streamline processes, and increase access.

These innovation pilot projects continue to:

- Provide valuable information on the impact of emerging technologies and methodologies to enhance services and outcomes in collaborative courts;
- Provide for remote video participation;
- Deliver robust services online;
- Support data-driven decision making;
- Expand self-help services;
- Expand collaborative court services; and
- Support collaboration within the branch.

This report discusses these implemented innovations, their learning experiences, and how these grant projects are informing branchwide opportunities.

The COVID-19 pandemic resulted in shelter-in-place and social distancing protocols imposed at federal, state, and local levels to curb infection rates. Those limitations also provided an opportunity to utilize some grant projects sooner than expected and to cultivate new branch initiatives to address service gaps resulting from social distancing regulations in courts across the state. Conversely, grant projects that require in-person interaction (including projects that expand collaborative court processes and services) experienced a decrease in both progress and participant interaction, even after supplementing in-person services with remote services where feasible either due to participant preference to attend in person or lack of access to technology.

After funding adjustments (awards and return of unexpended funds), the grant program funded 51 grants across 30 courts, totaling \$21,876,426.26. The Judicial Council used \$607,205 (or 2.4 percent) of their total designated funds for grant program administration, which fell within the range allowed by the legislation. Unspent funds totaled \$2,516,368.74 and will revert back to the General Fund as directed by the Budget Act of 2016. This is the final report of the Court Innovations Grant Program as required by the Budget Act of 2016.

Program Overview

Budget Act

The Budget Act of 2016 (Assem. Bill 1623; Stats. 2016, ch. 318) appropriated \$25 million to the judicial branch to be used in a competitive grant program—the Court Innovations Grant Program—for trial and appellate courts to create local court programs and practices that promote innovation, modernization, and efficiency. The legislation required courts to describe how their allocated funds are used to develop innovative programs and practices that are sustainable after the three-year grant award period ends and how those programs and practices can be adopted and replicated by other courts. Courts that received funding under the program were also required to report to the Judicial Council on fund expenditures, impacts, and potential savings.

Of the \$25 million appropriated by the Legislature, up to \$12 million was earmarked for collaborative court programs; up to \$8 million was designated for family, juvenile, and self-help programs; up to \$5 million was allocated for other efficiencies across all court types; and five percent (\$1.25 million) was authorized for the Judicial Council to develop, administer, and evaluate the program. The Budget Act of 2020 (Assem. Bill 89; Stats. 2020, ch. 7) authorized encumbrances or expenditures until December 31, 2020, thus extending the timeline from the original sunset date of June 30, 2020. The grant program is consistent with the following judicial branch strategic plan goals: Goal I, Access, Fairness, and Diversity; Goal III, Modernization of Management and Administration; Goal IV, Quality of Justice and Service to the Public; Goal V, Education for Branchwide Professional Excellence; and Goal VI, Branchwide Infrastructure for Service Excellence.¹

Program Goals

In June 2016, Chief Justice Tani G. Cantil-Sakauye created the Ad Hoc Working Group on Innovations Grants to develop guidelines and criteria for the program's competitive grant award process. The 10-person working group, comprised of judicial officers and court executives, developed a grant application process, submission requirements, a timeline, and scoring criteria in compliance with the legislative requirements of the Budget Act of 2016 and the relevant goals of the strategic plan. To foster collaboration among grant recipients, the grant application stated that the Judicial Council may conduct information meetings related to each of the funding categories.

Scoring criteria established by the working group sustained and expanded on the goal of promoting sustainable and replicable projects and affirmed the goals of the strategic plan by proposing the evaluation of the following project characteristics:

¹ Two of the seven strategic plan goals were omitted as they were not applicable to the program: Goal II, Independence and Accountability, and Goal VII, Adequate, Stable, and Predictable Funding for a Fully Functioning Branch. The judicial branch's strategic plan is available at www.courts.ca.gov/3045.htm.

- The need that would be met or the problem that would be solved;
- Benefits to the courts (how the project impacts the use of court resources) and to the population each court serves;
- The promotion of accessibility for the public in both expanding access and ease of use;
- Whether the innovation is a new, innovative methodology or expands on a current innovation;
- How the project will move services from the current condition to a more modern state;
- How the project will result in efficiencies in court resources while ensuring access to justice is not diminished;
- The replicability potential, including whether it is appropriate for all court sizes and would lend itself to direct replication or would require additional resources for replication;
- The proposed method to sustain the project after the grant expenditure period ends;
- The reasonableness of the timeline, project management, and the proposed metrics used to measure success; and
- The reasonableness and cost-effectiveness of the budget in relation to the project's goals.

The council approved the working group's recommended process and criteria to award the grant program funding in August 2016 and the statutory authority for the group expired.² The council's Judicial Branch Budget Committee (Budget Committee) assumed responsibility for the ongoing administration of the program and released the request for applications.³

Grant Awards and Expenditures

The Judicial Council sought to adequately fund as many qualified projects as possible, emphasizing diversity of project types among small, medium, and large courts. The Budget Committee critically reviewed 118 grant applications (totaling over \$70 million in requested funding) from 42 trial and appellate courts and presented its project award recommendations to the council. The council approved the Budget Committee's recommendations, resulting in an award to 52 individual projects across 29 courts and totaling \$23.5 million. Nineteen other courts participated as collaborators or by conducting a pilot of a grant project in their local court. Of the award amounts originally allocated by the Legislature, the Budget Committee awarded \$11.3 million to collaborative court programs; \$7.5 million to self-help, family, and juvenile court programs; and \$4.7 million to other efficiencies across case types. The remaining three to four

² California Courts Newsroom, "Judicial Council Approves Process for Awarding \$25 Million for Court Innovations," news release Aug. 25, 2016, <https://newsroom.courts.ca.gov/news/judicial-council-approves-process-for-awarding-25-million-for-court-innovations>.

³ The Budget Act of 2016 specifically requires that the Judicial Council administer the grant program.

percent of the project monies was retained as a contingency fund for unforeseen costs the awardee courts may potentially encounter over the three-year grant period.

The grant program's originally allocated amounts were modified due to the following events:

- One project award was declined by the applicant court after further consideration of the project, and the award set aside for this project was retained as part of the grant program's contingency fund.
- One project fully withdrew due to unforeseen circumstances and returned the previously distributed award to the council, which then returned it to the contingency fund.
- In 2019, the council approved a recommendation by the Budget Committee to award an additional grant of \$108,000 to a court for a project in the collaborative court program funding category.
- Projects were approved for increases and reductions in the original award to address opportunities to expand the project, unforeseen circumstances, or updated cost estimates.

Program expenditures ended December 31, 2020, as required by the Budget Act of 2020. With all funding adjustments considered (i.e., awards and return of unexpended funds), the grant program funded 51 grants totaling \$21,876,426.26 among 30 courts (see Attachment A). In accordance with the category limitations set forth in the Budget Act of 2016, \$9,351,429.77 went to the collaborative court projects; \$7,783,386.41 to the self-help, family, and juvenile court projects; and \$4,741,610.08 to other efficiencies across all types of court projects. The Judicial Council used \$607,205 (or 2.4 percent) of the originally designated project funds for grant program administration, which is less than half the amount allowed by legislation.

Remaining unspent funds totaled \$2,516,368.74 and reverted back to the General Fund as directed by the Budget Act of 2016. (For a detailed chart of grant fund awards, distributions, expenditures, and balances by category and project, see Attachment A.)

Program Administration and Learning Experiences

The Budget Act of 2016 required grant recipients to report quarterly to the Judicial Council on fund expenditures, impacts, and potential savings associated with the funded programs. To facilitate replicability and leverage project learning experiences during the life of the grant program, the agreements between the grant recipient courts and the Judicial Council also required the quarterly reports to include the following information:

- Updated timelines and budgets;
- Significant project progress updates;
- Progress toward replicability and sustainability;
- Data related to measuring the project success (including the potential cost impact to the court);

- Collaboration efforts with justice partners; and
- Learning experiences (both successes and challenges).

Grant recipients were also required to submit a report to the Judicial Council capturing the final analysis of these factors and to provide project documentation to support replicability.

The Judicial Council's ability to capture this information before the end of the program allowed early identification and branchwide development of projects that:

- Increased efficiencies in the use of court resources;
- Expanded access and improved ease of use for court users;
- Were replicable in that they could be scaled to individual court sizes and unique needs;
- Could be funded by current or potential future branch budgets; and
- Were sustainable.

In addition to the individual learning experiences from each of the individual projects, the Judicial Council was able to create a framework and a set of processes to track, manage, support, and encourage innovation through the Court Innovations Grant Program. This framework can now be updated and used for future branchwide innovation, collaboration, processes, and opportunities that may arise.

Impact of the COVID-19 Pandemic

The COVID-19 pandemic resulted in shelter-in-place and social distancing protocols imposed at federal, state, and local levels to curb infection rates. Those limitations also provided an opportunity to utilize some grant projects sooner than expected and cultivate new branch initiatives to address service gaps resulting from social distancing protocols in courts across the state. Grant recipient courts and the judicial branch were also able to apply project learning experiences to multiple areas of operations.

Court operations were modified and limited, but courts were still required to maintain access to justice during this time. This resulted in fast-tracked reengineering and implementation of technology and modified processes and procedures, many of which were based on grant projects. These grant project innovations facilitated the branch's pivot from regular operations and delivery of services to modified processes in a rapid but deliberate, efficient, and effective manner, resulting in tools that will provide lasting benefits, rather than simply serving as a temporary solution. The successes from the program's project modification in response to the pandemic will aid in providing services not only during future emergencies, but in providing increased access to justice and court services via remote means.

Project Collaborations

Many of the grant program's projects shared similar features, especially in the areas of technology and collaborative programs. For that reason, court leadership and staff attended and presented at several information and collaboration events to further support the early identification of projects to determine their replicability, increase awareness of program-funded grant projects within the branch, identify similarities among projects, leverage individual project learning experiences, and promote court collaborations. As a result:

- The Superior Court of Orange County hosted meetings for grantee courts with self-help customer portal projects;
- Judicial Council staff hosted online conferences for projects containing a remote technology component;
- Project managers and court leadership gathered to share project scopes, identify similar and differing components and approaches, and discuss potential solutions to any issues arising during project development; and
- Judicial Council staff and courts created online sites accessible to the collaborating courts so that the courts could share information and documentation, and to provide a forum for them to leverage common resources.

Many of the selected projects were also presented by court leadership and staff in the following forums:

- Judicial Council meetings;⁴
- The 2019 Pathways to Justice Conference, a statewide conference convened every three years by the State Bar of California, in partnership with the Legal Aid Association of California and the Judicial Council's Center for Families, Children & the Courts;

⁴ The following grant projects were presented at business meetings of the Judicial Council:

- Superior Court of Monterey County—California Court Access App (Nov. 29, 2018), http://jcc.granicus.com/player/clip/815?meta_id=29106.
- Superior Court of San Bernardino—Video-Conferencing of Child Custody Recommending Counseling (Jan. 12, 2019), http://jcc.granicus.com/player/clip/890?meta_id=30523.
- Superior Court of San Francisco County—Veterans Justice Court (May 17, 2019), http://jcc.granicus.com/player/clip/1125?meta_id=36945.
- Superior Court of Butte County—Remote Video-Conferencing Technology (July 18, 2019), http://jcc.granicus.com/player/clip/1209?meta_id=39856.
- Superior Court of Fresno County—Human Trafficking Court (Sept. 24, 2019), http://jcc.granicus.com/player/clip/1304?meta_id=42396.
- Fifth Appellate District of the Court of Appeal—Modernize the Transcript Assembly Program and Appellate Self-Help Resource Center (Jan. 17, 2020), http://jcc.granicus.com/player/clip/1421?meta_id=46956.

- Joint statewide business meetings of the Judicial Council’s Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee; and
- Various council advisory body meetings to share information and learning experience and to inform advisory bodies’ future efforts and recommendations.

Although program courts often have localized issues and problems that arise in their respective communities, similarities can still be found among the various projects to address these issues (generally, the methodology or technology used to resolve a problem) and drive branch coordination. Collaboration across the branch resulted in best-practice sharing and more consistent, robust solutions across the courts. For example, the courts that innovated around remote technologies were able to identify a common infrastructure, standards-based software, and devices to speed development and provide compatibility between solutions while ensuring a secure connection and ease of use for the public. Developing these efforts provides a stronger and more efficient foundation to improve the quality of justice for the public and allows discovery of creative solutions.

Informing Current and Future Efforts

This report discusses replication efforts in the areas of remote video participation, online transactions, data analytics, workshops and self-help services, and collaborative courts based on grant projects and methodologies that have been identified by the judicial branch as having potential statewide impact. The Judicial Council will continue to identify opportunities for their use and expansion throughout the branch.

Section 1: Remote Video Participation

The Court Innovations Grant Program provided courts with the opportunity to develop and test new methods of remote participation and document sharing. The program provided a head start in proactively investigating remote technologies that allowed courts to continue to operate while adhering to physical distancing requirements as the COVID-19 pandemic advanced. Grant projects that implemented or expanded the use of videoconferencing technology greatly improved efficiency and effectiveness in multiple areas of court business, including mental health proceedings, traffic infraction adjudication, civil court matters (including the ability to share evidence remotely), self-help assistance,⁵ and child custody recommending counseling.

Videoconferencing technology creates diverse opportunities for the courts by expanding access to the public and providing new ways to deliver services. The judicial branch has promoted the expansion of this technology through various goals and initiatives, and those with personal experience using videoconferencing found it far more engaging than audio-only conferencing. Remote video technology can connect multiple teams and individuals regardless of location, and often includes other features such as chat functionality and document sharing between participants.

In 2013, Chief Justice Tani G. Cantil-Sakauye endeavored to expand access to justice by introducing her Access 3D initiative⁶ encompassing physical, remote, and equal access⁷ across the judicial branch. This initiative affirmed the value of and encouraged the use of remote online access, which provides the ability to acquire information and transact business online and to participate remotely in both courtroom and non-courtroom proceedings via video. The public can now access court videoconferencing features from their own devices or from a secondary court or justice partner location (site-to-site conferencing). When supported by the appropriate technological infrastructure and effectively implemented, remote video technology is a vital tool in meeting the needs of the public and the judicial branch, and it furthers two of the judicial branch's strategic plan goals—Goal I, Access, Fairness, and Diversity and Goal IV, Quality of Justice and Service to the Public—as well as a technology plan goal, Goal 1, Promote the Digital

⁵ The use of remote video technology to support the expansion of self-help services is discussed in Section 4, Workshops and Self-Help Services; other online document-sharing services available to the public are discussed in Section 2, Online Transactions.

⁶ A survey of California counties with veterans treatment courts estimates that one in five justice-involved veterans is being served by a veterans treatment court. These programs employ a wide variety of practices to identify veterans, inform them of their rights, and connect them with the appropriate services. As an example, though their processes varied, the veterans treatment courts of the Superior Courts of Contra Costa, San Francisco, and Sonoma Counties connected participants with behavioral health treatment programs, which improved veterans' housing, employment, and social outcomes.

⁷ Physical access means keeping courthouse doors open and offering operating hours that benefit the public. It means having safe, secure, well-maintained, and cost-effective courthouses that are accessible to those with disabilities. Remote access means increasing the court's ability to conduct branch business online to file court cases, access case information and records, and to make video appearances where and when appropriate. Equal access means language access, ensuring participants have interpreters and language services available when needed.

Court.⁸ These remote services allow the branch and local courts to open their figurative doors to a broader range of court users.

Traditionally, courts have focused on extending the availability of remote services to customers who live considerable distances from a courthouse or in areas where public transportation may not be readily available. However, with the expansion of remote technology it has become clear that many court users choose remote participation for the benefits it provides. Remote services can address access-to-justice hurdles that both rural and urban court users encounter, including:

- Being dependent on public transportation and its schedules, with frequent stops increasing their travel time;
- Needing to take unpaid time off work;
- Requiring childcare or dependent adult care while they are absent;
- Lacking the necessary resources to travel to the courthouse; or
- Lack of a specific service at their local courthouse, requiring them to seek the service at a courthouse far from their home or workplace.

Below are examples of grant program projects that used site-to-site videoconferencing technology and/or delivered services to court users' devices to expand access.

Implemented Innovations

Court users participated from secondary court or justice partner location to reduce their travel

In areas where not all court services are offered at the local courthouse, some grant projects remotely connected a judicial officer in one court location to participants in another courthouse, eliminating the need for a judicial officer or a participant to travel between sites. In some hearing types, the court partnered with mental health facilities so that patients could participate in their cases remotely from a mental health facility.

Traffic arraignments between court locations to provide local services to court users

As part of necessary restructuring resulting from the Great Recession, many courthouses were closed or faced reduced services, thus restricting access in distant locations. To restore critical services to residents in mountainous areas where transportation is limited, especially during snowbound winters, the Superior Court of San Bernardino County's Remote Video Proceedings grant project established a satellite location in the Big Bear district that provided remote videoconference proceedings two days a month for traffic arraignments, non-traffic infractions, and misdemeanor modification matters. (San Bernardino County is the largest county in the

⁸ Judicial Council of Cal., *The Strategic Plan for California's Judicial Branch* (undated), www.courts.ca.gov/3045.htm; Judicial Council of Cal., *Strategic Plan for Technology 2019–2022* (May 2019), www.courts.ca.gov/documents/jctc-Court-Technology-Strategic-Plan.pdf.

contiguous United States at 20,000 square miles.) Court users appeared via video from the satellite location and communicated with a judge in the main courthouse. This hybrid model of in-person services and remote proceedings from a secondary court location also allowed the public to make non-cash payments, arrange payment extensions, sign up for traffic school, schedule a court date, and obtain general information.

The court successfully collaborated with justice partners and elected officials to promote the location's services and to ensure the appropriate safety was provided by sheriff's deputies at the satellite location. Court users indicated through surveys that they were very satisfied with the services received at the satellite location as well as with the savings in time and money by having to drive only two to twenty miles to the remote location versus forty to sixty miles to the main courthouse. Court users suggested that the court expand legal aid services, hours of operation, and remote video participation in other case types at this location.

Unfortunately, the pandemic social distancing protocols caused the remote location to be closed through August 2020, resulting in fewer operating days and the project's inability to leverage the entire amount of designated grant funding.

Non-evidentiary hearings to reduce judicial officer travel

The Video Conference Hearings Project, a grant project in the Superior Court of Merced County, sought to eliminate the need for a judicial officer (and the resources that would entail) to travel between courthouses to hear non-evidentiary hearings. After the project was implemented, it became clear that the transition from in-person appearances to the use of video technology eliminated the need for a judicial officer to travel to a secondary branch to hear an overflow calendar and other matters, thus avoiding additional delays and continuances without impacting the quality of justice. This experience then helped the court pivot to using remote video technology in other matters to close service gaps caused by the state's shelter-in-place and social distancing protocols due to the pandemic. The grant project received positive feedback from justice partners and the court plans to continue the use of remote video technology while identifying opportunities for improvement.

Mental health proceedings to eliminate participant travel and related stressors

Individuals being held at mental health facilities encounter unique challenges while attending mental health hearings, including stressors associated with leaving the facility and being transported to and from the courthouse with other defendants. Some counties have modified their procedures to conduct hearings at the mental health facility, requiring the court team to travel to various counties' facilities, which often limits the calendaring of an individual's hearing to the days that the team is on site at the facility. In addition, many mental health facilities do not have the same level of security as courtrooms. Videoconferencing for these hearings can address these types of issues and eliminate the need to travel to the facilities or to transport the defendant to the court.

Several grant projects implemented videoconferencing technology to enable *Riese* hearings (a capacity hearing to determine whether the defendant can refuse treatment with medications), and

the Lanterman-Petris-Short Act⁹ required hearings to be performed site to site (between the courthouse and the mental health facility), eliminating the need to transport the defendant or the court team to and from the facilities. These systems help preserve the dignity of the patient, eliminate additional stressors related to in-custody transportation, provide the defendant access to the court in a safe environment within the mental health facility, increase the efficiency of the hearing process by eliminating transportation or court team travel costs, reduce the transition time between cases heard at the courthouse, and improve calendaring processes.¹⁰

Court users participated from their own devices

Other grant projects allowed court users to gain access to justice via video from anywhere they were able to connect to Wi-Fi or a data network using their own devices (smartphones, tablets, desktop computers, laptops, etc.). This method was piloted for courtroom and non-courtroom matters, including child custody recommending counseling.

Child custody recommending counseling participation to reduce travel and promote resolution

In California, when there is a child custody/visitation dispute, parties must participate in child custody mediation—a process in which participants receive help from a trained mental health professional—to resolve custody and visitation matters. Mediation can be confidential or, in some locations, combined with a process called child custody recommending counseling (when the parties cannot come to an agreement), in which a designated counselor within the court prepares a recommendation based on the information presented to them and their own professional opinion regarding what is in the best interest of the child regarding custody and visitation. This recommendation is also presented to the judge assigned to the case. Some counties have also implemented a tiered process, in which families may receive more than one type of mediation. Mediation and counseling sessions are traditionally offered in person or via teleconference technology; however, in-person involvement for these sessions often creates resource burdens for the participants who need to travel to a courthouse, and may cause additional stress and conflict when both parties are in the same room with the mental health professional. In addition, in child custody matters, one participant may reside outside the county, state, or country, and although using non-videoconference calls helps relieve these burdens, it does not provide participants and the counselor the benefit of face-to-face interaction to view physical cues, which may lead to frustration and unsatisfactory outcomes.

The Video-Conferencing Child Custody Recommending Counseling grant project, piloted by the Superior Court of San Bernardino County, provided video technology for these types of counseling sessions to enable litigants who would otherwise participate via non-videoconference

⁹ The act eliminated the inappropriate, indefinite, and involuntary commitment of persons with mental health disorders while establishing a right, in some cases, to prompt psychiatric evaluation and treatment and set strict due process protections.

¹⁰ For example, the Superior Court of Humboldt County noted that hearing length was reduced by eight minutes on average when using the remote video appearance technology versus coordinating in-person attendance.

call to participate via video.¹¹ The court used a secure videoconferencing system that is cloud-based, private, easy to use, Wi-Fi and cellular-data accessible, free to litigants, and available across several platforms (such as laptops, smartphones, tablets, desktop computers, and Polycom systems). The desktop computers of child custody recommending counselors were upgraded with high-definition webcams, and existing court conferencing equipment was upgraded to facilitate videoconference sessions for cases with multiple parties. Sessions were held with the counselor at the courthouse while one or both litigants participated remotely via video. This technology was also used to conduct related interviews with children who seemed to be comfortable participating via video.

Because this remote video participation met the pandemic social distancing protocols without impeding the public's access to services, the court was able to continue providing services by greatly increasing the availability of remote video and opening eligibility to all participants in child custody recommending counseling.¹² With the purchase of additional equipment and software licenses, the transition to video participation went smoothly and was well-received by participants. The court anticipates sustaining this delivery model by using its own funding to purchase annual license renewals now that grant funding has ended.

Throughout the grant project, participants reported positive feedback; they also welcomed the elimination of travel time and lost wages for missed work and the reduced need for childcare or dependent adult care arrangements that video participation afforded.

The grant project team shared its learning experiences with other family court service professionals during a statewide webinar training to aid courts in replicating similar remote services within their counties. As with other grant projects, the team will continue to share information to support replicability branchwide.

Remote video appearance and online evidence sharing to reduce court user travel

The Integrated Video Appearance System grant project in the Superior Court of Placer County also expanded on the use of the traditional telephonic appearance technology by integrating the videoconferencing option into existing telephonic appearance system processes.¹³ The grant project's goal was to ensure that the process was fair and that the videoconferencing system was accessible for court users, that the remote video appearance policies were predictable and efficient for the court clerk's office, and that the video appearances were staged and controlled for courtroom staff and effective and productive for judicial officers. The policies were designed

¹¹ Participation via phone and later via video was offered to participants residing out of the county, state, or country or those with extreme circumstances, such as medical conditions.

¹² In the Superior Court of San Bernardino County, 221 out of 436 eligible participants opted to participate remotely in 2018; 209 out of 350 eligible participants participated remotely in 2019; and 3,821 sessions were completed using exclusively video participation in 2020, when eligibility was expanded.

¹³ The Superior Court of Placer County piloted this new technology for unlawful detainer and small claims cases, mental health hearings from state hospitals, transfer of probation, drug court, victim impact statements, self-help appointments, and criminal pretrial hearings.

to address instructional materials, calendar preparation, caller management, court-user camera and microphone testing, and same-day user agreement capability. With long-term sustainability in mind, and as with other similar grant projects, the court made an investment in standards-based video appearance software and hardware as opposed to leveraging niche video appearance technologies that would be a limited-term solution. This grant project later evolved into further enhancing the system to support secure, electronic evidence sharing when feasible and permitted by law. Results from the pilot indicated that this expanded process reduced the burden on court user resources.¹⁴

The COVID-19 pandemic's social distancing protocols impeded piloting the grant project's technology across multiple hearing types due to reduced court operations. Although this impacted the expansion of the program, the pilot's technology was able to serve many remote users during this time.¹⁵

Learning Experiences

The grant program projects confirmed that remote video technology can be used—inside and outside the courtroom—to address a variety of court matters and improve efficiency in the use of participant and court resources. Remote video technology was especially beneficial to the continuation of operations in many cases during the pandemic. Following are learning experiences gleaned from the grant projects.

Remote video technology removes barriers and improves efficiencies for courts and court users

- Barriers were removed for court users without compromising access to justice.
- Videoconferencing technology improved the level of engagement over non-videoconference calls by enabling participants to observe body language, participant demeanor, and other visual cues.
- Court user resources were conserved, reducing or eliminating lost wages for missed work, childcare or dependent adult care expenses, and travel expenses (including child custody-related expenses for airfare, car rental, gas, and hotels).¹⁶
- Eliminating the need to drive to a courthouse results in a positive environmental impact.

¹⁴ For example, the Superior Court of Placer County heard 227 small claims cases with parties who scheduled remote video appearances, saving an estimated \$40,694.57 in mileage costs and 1,179.55 hours of time.

¹⁵ The Placer court noted that in December 2019 there was a single video appearance; since then, nearly 3,000 users have connected to the court by video.

¹⁶ The Placer court reported that 47 criminal pretrial hearings that were conducted by videoconference saved court users a total of 2,145 hours of travel time (calculated by using their address on record to determine mileage to the courthouse and assuming an average speed of 60 miles per hour) and saved \$73,666.21 in mileage costs (using the distance from their address on record multiplied by the state reimbursement rate of \$0.575 per mile).

- Court users did not have to travel to the courthouse to conduct every business transaction.
- The court was able to provide more services to more court users.
- Court user satisfaction in conducting court business increased, as users did not have to arrive early and wait at the courthouse until the services or sessions were ready to begin.
- The amount of time spent on travel by judicial officers was reduced.
- Caseflow improved with less in-person traffic and the ability to engage with the remote parties more immediately.
- Technology solutions were created with flexibility in mind so they could be utilized in many aspects of court business.
- Safety was increased by reducing the need to transport defendants.
- The likelihood of sustaining and replicating a program is increased when the program and its policies and procedures are designed to accommodate potential court matters and transactions it may support in the future.
- An integrated secondary method to communicate with court users—generally a chat feature in the videoconferencing system—lets the court mitigate technical and connection issues without having to disconnect the video call or phone or email the user.
- The use of remote video appearance is highly dependent on the court user’s own technology and connectivity.
- Although a vendor-hosted solution may offer nearly unlimited concurrent connections with lower-quality video, an onsite court solution offers high-quality video and lower ongoing costs, but fewer concurrent connections.
- An end-user support team can troubleshoot issues during remote appearances as well as identify common issues and propose modifications to the system or process.
- Developing partnerships with neighboring cities and local government agencies to utilize facilities and share equipment may minimize site-to-site costs.
- Videoconferencing eliminates time spent traveling to conduct a brief hearing or to discover that the hearing has been withdrawn or dropped due to unavailable participants (attorney, litigant, medical professionals, etc.).
- Pre-meeting technical checks are important to ensure that participants can be clearly seen and heard.

Mental health proceedings gained efficiencies with remote video use

- Judicial officers and courtroom personnel were freed up to perform other necessary and critical functions due to the reduction in transition time between cases. In addition, bailiffs were not needed to provide security during mental health hearings for defendants

who appeared via video and, as a result, were able to perform their important duties elsewhere in the court.¹⁷

- Significant improvements in mental health calendar management were realized after eliminating the need for court personnel to travel to mental health facilities by enabling the calendaring of a matter based on calendar availability rather than court staff’s facility visit date.
- Scheduling videoconference hearings at separate facilities in condensed time blocks freed up justice partner resources, in turn optimizing their time.¹⁸

Videoconferencing in lieu of audio-only calls improved child custody recommending counseling

Videoconferencing in lieu of non-videoconference calls to conduct children’s interviews allowed the recommending counselor to observe a child’s demeanor and body language while ensuring confidentiality by having the participant use the webcam to scan the room.

Branchwide Opportunities

Because remote video technology can be used flexibly, the branch continues to identify its potential use in various court matters and services, where permitted, to improve access and service quality for court users. In response to the impact of the COVID-19 pandemic on local court services, and affirming the value of this technology, Chief Justice Tani G. Cantil-Sakauye issued emergency rules expanding the courts’ allowable use of remote appearances in judicial proceedings and the use of electronic exchange and authentication of evidence documents.¹⁹ Outside of the response to the pandemic, the judicial branch is also pursuing the use of video technology in the following areas.

Expand video remote interpreting through language access plan implementations

Funding was approved to increase access to qualified (certified and registered) interpreters through video technology. Video remote interpreting allows court users to see and speak with an interpreter without the extended delay that results from the interpreters’ travel time to the court. It will also help users resolve short, noncomplex, and uncontested hearings when onsite interpreters are unavailable, reducing the need to reschedule court visits. Video remote interpreting also supports private and confidential conversations similar to in-person interpretation. During the pandemic, courts have successfully provided remote interpreter

¹⁷ This provided approximately two half-days per week of security savings for the Superior Court of Sacramento County through their Videoconferencing of Mental Health Hearings grant project.

¹⁸ Staff of the Sacramento County Counsel’s Office and the Sacramento District Attorney’s Office will save considerable time and resources—and eliminate unnecessary travel—by attending proceedings inside the courtroom with videoconferencing enabled. Videoconference hearings eliminate the weekly expenses incurred by court personnel traveling to mental health facilities, saving approximately \$2,096 per year.

¹⁹ California Rules of Court, Appendix I, Emergency Rules Related to COVID-19, www.courts.ca.gov/documents/appendix-i.pdf.

services for hearings, and this funding will help build on and standardize these efforts through a statewide program. Currently, several courts have received funding for video remote interpreting solutions through grants administered by the Judicial Council.²⁰

To further support the video remote interpreting process, the Judicial Council approved revised guidelines at their business meeting on May 21, 2021. *Recommended Guidelines and Minimum Specifications for Video Remote Interpreting (VRI) for Spoken Language-Interpreted Events* has been updated to support VRI in both physical and virtual courtrooms.

Further test remote video hearings

The judicial branch and courts received funding to modernize operations using technology, including for remote video hearings. Currently, all 58 courts are able to hold proceedings remotely in at least one case type and 39 courts are able to hold proceedings remotely in most (if not all) case types. Just in the last six months, 39 of the 42 courts that received modernization funding for remote video have collectively upgraded over 497 courtrooms and held over half a million remote proceedings benefiting countless Californians, particularly those in vulnerable populations, throughout the state. The Los Angeles Superior Court holds an average of around 5,000 remote proceedings weekly through Los Angeles CourtConnect.

²⁰ Since March 2020, several courts have received grants for video remote interpreting technology through Court Technology Modernization Funding grants and the Language Access Signage and Technology Grants.

Section 2: Online Transactions

As with remote participation, providing online court services helps to address access-to-justice issues often encountered by court users, and furthers two of the judicial branch's strategic plan goals—Goal I, Access, Fairness, and Diversity, and Goal IV, Quality of Justice and Service to the Public—and a technology plan goal, Goal 1, Promote the Digital Court.

Before courts were able to provide information and services online, the only option for court users was to go to the courthouse. This presented the access-to-justice hurdles for court users discussed previously:

- Being dependent on public transportation and its schedules, with frequent stops increasing their travel time;
- Needing to take unpaid time off work;
- Requiring childcare or dependent adult care while they are absent;
- Lacking the necessary resources to travel to the courthouse; and
- The unavailability of a specific service at their local courthouse, requiring them to seek the service at a courthouse far from their home or workplace.

Including online technology in business processes has allowed courts to provide services accessible from a user's own electronic device (desktop computer, laptop, tablet, smartphone, or other smart device) and has also facilitated the flow of interaction between the court and the user in instances where court users conduct business at the courthouse. The grant program has provided courts with the opportunity to pilot and invest in these technologies in the following areas:

- Online access to court records and individual case information;
- Online transactions, including the use of document assembly programs and fillable forms, e-filing, electronic payment, calendar and appointment scheduling, reminders, line-queuing, and check-ins;
- Instant court orders in child custody matters that clarify and document visitation, support, and other conditions;
- Online chat functionality;
- The creation and expansion of court user portals to centralize and deliver online services;
- Mobile applications to deliver online services;
- Kiosks in the courthouse to deliver online services for those who do not have access to a computer or smart device or who have limited internet access at home; and
- Identity and access management to ensure case-specific information and transactions are accessible only to authorized users.

In addition to providing services to court users, new technology has provided courts with options to view and obtain court data online while maintaining applicable security standards. The grant program also provided the means to explore the feasibility of a cloud-based disaster recovery system.

The grant projects that tested these technologies predominantly focused on improving the delivery of services to a specific set of court users, as a pilot group, and incorporated several of the technologies into a single grant project. Below is an overview of significant efforts, categorized by method.²¹ Successful implementation of each of these technologies moves California's court system one step closer to becoming a digital court.

Implemented Innovations

Online access to court records and case information to increase access

Court case records and information have typically only been obtainable in person at the courthouse or by making a request through the mail because court-related documents were only accepted in hard copy format. (In-person verification was required for case types that require authorization of the requestor to receive copies of the files.) To obtain copies, a requestor had to appear in person during the court's normal business hours, wait in line, submit a request for information (and possibly wait longer) if the files were in storage, and then pay for a photocopy. Over time, courts have converted hard copy files into electronic files and permitted and provided functionality for the provision of original filings and documents in an electronic form, making online access to court records feasible.

The Superior Court of Los Angeles County's Justice System Partner and Litigant Portal grant project provided remote access to juvenile dependency electronic court data and documents, with limited access based on the user's role. For example, an attorney may be granted access to all of a client's records, while a justice partner—such as a district attorney or probation department—may only be permitted to access to a specific group of litigant information. Tailoring access by role appropriately limits general access (aligning with court policies and legal requirements), but also allows designated justice partners the full breadth of permissible access. To designate access to the appropriate justice partner personnel through the court's partner and litigant portal, each agency administers access for its own employees, and court information access is terminated upon termination of agency access for an employee. For example, a probation officer's access to the court portal is linked to the probation department's system. Any employee access updates performed in the probation department's system will be reflected in the court portal's access. If the probation department terminates the officer's access through their system, it will automatically be terminated in the court's portal. The partner and litigant portal currently processes 40,000 record searches monthly, resulting in 300,000 court document results. Without the grant project, these records would have needed to be obtained in person, inconveniencing

²¹ For a discussion of these and other online services for self-represented litigants, see Section 4, Workshops and Self-Help Services.

court users and requiring more court resources. As utilization of the portal's search feature increased (i.e., an increase in the number of users, searches per user, and documents retrieved per user), the number of people entering the courthouse relative to the number of scheduled hearings began to decrease. An initial evaluation indicates that more users are coming to the courthouse to attend hearings and not to retrieve documents. This access has also been helpful for the legal services agencies that partner with the Los Angeles court's self-help centers. The Los Angeles court plans to expand the portal features to other case areas.

Court record access can also benefit users who want to submit records *to* the court instead of obtaining them *from* the court, as shown by the Modernize the Transcript Assembly Program grant project of the Fifth Appellate District of the Court of Appeal, which allows trial courts to electronically submit the designated record.

In most civil cases, litigants designate the record on appeal, which indicates to trial court staff what documents and oral proceedings they should include in the record that will be sent to the appellate court. In these civil cases, preparation of the clerk's electronic transcript is a manual and extremely labor-intensive process that requires trial court staff to spend 5 to 10 hours per case to compile. The grant project modernized this process by allowing courts to electronically submit the record and appellate courts to electronically accept the record; various file and document formats are accepted. The record includes exhibits (color photos, diagrams, and other electronic content), electronic documents with content that may be thousands of pages in length (thus an abundantly large file size), and the clerk's transcript. The project streamlined the process for the litigant, who no longer has to wait for files to be retrieved and pay for copies, and for the trial courts, by reducing the use of court resources.

The Modernize the Transcript Assembly Program also provided benefits to the appellate courts by allowing staff to:

- Search the record and quickly and easily locate key words, phrases, and citations;
- Copy and paste information from the designated record into the attorney-prepared documents at the court;
- Forward the transcript electronically within the appellate court to key support team members without expending court resources to photocopy the record;
- Navigate within the record and its volumes with the assistance of electronic bookmarks; and
- Reduce the amount of paper that is copied, transported, and stored.

Free usage of the tool was offered to all trial courts during the year of grant project implementation; post-grant use will depend on trial courts' ability to pay for the software license, which is based on usage (average number of appeals per year) and is tailored to each specific court's needs. Implementation does not require any maintenance or other technical responsibilities for the trial courts. The project can be utilized by all 58 California trial courts.

(Fifty percent of courts were regularly using it at the end of the grant program timeline and, as built into the program, all six appellate court districts and the Supreme Court receive electronic transcripts.) Some remaining trial courts are onboarding by starting with specific case types as prioritization allows, while others would like the tool to integrate with their local case management systems. Separate efforts are being considered to provide this integration.

Online access to court transactions to increase access to justice

Document assembly programs, fillable forms, electronic filing, and electronic payment to better serve court users

Document assembly programs and fillable forms can populate repeated data, in turn reducing data entry time. These programs and forms can be accessed online by court users from their own devices at any time of the day, provide standard answers using drop-down menu options, facilitate easy correction of entries, reduce chances for errors, be saved to complete later, be reviewed by court staff and accepted or rejected in a timelier manner, and provide clear and legible entries for review and processing. With fillable forms, the user can enter information directly into the forms online. Online document assembly programs, however, prompt the user to provide information based on questions, and then use the answers to populate the form and to determine the parts of the form that need to be completed. With electronic filing, court users can file online instead of in person, they do not need to wait in line, and they can check for document acceptance/rejection at their convenience. Electronic filing not only enhances the delivery of services but also supports the overall digital court initiative by moving toward a complete electronic record, thus eliminating the need to process and maintain hard copy files.

Several grant projects included an e-filing function as part of their overall effort to increase efficiency, with some exploring e-filing integration with their case management system to automatically connect the filing to the correct case management entry. The grant projects included updates to the local court's website that allowed court users to access document assembly programs or fillable forms, submit filings, and upload supporting documents electronically. The updates also provided a review function that allows court staff to accept or reject a filing, integration with the court's case management system when the filing is accepted, functions for user registration and management, and the ability to facilitate the filing payment process.

In addition to facilitating e-filing payment, grant projects expanded the ability to pay fees online in other areas. For example, the Superior Court of Orange County's Automated Courtroom Check-in grant project provided the capability for attorneys and litigants to pay any civil case fee online, including daily trial costs and fees that previously required the courtroom clerk to manually create an invoice and the clerk's office to receive and process the payment.

Online scheduling, reminders, and check-ins to improve the process of setting appointments

Online services were also expanded to include the ability to schedule appointments, sign up for reminders, and check in for court services.

The Superior Court of Orange County's Automated Courtroom Check-in grant project provides an online check-in ability that verifies the user is at the courthouse. This eliminated the need for attorneys and litigants to manually check in with the courtroom clerk or court attendant, a process that used to take court staff 15 to 30 minutes a day depending on the number of daily cases. This service also includes appearance reminders sent via text message.

Due to the shelter-in-place and social distancing protocols of the COVID-19 pandemic, grant projects with courthouse check-in capabilities have experienced limited use; however, it is expected that their use will greatly increase as court operations return to normal levels of in-person attendance.

The SMS Notification System grant project²² created by the Superior Court of Santa Cruz County offers a text message notification solution for court users and jurors who register for the service. This solution provides jurors with interactive jury service updates and provides payment notifications and hearing date information to court users. Originally, the notifications were available only to jurors and defendants in criminal and traffic cases, but the service was expanded to all case types after initial implementation. These text message reminders increased user engagement; for example, the court experienced fewer collection cases and a reduction in failures to appear by jurors.

The Superior Court of Sonoma County's Queuing/Appointment/Calendaring System grant project offers a queuing system that allows online appointment scheduling, remote check-in, and email or text message notifications to reduce lines at the courthouse, and provides court users the option to wait in other areas of the courthouse for their appointments.

Instant court orders to clarify child custody

Using electronic forms can also reduce wait times for the processing of court orders. In child custody matters, it is often imperative that the parties receive minute orders and formal orders quickly after the hearing to clarify and document the judicial officer's decisions regarding visitation, support, and other conditions in order to enroll children in school, seek medical care, relocate and transfer custody, and provide proof of custody to law enforcement. Under the previous process, parties often waited months to obtain manually processed copies of an order. Through their Instant Family Law Orders grant project, the Superior County of Santa Barbara County was able to provide timelier court orders by having a law school intern remotely attend the family law court session to capture the judicial officer's findings and orders in cases in which all parties are self-represented; the intern then drafted the electronic order and submitted the form through the court's case management system for the court clerk's review. If the form was accepted, the clerk then routed it to the judicial officer for electronic signature. Once signed, the judicial officer routed the order back to the clerk's office for processing and service to the parties.

²² SMS is an acronym for short message service, the most common text messaging technology in use over cellular networks.

The project provided timely orders and reduced the order backlog. Now that the project's grant timeline and funding has ended, however, the project has been difficult to sustain because it is heavily dependent on the support of law student interns—who have varying schedules and who may no longer be able to commit to the internship—as well as on the court staff to supervise students and train new interns upon turnover.

Online chat functions to service court users after normal operational hours

Live chat services broaden the delivery of electronic and remote services by providing a means for court users to enter their questions on a court's website and have those questions answered by a person in real time. This type of delivery method serves more customers by allowing court staff to interact with multiple customers simultaneously instead of individually. Courts can also leverage the technology of chatbots that deliver automated responses to common questions, while having a live agent provide answers to more complex questions that the chatbot cannot answer.

The Superior Court of Los Angeles County, through their Jury Chatbot grant project, developed a chatbot to provide automated information to jurors to reduce the costs incurred for court staff time spent handling issues that could easily be resolved with the chatbot (e.g., assisting the public with forgotten jury identification numbers, rescheduling or waiving jury duty, and answering routine questions). Unfortunately, the COVID-19 pandemic interrupted completion of the grant project; however, the court was able to leverage the work done for the jury chatbot and apply it to two new chatbots implemented during the pandemic: the LACourtConnect chatbot and the Traffic chatbot. Though the impact has not been directly measured for these two non-grant-related chatbots, the court has noted some reduction in the use of staff resources for these services, especially in call volume at the court services desk for the LACourtConnect project, which averages 1,500 user visits per month. The Traffic chatbot currently averages 4,300 user visits per month.

The Superior Court of Riverside County's Traffic Avatar grant project employed chatbot technology and implemented a new, online traffic avatar to assist court users with traffic and other infractions. The traffic avatar is multilingual (English, Spanish, Arabic, Vietnamese, Mandarin, and Cantonese) and helps the user pay a traffic ticket, request an extension to pay, provide proof of correction, inquire about traffic school, and address other frequently asked questions.

Through their Online Interactive Multilingual Tool project, the Superior Court of Yolo County piloted a chatbot function that provided basic information regarding traffic, small claims, and unlawful detainer matters in English, Spanish, Punjabi, and Russian. The court noted that this project was able to better prepare court users for their appearances by providing them with a greater general understanding of the court processes relating to their cases.

Court user web portals to streamline user transactions with court

Web portals provide court users with access to information and services regarding their case on one convenient landing page, eliminating the need for the user to search individual court webpages for each type of transaction relevant to their matter. For example, a court user who received a traffic citation may access the court's traffic infraction portal and, with the appropriate identifying information, register in that single, centralized location to access case-specific information, schedule a hearing, enroll in traffic school, and pay fines or request a payment plan, all while easily accessing information about traffic infraction adjudication. The grant projects that focused on implementing court-user portals integrated relevant existing and newly created online services, as discussed further in this section.

The Superior Court of Orange County's Conservatorship Accountability Portal grant project piloted a distinctive online service designed to modernize the conservatorship accounting process.²³ Under the process, conservators must provide an accounting of their management of the conservatee's assets to the court and the conservatee. Before the grant project, probate examiners performed labor-intensive, cumbersome, and time-consuming manual reviews of all submitted financial accounting for accuracy, balancing, and to ensure the conservator or guardian was spending the money of the conservatorship or guardianship in accordance with the law and/or needs of the conservatee or minor ward. This line-by-line review of accounting logs sometimes took several hours or days and made it challenging to identify financial fraud, abuse, or misrepresentation. The grant project created new software and provided it to court users through its new portal, the Conservatorship Accountability Portal.

The portal software:

- Allows the user to submit line-item accounting and upload financial documents online;
- Simplifies the court's preliminary review by identifying accounting entries with potential concerns, in turn allowing the probate examiner to focus on resolving those concerns; and
- Enables probate examiners to provide calendar notes for both judicial officer review and conservator use to cure any deficiencies. (If a deficiency is not cured before the hearing, the hearing is continued; continued hearings for accounting issues with self-represented litigants make up approximately 60 percent of calendar matters.) This streamlined communication regarding deficiencies will reduce the number of hearings that end up being rescheduled due to unresolved accounting issues discovered during the hearing, thus reducing the use of courtroom resources.

This grant project improves the court's ability to protect conservatee assets and creates a simplified accounting report process for conservators, guardians, and fiduciaries.

²³ In the Superior Court of Orange County, there are more than 6,000 open or pending conservatorship and guardianship matters, and over 300 new conservatorship filings are added annually.

The Superior Court of Orange County's Court User Portal grant project implemented a public portal to provide online access to infraction and criminal case types. The portal allows users to view case information, register for due date and hearing reminders, make online payments, establish or modify payment plans, and submit electronic correspondence (such as motions, appeals, and proof of correction) to the court. From July 2020 to March 2021, over 41,500 new users created accounts, over 213,000 online payments were made, about 26,000 users signed up for traffic school, and nearly 15,000 pieces of electronic correspondence were received by the court through the portal.

Court portals can be tailored for both court users and justice partner users and are generally dedicated to providing an online arena for transactions based on the user's case matter and role (litigant, representing attorney, or justice partner). Court portals can provide users with the ability to view their court calendar, case information, or case documents; schedule appointments; access legal and court information and forms related to their matter; and sign up for email and text message reminders. Other court portals can serve as a simple check-in option for a courtroom, jury services, or self-help assistance.

Mobile applications to provide ease of access to court information and transactions

In addition to court portals, online services can also be accessed through mobile device applications.

Through a grant project, the Superior Court of Monterey County built and deployed the California Court Access App, a self-service mobile and web application (app). The app is designed to better meet the diverse needs of self-represented litigants, attorneys, justice partners, potential jurors, media representatives, and the general public. It lets users search cases based on authorized access, search and review calendars, access general court information, opt in for case hearing date reminders,²⁴ schedule a hearing, schedule appointments, pay fines and fees, establish payment plans, and request assistance from the self-help center and the clerk's office. The app also allows attorneys of record and justice agency personnel to access documents and privileged case data, customize a calendar view, and create a personalized docket list.

During the grant's timeline, the California Court Access App was downloaded 10,800 times, averaging 300 to 440 downloads a month. Since the implementation of the project, over 59,000 text message reminders have been sent, reducing the failure-to-appear rate and associated costs for both law enforcement and the court for preparing and serving warrants, re-calendar hearings, and keeping records. In misdemeanor cases, the failure-to-appear rate dropped by 16 percent. In December 2020 alone, 22.47 percent of those who did not opt to receive text message reminders failed to appear; only 12.65 percent of those who opted in failed to appear.

²⁴ Defendants in felony, mental health, and misdemeanor cases with a mobile phone number on file are automatically enrolled for text message reminders.

The Superior Court of Monterey County offered interested courts three different methods for replicating the app in their courts (to account for the varying resources a court may be able to commit to the endeavor):

1. Share the current app, which requires the user to download the court-specific app to access the court's case management data; or
2. Customize the current app with additional features specific to the court using it; or
3. Build a new app specific to the needs of the court by using the source code, design concepts, and architecture documents used to create the original app. (The Monterey court has hosted knowledge sessions and developed modules and documentation for a shared model to facilitate other courts' participation.)

The Superior Court of Alameda County customized the app by adding features to the original app, such as the ability to view livestreams of court proceedings. The application code used to create these additional features was written by the Alameda court and may be incorporated into other court-developed applications. The Superior Court of Orange County also customized the app by connecting it to the court's self-help portal and including a livestream feature for listening to court proceedings.

Kiosks in the courthouse to eliminate long lines at clerks' counters

Grant projects also provided computer kiosks in existing courthouse locations that allowed court users to access general information, check in for appointments, and virtually queue for services, eliminating long lines at clerks' counters. Kiosks reduce the use of court resources, eliminate the need for users to wait in line in person, and reduce congestion in the courthouse by allowing users to wait anywhere in the facility until they are notified on monitors displaying the court calendar or via text message that their service is ready to be utilized.

To triage requests for services at the court clerk windows—and plan and assign staff to meet that demand, relieve clerk's office congestion, and increase customer service efficiency—the Superior Court of San Mateo County implemented their Automated Line Queuing System grant project. The project lets court users schedule appointments with the clerk's office and the family law facilitator's office while at the courthouse, and receive a text message when their appointment is ready. With this service, court users were able to manage their time between setting their appointment and receiving their notification.

The Superior Court of Riverside County's Intelligent Self-Help Kiosk grant project placed kiosks at county courthouses to help reduce long lines. These kiosks are a multilingual (English, Arabic, Vietnamese, Mandarin, and Cantonese) solution to accessing courthouse information (such as a building directory, department calendars, and jury service locations) and answering frequently asked questions in the areas of enhanced collections, family law, language interpreting, restraining orders, and self-help assistance.

Systems created for online services can be translated to kiosk use. For example, in response to the social distancing protocols of the COVID-19 pandemic, the Superior Court of Monterey County expanded on the text message reminder feature of the California Court Access App through the use of a kiosk located outside the courthouse. The kiosk allows users to sign up for self-help and clerk's office services, tracks the user's place in line and the type of services needed, displays a queue status online and on calendar monitors located in the courthouse lobby, and enables the user to receive a text or email message when assistance is ready.

Identity and access management for secure online access to court records and information

The key to providing online services is ensuring that the information being accessed is appropriate to the user, based on the user's role. To ensure that case information, records, and transactions are accessible only to authorized users,²⁵ grant projects employed identity and access management (IAM) where appropriate. IAM refers to tools, processes, and policies used to manage user identities and regulate access to specific information and transactions.

The Superior Court of Los Angeles County, in the development of their E-Filing Technical Capabilities grant project, specifically tested IAM in their Business to Business Identity Management grant project, which established a model that provides justice partners and other courts with a unique login and password combination to access court systems and records (typically to view more detailed or sensitive court information that the public does not have the authorization to view). The goal of this program was to not only enhance data security in the Los Angeles court, but to identify recommended tools and best practices that can inform future judicial branch endeavors, resulting in a model that could be used statewide to expand access to justice partners. The Los Angeles court used the learning experiences from this grant project to inform their work for litigant and attorney access.²⁶

The Los Angeles court's IAM model was used in juvenile dependency, probate, family law, traffic, adoption, and mental health matters (and is being expanded into other case matters), and was incorporated into the Superior Court of Placer County's grant project related to civil hearings and evidence sharing. Now a court user with a Los Angeles court login and password will use the same login and password to access the Placer court's services, and vice versa.

Exploration of cloud-based disaster recovery to ensure timely recovery of data

Disaster recovery plans for technological systems are a critical component of business continuity and require that court data centers are not located in close proximity to each other or potentially in the same disaster zone. In the event of a regional disruption, courts may not timely recover the critical systems and applications necessary to resume core court operational functions,

²⁵ For an overview of authorized access to electronic court records, see the "Access to Electronic Court Records" webpage on the California Courts website at www.courts.ca.gov/42512.htm.

²⁶ The Los Angeles court's identity access management enabled an average of 300,000 searches a month that previously would have required in-person inquiries at a courthouse.

potentially creating a justice access issue for an undetermined amount of time. The Superior Court of Monterey County's grant project, Disaster Recovery to the Cloud, sought to ensure a timely recovery of data by using the cloud (internet servers) as a secondary data center. During development of the project, it became apparent that the proposed cloud-based recovery system was not the best option due to the ongoing cost of hosting and storage (although the court did identify and share some potential cost-saving measures once running live in the cloud). However, during the initial phases of the project, the court did migrate their Microsoft Office 365 SharePoint Online solution to the cloud, which requires less storage space.

The Monterey court shared its findings, templates, and automation scripts with interested courts through a published road map document and through knowledge sessions that evaluated various cloud disaster recovery methods, compared available solutions, recounted lessons learned, and provided examples of successful cloud disaster recovery options implemented by other courts.

Learning Experiences

The grant projects confirmed that online access to court records and information and the ability to transact business online with the courts reduced the use of court user, justice partner, and court resources and was especially beneficial for narrowing service gaps resulting from the shelter-in-place and social distancing protocols of the COVID-19 pandemic. The grant projects noted the following learning experiences with the use of online services.

Online access improves the efficiency of courts and court users

- Provided flexibility and ease of use to court users in services traditionally only offered in person, without reducing access to justice.
- Reduced the number of in-person court visits.
- Use of text message and email reminders reduced the rate of no-shows for appointments and failures to appear for hearings.
- Increased the accuracy of filings with the use of document assembly programs and fillable forms.
- Provided faster confirmation of filing status (accepted or rejected) and resolution of issues through the use of e-filing.
- Eliminated extra fees for third-party filing or couriers through the use of e-filing.
- Provided access to court records; case searches by name or case number; and, in some instances, court calendar viewing.
- Sped up court processes by reducing intake time, with less data entry, less file management, and simpler record management.
- Reduced the use of and costs associated with hard copy documents.
- Closed service gaps that would have existed during the COVID-19 pandemic by increasing the availability of online services.

- Increased the efficiency of court processes by reducing the need for court resources to respond to court user requests and transactions.
- Reduced courthouse traffic and congestion by providing online methods to register and check in for appointments and services.

Appropriate project development and management promotes online tools' success

- Thoughtful structure and organization of project management aided collaboration with other courts and enabled stakeholder commitment and engagement.
- Products should be built for reuse, focusing on individual, flexible components that can be combined rather than a single, potentially inflexible solution, facilitating court customization.
- Code development should account for future uses and sharing between courts with diverse needs, architecture framework, and deadlines.
- Projects benefit from early outreach to internal and external stakeholders.
- Projects benefit from both functional and technical team member involvement, onboarding, and technical team training.
- The judicial branch benefits from shared application development and knowledge sharing, leveraging resources, and past learning (including architectural framework workshops). This collaboration resulted in refining code-sharing practices between the courts, including the use of single-court code repositories for use by developers within a court, and ad hoc file transfers of source codes between courts. This reduces project time and resources needed.
- Project planning should take into consideration highly detailed and efficient project documentation and creation of specifications, risk identification, reporting, ongoing testing, phased approaches to maintain ongoing testing and facilitate scope changes, and cross-team collaboration.

Online services and transactions will continue to expand as the technology advances and becomes more feasible for courts to utilize. It is important for the judicial branch to continue to thoughtfully invest in technology to better serve users through streamlined processes.

Branchwide Opportunities

The Court Innovations Grant Program's projects assisted the Judicial Council in identifying areas to further explore for potential use within the judicial branch and will continue to inform future endeavors.

Development of the CourtStack initiative to leverage solution components branchwide

The learning experiences gleaned from the Superior Court of Los Angeles County’s Justice System Partner and Litigant Portal grant project were key to the development of the judicial branch’s CourtStack initiative.²⁷ The CourtStack initiative’s goal is to expand the branch’s sharing of ideas and leveraging of solutions by creating an application development architecture framework that will extract all of the newly implemented technologies and translate them into standards-based components (such as separating identity management technology, case access technology, and case search technology into their own components) while providing a method that allows each component to communicate with an individual court’s core case management system. This will enable the courts to integrate new branchwide or vendor solutions without having to modify their specific court case management system and expend associated resources. Integration will be faster and easier and will promote significant reuse of branch technology assets, in turn furthering the branch’s vision for a digital court.

Development of a branchwide search application for court users

The learning experiences garnered from the Justice System Partner and Litigant Portal project also inform the branch’s efforts to develop tools to provide a search index database supplemented and maintained by participating courts. This will allow a court user to search participating courts’ record indexes and identify the court’s county.

Online adjudication of traffic violations to increase court users’ access

The branch’s Online Traffic Adjudication and Ability-to-Pay pilot project²⁸ incorporates many of the learning experiences from online services innovations and uses ability-to-pay determinations for traffic infraction fines and/or adjudication of traffic cases online. The pilot may be a viable option to pursue on a statewide level. The implementation of an online system to adjudicate traffic violations will build and expand on the Judicial Council’s partnership with courts in a Price of Justice grant from the U.S. Department of Justice. The pilot develops processes for determining users’ ability to pay and will include intelligent chat technology—tested in other grant projects—to provide information to online users. Currently, eight pilot courts have successfully implemented and are actively using the ability-to-pay application.

²⁷ Judicial Council of Cal., *Tactical Plan for Technology 2021–2022* (Dec. 2020), www.courts.ca.gov/documents/jctc-Court-Technology-Tactical-Plan.pdf.

²⁸ Judicial Council of Cal., Staff Rep., *Traffic: Online Traffic Adjudication and Ability-to-Pay* (Dec. 16, 2020), <https://jcc.legistar.com/View.ashx?M=F&ID=9020895&GUID=7495FF5D-4258-495B-995A-1F5EB4DF8372>.

Section 3: Data Analytics

Data analytics is the science of analyzing raw data for insights and trends. The use of data analytics has guided the courts and the branch in making informed decisions by helping them identify case and workload trends. The technology that supports the overall effort of data analytics, from gathering data to the creation of reports, has expanded the ability to drive timely and effective court and branch improvements by using the data to anticipate workload needs and improve the delivery of relevant services.

Historically, analyzing data has involved labor-intensive steps that require court staff to manually gather, combine, and sort the data for evaluation. With more advanced case management systems, information gathering is no longer manual; however, combining data from different case management systems and aligning and sorting like data for its various purposes remains a labor-intensive, manual process.

For operational reasons, courts have often used case management systems that are separated by case type to track litigant information, documents, and future case events (e.g., one system to support criminal court information and another to support family court information). In some instances, courts may also have a separate system for each of its several collaborative courts, rather than one system that serves them all. Several grant projects focused directly on or resulted in improved data collection and analytics, predominantly in a specific set of case types, and are discussed in Section 5, Collaborative Courts.

Implemented Innovations

The goal of the Superior Court of Orange County's Improving Court Management Through the Use of Analytics grant project was to improve court operations and increase management's knowledge of workload, key performance indicators, and business activity measures. The project developed a method to easily extract data from four data sources (three case management systems and a SharePoint platform, which is a web-based collaborative platform that integrates with Microsoft Office), combine and align like data, sort and analyze relevant information, and present the final information to end users in easy-to-use reports for all case types.

The solution, resulting from in-depth collaboration between technical teams, subject matter experts, and a governing body, is the Court Analytics Virtual Environment (CAVE). With CAVE, the relevant case data is maintained by the Orange court's technology service team; the data can be accessed by authorized court business analytics team members who create interactive data "dashboards" using Power BI (a Microsoft data visualization tool that provides on-demand data filtering), and then is made accessible to end users through a portal. The tool allows the courts to limit access to sealed and confidential case data and reports based on each user's case-type access level in the source system. This enables flexibility of use and added security. To further ensure litigants' privacy and confidentiality, CAVE contains only data needed for analytical and reporting purposes and does not contain personally identifiable information, documents, or minutes on a case.

To support branch reporting—and because the court intended the system to serve as the foundational model for courts statewide—the data was developed using the statewide requirements and definitions of the Judicial Branch Statistical Information System (JBSIS).²⁹ The statewide definitions are provided for each of the core business areas used by all California trial courts for state reporting purposes.³⁰ To facilitate use of the final reports by court staff, the headings for the data fields use the Orange court’s local terminology, which smoothed out day-to-day court operations by eliminating the need for court staff to repeatedly map to the JBSIS definitions when viewing and analyzing court data. Employing statewide standard definitions while providing a method to refer to local court definitions allows this project to be tailored for and easily used by other courts. To further the court’s data analytics capability, CAVE was expanded to include data related to case characteristics and key events in the life of a case. These data points serve as indicators of how efficiently cases are flowing through the justice system by case type.

CAVE was deployed in the Superior Court of Orange County in May 2020 and has enhanced the court’s systems by:

- Helping courts to better respond to the changing needs of the community and justice system by reducing costs and the time associated with manual report preparation;
- Improving the ability to predict work shifts to timely reallocate administrative and judicial resources;
- Greatly increasing the frequency of report generation and availability, from predominantly monthly to daily, and reducing the need for court resources to do so (e.g., the court previously expended 80 staff hours to generate the monthly case filings report; now it only expends 4); and
- Providing the court, during the COVID-19 pandemic, with near real-time workload data for branchwide conversations regarding the pandemic-related case backlog and applicable funding and distribution to help relieve the backlog.

Because CAVE can extract data from a multitude of data systems and can be integrated within other courts, the remaining courts can employ CAVE’s data infrastructure and utilize any of the interactive dashboards already created by the Superior Court of Orange County.

²⁹ JBSIS is the data repository for statistical data submitted to the Judicial Council and is the source of trial court operational data for the judicial branch, the Legislature, and other state agencies (consistent with article VI, section 6 of the California Constitution and Government Code section 68505).

³⁰ The JBSIS standards definitions address case filings, hearings, inventory of unadjudicated cases, and case dispositions.

Learning Experiences

The development of this data analytics system provided the following learning experiences that may inform similar branchwide technology projects:

- An online, on-demand reporting environment reduces the amount of resources needed to produce informational reports and creates a reusable report structure in near real time, in turn eliminating production delays.
- Identifying and analyzing key performance indicators and business activity measurements allow for enhanced operational and financial analyses and enable the court to monitor business activity and performance, establish appropriate reports, evaluate programs, and conduct hypothetical analyses and legislative impact studies.
- Implementing an agile software development process results in the ability to develop and fix functions in a timelier manner, but also requires more careful testing.
- The early and continued collaboration of court subject matter experts to gather data, gather JBSIS requirements, and determine local court staff users' needs streamlines the process by reducing the need for modifications during the development of court solutions.
- It is important that vendor developers include in their project scopes the training that will need to be provided to court developers to ensure consistency between the two developer teams' coding, labeling, and logic.
- A project governing body can facilitate agreement, provide direction on policy issues that address varying court needs, and distinguish between requirements that are based in law or policy versus practice.
- Early and clear identification of policy areas and requirements that prescribe how data is created, received, stored, used, shared, maintained, retained, and disposed of is important to the development of system requirements.
- In local court development and branchwide development, agreed-upon standards and principles to address data access, quality, use, sharing, and security will increase data reliability and lead to a comprehensive analytics strategy.

Branchwide Opportunities

The grant project addressing data analytics in all case types has resulted in two branchwide efforts—the Data Analytics/Data Integration Pilot Program and Branch Data and Information Governance Policy Concepts—and will continue to inform branch initiatives going forward.

Improved data reporting through Data Analytics/Data Integration Pilot Program

The Judicial Council commenced a two-year pilot effort to adapt CAVE for branchwide data analytics across multiple courts and data sources. Five pilot programs have been launched using

the model developed by the Superior Court of Orange County,³¹ and the pilots are designed to help courts use data more effectively to understand business practices. While initially using case management system data, the pilot projects are also exploring data uses in other areas, such as jury summoning and self-help. Funding received in the Budget Act of 2020 for technology modernization will support additional data analytics pilots to increase the types of trial court, case-level data that can be analyzed. This work will improve data reporting and data quality, and result in timelier data reporting.

Policy development based on Branch Data and Information Governance Policy Concepts

In 2018, based on the work of several major initiatives including the Superior Court of Orange County's grant project, the Judicial Council formed a data analytics workstream with co-executive sponsors and participants from across the branch to recommend a branch data analytics strategy that included developing recommendations for branchwide data and information governance policies.

The resulting proposed recommendations are included in *Judicial Branch Data and Information Governance Policy Concepts* (March 2021) and were approved by the council at its business meeting on May 21, 2021. The report contains recommendations for policy development in key areas of data and information governance, including classification, access, use, sharing, maintenance, and disposal/retention.³² The report also defines key concepts in each of these areas that are organized around the data and information life cycle and are intended to align with a draft vision and guiding principles for branch data and information governance. The recommendations discuss the importance of identifying key roles and responsibilities for data and information management and identify areas of future policy development that should be addressed after the main recommendations are implemented.

These policy concepts will lay a foundation for future policy development and will help execute a new vision for data analytics in the branch: to analyze, use, and share data to inform decision making in order to enhance and expand vital services and make them accessible for all the people of California.

³¹ The Superior Courts of Santa Barbara, Yuba, Stanislaus, and Tulare Counties and the First and Third Appellate Districts of the Courts of Appeal (joint project) are participating in the CAVE pilot project.

³² Judicial Council of Cal., Advisory Com. Rep., *Judicial Branch Administration: Judicial Branch Data and Information Governance Policy Concepts* (Apr. 23, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9340281&GUID=62D20C50-D86C-4227-AC6E-2550CBEE2E6D>.

Section 4: Workshops and Self-Help Services

Self-help centers are vital to ensuring access to justice for court users who are not represented by an attorney. In fiscal year 2018–19, the California superior courts provided services for the 39 million people of California and processed nearly six million cases.³³ To deliver assistance to the approximately 4.3 million court users who are self-represented, each county has a self-help center that provides legal information (not legal counsel) and education to assist with court processes. These self-help centers provided services to more than one million in-person and remote visitors in 2019 and reported a steady increase in users from January 2019 to January 2020.³⁴ Over the years, it has been progressively more difficult for courts to provide one-on-one services to meet demand.

To address this issue, courts are offering more interactive, online services and developing and conducting workshops for self-represented litigants. Traditionally, these live workshops are attended by multiple court users at one time and provide case matter-specific education on legal issues and procedures. The workshops also offer educational materials, direct assistance with forms completion, one-on-one review of forms, and assistance with specific questions. Assisting multiple court users at one time frees up the courts to provide staff resources in other self-help areas and to offer more one-on-one sessions in case types that are not amenable to workshops (such as domestic violence), as well as with those persons who need additional assistance. The creation of workshops is dependent on court staff expertise in the relevant case topics and often requires a considerable number of staff hours. In June 2019, 41 percent of counties provided one-on-one services as the only form of assistance; in most of these courts, there were too few self-represented litigants with similar issues at the same time to justify allocating valuable court resources to workshops. Self-help centers in 34 counties offered more than 1,100 in-person workshops on 17 different legal topics in 2019, serving approximately 6,516 court users.³⁵

Workshops can also provide vital assistance for the families of represented minors in juvenile justice cases by providing education on the process and potential outcomes.

Courts also tested several new solutions to address family law case resolution. These new solutions primarily strive to mitigate the impact on children’s welfare and families in crisis (generally self-represented litigants) by providing either a coordinated approach to managing multiple cases involving the same family or providing new methods to reach dispute resolution.

The Court Innovations Grant Program has provided the opportunity for the courts to pilot and invest in expanding services and solutions for self-represented litigants in the following areas:

³³ Judicial Council of Cal., *2020 Court Statistics Report: Statewide Caseload Trends 2009–10 Through 2018–19*, www.courts.ca.gov/documents/2020-Court-Statistics-Report.pdf.

³⁴ Judicial Council of Cal., *Impact of Self-Help Center Expansion in California Courts* (Jan. 2021) p. 4, www.courts.ca.gov/documents/lr-2021-self-help-centers-funding-analysis-BA-2018-gov-code-9795.pdf.

³⁵ *Id.* at p. 53.

- Self-help services;
- Early, in-person engagement of families in juvenile justice (delinquency) matters;
- Remote workshops and related services;
- Site-to-site delivery of workshops;
- Remote, one-on-one services;
- Self-help online resources and user portals; and
- Alternative resolution services and unified courts.

The expansion of services has assisted court users in participating from their own devices, reducing the need for them to travel to a courthouse. Court users are no longer adversely impacted by access-to-justice challenges such as:

- Being dependent on public transportation and its schedules, with frequent stops increasing their travel time;
- Needing to take unpaid time off work;
- Requiring childcare or dependent adult care while they are absent;
- Lacking the necessary resources to travel to the courthouse; and
- The unavailability of a specific service at their local courthouse, requiring the user to seek the service at a courthouse far from their home or workplace.

Expanding self-help services and providing online access where feasible helps eliminate access-to-justice hurdles often encountered by court users and furthers two of the branch’s strategic plan goals: Goal I, Access, Fairness, and Diversity and Goal IV, Quality of Justice and Service to the Public. The services also advance the Chief Justice’s Access 3D initiative for full and meaningful access to justice for all Californians.³⁶

Implemented Innovations

Below are examples of the grant projects that have expanded services specifically for self-represented litigants.

Self-help services accessible to court users from their own devices to increase ease of access

The Internet Based Self-Help Workshops, a grant project of the Superior Court of Ventura County, expanded access by offering live, interactive online video workshops (webinars) in both

³⁶ California Courts, “Chief Justice Introduces ‘Access 3D,’ ” news release, August 17, 2013, www.courts.ca.gov/25417.htm.

English and Spanish. The workshops are accessible from a court user's desktop computer or mobile device. Webinar topics included:

- Family law issues, including initiating a dissolution/legal separation/nullity, filing a request for order, and answers to frequently asked family law questions;
- Eviction information for landlords and tenants;
- Completion of civil forms, forms review, and what to expect in a civil trial/hearing;
- Debt collection defense; and
- Guardianship and conservatorship questions and answers.

Prior to the grant project, self-represented litigants attended the workshops on a first-come, first-served basis and workshop slots filled within the first hour; often, even litigants who were able to attend morning workshops would still need to return to the courthouse later that day to get assistance with completing their forms. The grant project enabled court users to register in advance, online for the workshops. The court used the registrants' contact information to email them the link to join the webinar, along with relevant forms, samples, instructions, and links to educational videos posted on the court's website and on the court's YouTube channel. Webinar attendees could also participate simultaneously by phone or online chat while viewing the webinar if their device did not have a camera to enable them to join via video.

The grant project also provided self-represented litigants the opportunity to register online for virtual, one-on-one self-help sessions delivered by phone or videoconference. As with the webinars, the court would send the user an email with the relevant access information and materials prior to the session. At self-help center locations, Wi-Fi access was made available to self-represented litigants so they could use their own devices to register for assistance, watch self-help videos, and access forms. At courthouse locations, QR (quick response) codes, similar to a bar code, were posted; when scanned by a court user's cellphone camera or other device with a camera, the code would connect the user with the workshop reservation system. From June to December 2020, court users scanned QR codes 7,745 times, resulting in 5,744 appointments. Registration and appointment setting took an average of 3.5 minutes for the court user and reduced wait times and the need to return to set up a subsequent appointment. Additionally, eliminating the need for direct staff interaction for this task freed up staff to provide in-person services to self-represented litigants when needed.

The project resulted in an increase in the number of self-represented litigants served in person, an increase in the number who were able to attend workshops online as opposed to not attending at all due to in-person space limits, reduced wait times for services, and a reduced number of total court visits (and thus a reduction in the number of trips to the courthouse). In the first year of implementation, the grant project saved 482 self-represented litigants approximately 2,807 commute hours; litigants included those residing within Ventura County, in other California counties, and outside the state.

Video services and reservation scheduling facilitated the court's resumption of suspended services after the initial, pandemic-related social distancing protocols were modified.

The Superior Court of San Mateo County's Develop and Provide Expanded Online Self-Help project also provided services that could be accessed from a user's personal device. The project provided enhanced and new web-based content and video for family law, domestic violence, guardianship, conservatorship, and small claims issues. The online information included step-by-step overviews of specific matters, with links to relevant court forms. In addition, the online content was provided in the five most commonly spoken languages in the county: Spanish, Chinese, Portuguese, Russian, and Tagalog.

The grant project also provided live, online chat technology with real-time assistance from self-help staff in family law cases and in other, limited areas of civil law, without the need for court users to travel to a courthouse. Use of this live chat function significantly increased during the COVID-19 pandemic. Of the 9,948 users served through live chat, 36 percent (3,581 users) were in-county residents who would have otherwise had to travel to the courthouse. This resulted in approximately 20,054 miles in saved travel time for in-county residents (using an average distance of 5.6 travel miles per user to the nearest courthouse).

The court also provided workstations at court locations that housed a self-help center. These onsite workstations provided enhanced online self-help services to court users and were especially useful for those with no other technological access. The court provided information and shared their learning experiences to support other courts considering live chat services, including the Superior Courts of Alameda, San Francisco, and Santa Clara Counties.

Site-to-site workshops to leverage resources between counties

The Superior Court of Butte County, through its Remote Video-Conferencing Technology grant project, expanded the existing SHARP (Self-Help Assistance and Referral Program) Tech Connect to include remote workshop services at all participating counties and share court staff expertise.

Prior to the grant project, Butte staff conducted in-person workshops at several participating court locations, requiring the Butte team to travel to various counties. The Butte team then began conducting multi-site workshops with the Lake and Tehama courts using videoconferencing technology (Lake and Tehama were the only participating courts with sufficient bandwidth to support the technology). These multi-site workshops were held in person at the Butte court for Butte's court users, with Lake and Tehama court users interacting with the workshop leader via videoconference from their local self-help center.

The grant project's original goal was to increase access for geographically remote communities by providing sufficient bandwidth to participating courts that could not otherwise connect with the multi-site workshops. The project also aimed to add other interested courts to the program and ensure they had the appropriate technology to participate. As a result of the project's success and its capacity to include additional courts, Del Norte, Lassen, Madera, Mariposa, Merced, San

Luis Obispo, Santa Barbara, Santa Clara, Sierra, and Tulare joined as participating courts in the second year of implementation.

The grant project provided the necessary technology for the participating courts' users to view the presenter on a large screen in the workshop room at their local self-help center, as well as from computers preloaded with document assembly programs developed by the Judicial Council that lead users through a guided interview to complete their court forms. The project also provided or improved the broadband capacity of the court self-help center sites within the 22 participating counties to support the videoconferencing technology. In addition, the project promoted the use of document assembly programs (and increased their use in those counties fivefold), facilitated onsite and remote staff training, and enabled counties to share staff expertise by connecting county staff through videoconferencing.

The Butte court developed 10 workshop modules and an instructor's handbook that was shared with the participating courts. (The modules included Dissolution of Marriage I and II, Response to Dissolution of Marriage, Request for Order—Child Custody, Request for Order—Child Support, Petition to Establish Parental Relationship, Response to Petition to Establish Parental Relationship, Guardianship, Unlawful Detainer—Tenant, and Unlawful Detainer—Landlord.)

Court collaboration and delivery of site-to-site videoconferencing were vital during the pandemic to ensure continued services for courts that were not formally participating in the project. For example, the Superior Court of San Diego County used its existing video technology to connect its users to the workshops facilitated by the Butte court. Prior to the pandemic, participating courts also found that they could provide additional workshops by connecting site to site within their own counties, leveraging their local resources, and reducing the travel hurdles for court users within their county.

This collaborative project helped close service gaps in locations where expert staff is not otherwise available to provide self-help services on a specific topic, it also freed up self-help center staff to assist with services in other areas. For example, prior to the grant project, self-help center staff spent an average of five hours assisting one court user in the review and completion of guardianship forms, but with the implementation of the shared workshops and document assembly programs, participating courts now spend an average of one hour reviewing and helping a court user complete these forms.

Online self-help services to provide access at any time

The Superior Court of Orange County's grant project, Enhancement of Self-Help Portal, expanded on the static content available through the existing court user web portal and created new methods of delivery. This grant project provided:

- A mobile application for case-specific procedural information that court users can access from their own devices;
- Appointment scheduling services for document review and workshops;

- A document assembly program that offers self-guided interviews in which users' answers to questions are then used to complete court forms;
- Online filing;
- Case-tracking abilities; and
- Online check-in for self-help appointments at courthouse kiosks or on the user's own device.

The mobile application version of the self-help portal also provides layouts of the various Orange County courthouses to help court users navigate through the building to conduct business. The court is also collecting data to gauge court user needs and allocate resources for self-help services.

The grant project resulted in fewer in-person visits to the self-help center, an increase in the number of forms completed and filed online by court users, an increase in document reviews by self-help center staff, and a reduction in wait time for in-person services. Limited in-person services due to the pandemic meant that the courthouse self-help kiosks were not immediately used after implementation, but upon the reduction of social distancing restrictions the court noted an increase in kiosk use for appointment check-in and additional requests from court users for ways they can use technology to eliminate waiting in line at the courthouse.

The use of online resources reduces the hurdles court users experience when conducting in-person business at a court. Because online resources can eliminate wait times and connect court users with needed information faster than in-person services, users of the online services are better prepared to participate in court hearings, which reduces the average time needed for resolution. Providing online services allowed the court to redirect much-needed staff assistance to other areas of the self-help centers. The Orange County court shared information about the grant project and their learning experiences with various courts as well as with state and national stakeholders.

The Superior Court of San Bernardino County's Customer Relationship Management Portal grant project introduced the Direct Access to Self-Help (DASH) web portal, which provides self-represented litigants with a variety of remote services. Through the portal (accessible via desktop computer or mobile device), court users can access general legal and procedural information about their case type; complete and submit forms for review prior to filing; communicate with self-help staff; engage with court staff through a live chat session; register for workshops; and track their case status—all services that were traditionally provided in person by self-help center staff. Due to pandemic delays, DASH did not launch until June 1, 2020, with the resumption of previously suspended court services—and no formal announcement was made when it launched—but user acceptance of the new delivery method has proven successful, with an average of 2,300 users accessing it monthly.

Accessing these services online reduces the amount of resources a court user must expend to travel to the courthouse to receive them. The San Bernardino court asked portal users to share

how many travel miles they saved when using the online services in lieu of traveling to self-help centers. The court determined that 135 self-represented litigants saved a total of 13,000 travel miles (21.5 percent of portal users live outside the county).

Online access also lets users access information and transact business at any time of day, even outside court business hours. Website analytics revealed that 26 percent of services were accessed outside of normal business hours. More than 40 percent of chat users accessed their service via mobile device.

The Superior Court of San Diego County's grant project, *Access to Information Made Simple*, implemented a process that allows users to schedule self-help appointments online and attend the appointments from their own devices using videoconferencing technology. The new technology also integrates a messaging feature built by the court to let family law facilitator staff send one-way messages to litigants with information related to next steps to assist them in moving their cases through the court system. It also provides hearing reminders and identifies potential issues for which the court user may wish to seek additional assistance. Court users can also use new features to review case activity, search for upcoming hearing information, review lists of resources, and receive communications regarding court closures. During pandemic-related limitations on in-person services, the app enabled the court to transition all its services to remote delivery.

The grant program also provided the opportunity to expand self-help services to appellate court users. In 2015, 46 percent of cases in the Fifth Appellate District of the Court of Appeal involving at least one self-represented litigant were dismissed due to an error made by that litigant (some as simple as failing to acquire the record or file the designation of record). Prior to the implementation of the grant project, only a few appellate court resources were available online. Although self-help manuals were accessible on each appellate court's website, they were not interactive and may have been difficult for new users to understand. Two self-help websites were available to assist with the appeals process—one for domestic violence cases and one for unlimited civil cases. In response, the Fifth District's Appellate Self-Help Resource Center grant project developed an expansive online center that provides statewide information, timelines, and forms for self-represented litigants and attorneys who are not familiar with the appellate process. The goal of the project was to reduce avoidable errors and help prepare court users for their cases by providing education and resources through the website.

The project, the California Appellate Courts Resource Center website,³⁷ centralizes in one location comprehensive, easy-to-navigate information for those court users who are considering an appeal but may not fully understand what is involved. The site is also a valuable resource for law students, attorneys, and anyone else seeking general educational information about the appeals process. The website is compliant with Americans with Disabilities Act requirements (for users who must navigate by voice, screen readers, or other assistive technologies) and is

³⁷ Available at <https://selfhelp.appellate.courts.ca.gov/>.

available in English and Spanish. Between April 2019 and February 2021, the site averaged about 6,618 pageviews per month. In 2020, the percentage of cases involving at least one self-represented litigant that were dismissed due to error by a self-represented litigant fell to 30 percent; court clerks also noted a decrease in calls with procedural questions.

The Fifth Appellate District shared grant project information and learning experiences at a nationwide conference of appellate clerks in 2019 to assist attendees with replicating the site in their own states. The site is also being used to train new California deputy clerks on the appellate process.

In-person juvenile justice family engagement workshops to engage the minor's support system

Juvenile justice (delinquency) cases involve a minor who has been accused of a crime. If the minor defendant is found guilty, the court has several sentencing options, including court supervision, probation, probation with removal from the home, and incarceration. While all juvenile defendants have the right to a free attorney, courts often operate at a fast pace, and the complexity of case matters and varying potential outcomes often leave minors' parents, legal guardians, and family confused, anxious, and unable to fully understand and engage in the process. The Superior Court of Ventura County's grant project, the Juvenile Delinquency Family Engagement Workshops, used a variety of workshop delivery methods to help juvenile defendants' families better understand the juvenile court process.

In collaboration with justice partners, the court developed informational materials—in both English and Spanish—including:

- A trifold brochure to inform families about the family engagement workshops;
- Guides that include:
 - Useful definitions of terms;
 - Caseflow information;
 - Information about what to expect in court;
 - A list of resources to assist with issues occurring in the family that may impact the minor;
 - Community resources; and
 - Potential sentencing outcomes and tips for families
- A video simulating a court proceeding, available on the court's website and played during workshops.

To engage with as many families as possible and as early in the process as possible, the project team was on site on the days of arraignment hearings to share materials and answer questions, which resulted in a decrease in juvenile justice-related questions asked at the court clerk's office.

The court assisted 2,640 family members in the first two years and two months of implementation. Workshop surveys of attendees determined that these services increased the preparedness of parents and guardians for engagement, reduced their anxiety, and better prepared them for the process. Attendees expressed their appreciation for the information on community resources to help the minor and the minor's family.

The court's intention was to create a program that could be adopted and utilized by the county's social services agency. Although the Ventura court was unable to offer replication of the workshops due to reduced court access resulting from the social distancing protocols of the COVID-19 pandemic, the court is now collaborating with the county's social services agency and engaging with families to continue this work.

Alternative resolution services and unified courts to improve family law case outcomes

The Superior Court of El Dorado County's One Family/One Judge Pilot Project provided a coordinated approach to managing multiple case types involving the same family, including dependency, delinquency, domestic violence, dissolution, and guardianship. Without a coordinated approach, individual cases involving one family were often heard at different court locations—sometimes at conflicting times—and would result in a conflict or a duplicative court order that inhibited the family's ability to exit out of the court system. Having one judge hear all cases within a family unit and employing emergent family court practices to address child welfare and other urgent issues reduced the need for additional court resources. As with many other grant projects, however, the pandemic inhibited full leveraging of the grant funding.

The Cooperative Parenting Program of the Superior Court of Shasta County offered a collaborative process to assist unrepresented family law litigants with completing parenting plans and support orders without the litigant ever having to enter a courtroom. The program featured a confidential mediation model that involved prescreened cases and utilized a professional family court mediator, a family law facilitator, and a representative of the Department of Child Support Services. Qualifying parents were able to meet with court professionals and justice partners via the internet, over the phone, or in person to discuss mediation issues in a nonadversarial setting.

To support both the court project and replication in other courts, the grant project captured detailed data to measure its effectiveness and efficiency, analyzing both the mediation cases and the child custody recommending counseling cases individually and comparatively. Court participant satisfaction increased and outcomes improved when using the new process, and agreement rates through child custody recommending counseling were higher than in the traditional family court services process.

The Superior Court of Tuolumne County's grant project, the Expand Small Claims-Civil Mediation Program, increased access to justice for the court's self-represented litigants by addressing the growing backlog in civil and family law court trials. The court used its Civil / Small Claims Mediation program to resolve issues in family law dissolutions and unlawful detainers, allowing bench officers to hear more complex matters.

Learning Experiences

The grant program projects confirmed that broadening the range of topics available for in-person workshops and expanding online access to self-help services is vital to delivering access to justice to self-represented litigants and the families of minors in juvenile justice cases. These grant projects noted the following learning experiences:

- Collaboration between counties increases the number of self-represented litigants who can be served at a given time and broadens the knowledge base of the self-help-center staff.
- Scripts for videos should be as basic as possible to reduce the need for updates when policies or regulations change.
- Early education and engagement of families is key in helping the family and the minor navigate the juvenile justice process.
- To promote and increase attendance at workshops that are not geared toward traditional self-represented litigant topics, the workshops should be located in close proximity to the courtroom where the cases are heard (as with juvenile justice family engagement workshops); this encourages attendance as it provides a visual reminder of the workshops and does not require the family to travel to another location to participate.
- Collaboration with community services and updates of available resources are important in providing meaningful assistance to families and minors involved in the juvenile justice process.
- Dedicating lead project staff ensures continuity and appropriate coaching when sharing resources between counties.
- Expanded court mediation or child custody recommending counseling services that do not require courtroom attendance could be provided in a central location within the county.

Improved delivery of services

- Customer-oriented, user-friendly websites are essential for self-represented litigants.
- Providing sufficient internet access and bandwidth is crucial for many court users to access and participate in online services.
- The use of modern programming languages increases the life of the program by ensuring the software can be maintained and enhanced.
- The use of a service-oriented system architecture design provides an easier avenue for a self-help website to interface with both existing internal and exterior resources, and allows for simple maintenance and updating.

The common goal of the self-help grant projects was to expand services for self-represented litigants in both the range of relevant topics and the method of delivery to better serve

participants while ensuring access to justice. Funding from the grant program enabled awardee courts to test innovative approaches to support this goal, many of which continue to inform branchwide efforts.

Branchwide Opportunities

Leverage innovations with self-help funding

Through the learning experiences gleaned from the grant projects discussed in this section and in Section 2, Online Transactions, and through other piloted innovations, the Judicial Council continues to identify opportunities for and encourage branch collaboration and resource-sharing of online workshops, live chat models, text message reminders, and message boards to leverage the ongoing \$25.2 million in General Fund monies for self-help in the trial courts.

Share resources and expertise

The grant projects and other court and branch innovations continue to inform efforts to provide services to rural areas. Rural areas experience unique challenges in providing self-help services:

- Older courthouses located in rural areas are generally smaller and often do not have sufficient space available to serve as self-help centers.
- The level of need for self-help services in rural areas often does not warrant a full-time self-help center team.
- Available funding limits the ability to hire self-help attorneys.
- In counties with smaller populations, self-help attorneys may only be part time, but ethics rules preclude the attorneys from appearing in the court that employs them, limiting their ability to maintain a private practice in the area.
- There are limited legal aid and pro bono resources available in rural communities, and self-help attorneys are called on to address a wide variety of legal issues that would be handled by such programs in urban communities.
- Court users encounter transportation hurdles.
- Court users are often hesitant to attend a workshop and discuss their legal issues in front of their neighbors, which is more likely to occur in remote areas with smaller populations.
- Rural areas have technology and connectivity limitations.

Adopting and providing technology in rural areas—especially adequate bandwidth, which is critical for many courts and their users—can further the efficient delivery of services to self-represented litigants and can also provide the opportunity to share new solutions statewide. The Superior Court of Butte County’s Remote Video-Conferencing Technology grant project that supports the SHARP Tech Connect program has shown that sharing resources between counties using remote technology leverages self-help center attorney and staff expertise. The

judicial branch is exploring and encouraging additional opportunities for courts to remotely share educational resources, including expanding workshops in which the workshop itself is shared but users' individual forms are reviewed by local court staff, sharing bilingual resources, and offering assistance from staff with specialized skills to participating courts.

Section 5: Collaborative Courts

Collaborative courts, also known as problem-solving courts, combine ongoing judicial supervision with rehabilitation services that are rigorously monitored and focus on recovery to reduce recidivism and improve outcomes for offenders. Collaborative courts often share state and national best practices for adult and dependency drug courts;³⁸ however, these courts are also tailored to meet the unique needs of the target population and local region. Successful replication of these projects depends on regional customization and thoughtful integration of lessons learned from similar programs.

The grant program provided the opportunity to test innovations that may not have otherwise been piloted because the development and sustainability of collaborative courts often rely on grant funding that limits participants based on grant-dictated qualifications.

The grant program's collaborative courts focused on increasing access to services, implementing cost-effective practices, ensuring continuity of services to participants, and coordinating a comprehensive approach to reduce recidivism in the following areas:

- Veterans treatment court;
- Homeless court;
- Human trafficking court;
- Drug and driving under the influence (DUI) court (which may include restitution court);
- Reentry court;
- Collaborative courts integrated with family court; and
- Collaborative court systems.

These projects employed new or expanded participant screening, service tools, technology-based solutions, and justice partner processes.

Implemented Innovations

Expansion of collaboration and training to improve programs

- Increased the collaboration between court and justice partners from program development through implementation.³⁹

³⁸ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards* (2018), www.nadcp.org/standards.

³⁹ For example, the Superior Court of San Mateo County's DUI and Restitution Court grant project benefited from the participation of its justice partners (e.g., the district attorney's office, the probation office, the county's private defender program, and the county health department) in developing a program to enhance participant outcomes and improve the collection of court-ordered restitution.

- Engaged in participant-appropriate interactions sensitive to specific participants' triggers.
- Deployed a designated court case manager to ensure continuity of services.
- Provided live training, video training, and informational sessions for team members and participants.

Targeted screening and service tools to better serve participants

- Employed prescreening programs to ensure the program is appropriate for the participant.
- Developed collaborative court systems and expanded clinical interventions addressing multiple areas of treatment (including for traumatic brain injury⁴⁰) early in the process to better address underlying issues.
- Developed a web-based risk and needs tool to provide precise, validated, and confidential assessments.
- Implemented an evidence-based sentencing triage assessment of participants for prognostic risk to recidivate and for a criminogenic need for treatment.⁴¹ This triage assessment helps apply evidence-based sentencing or treatment recommendations to the defendant's case for out-of-custody misdemeanor defendants charged with drug or theft crimes.
- Developed multi-track models for DUI and drug courts with one year of alcohol-use monitoring to promote alternative means of addressing life stresses, including a separate, gender-responsive case calendar to address the specific needs of female offenders.
- Developed a family dependency drug court model to integrate and address substance abuse issues that affect many families in dependency court, and developed a tribal collaborative family wellness court to address the unique needs of the local tribal community involved in dependency court.⁴²
- Employed validated best-practice risk assessment and screening tools to match the participant with appropriate services.
- Developed a reentry court model to provide intense supervision, personalized case plans to provide rehabilitation, and transition services to clients in collaboration with justice partners.⁴³

⁴⁰ The Superior Court of Santa Cruz County's Collaborative Justice System grant project addressed how to best identify and treat clients with traumatic brain injury.

⁴¹ The Superior Court of San Diego County's Evidence-Based Sentencing Triage Assessment Unit grant project assessed out-of-custody misdemeanor and felony defendants in their North County Division for prognostic risk and criminogenic need, prior to sentencing, to improve participant outcomes.

⁴² The Superior Court of Humboldt County's Family Dependency Drug Court grant project.

⁴³ The Superior Court of Inyo County's Reentry Court grant project.

- Provided mentorship programs to connect participants to mentors who can help guide them based on the mentors' own experiences, challenges, and successes.
- Expanded participant county and community services (e.g., residential treatment, housing, job interview clothing and skills support, medical and mental health support, transportation, and grants).
- Developed incentive programs to promote participant compliance with program requirements.

Case management efficiencies and access to case information for participants

- Enabled online appointment setting.
- Developed new or improved information management systems that may include expanded capabilities,⁴⁴ such as:
 - Data entry and tracking that is customized to include data-entry points relevant to the program's best practices and interventions and specific to the collaborative court and target participants.
 - Client portals for participants to monitor their progress and submit compliance documentation.
 - Fillable forms to reduce the use of court resources at intake and reporting.
 - Participant status tracking.
 - Information sharing between interagency team members in real time.
 - Case-planning functionality.
 - Customizable data dashboards to view participant information (such as accountability, core measures, demographics, status, violations, and incentives) and collaborative court information, thus enhancing management capabilities to assist with program design and monitoring.

Learning Experiences

The grant program's projects confirmed that many collaborative court programs often require more than three years to see and track results because the program length for participants may

⁴⁴ For example, the Superior Court of Alameda County's Collaborative Court Management Information System grant project includes fillable forms (including an extensive intake form, assessment form, and participant forms); the Superior Court of Solano County implemented through their Drug Court Case Management System grant project an electronic case management system to replace handwritten notes and individualized record keeping and to provide case planning functionality and electronic communications among team members (with the court developing a court user web portal post grant funding); and the Superior Court of Sacramento County, through their Monitor and Measure the Achievement of Program Goals grant project enhanced the capacity to monitor and measure program goal achievements by developing data collection tools and protocols, integrating relevant data into the case management system, and developing dashboard reports so the court and stakeholders can monitor case processing and participant performance measures with greater efficiency.

span one to three years from entrance to completion. Potential participants are often hesitant to enter a new, optional program that has not yet produced positive outcomes and gained community trust. Other individuals opt to participate in the non-collaborative court program that may require a shorter justice system interaction time although the outcomes may be more detrimental. Collaborative courts may benefit from a longer period of innovation testing to provide the opportunity for the program to gain community trust.

These projects also affirmed the critical need for clearly defined roles, active participation, and agreement from justice partners such as local district attorneys, public defenders, local law enforcement officials, county departments, treatment providers, community leaders, and support groups to successfully develop, implement, and replicate alternative processes.⁴⁵

Awardee courts also noted the following learning experiences, many of which are common across court types.

Aligning justice partner processes is essential for service delivery

- Dedicated judicial officers who are familiar with the individual and multiple cases are integral to reducing overall case time.
- Early justice partner participation in planning is key to avoiding possible issues with competing goals.⁴⁶
- Ensuring timely knowledge transfers when there is staff turnover of court and justice partner program staff provides program consistency and stability.
- Dedicated county court clinicians or court case managers are vital in certain courts to assess participants (including for mental health disorders) and connect them to needed county and community resources, with the goal of treatment and resolution in lieu of punishment.
- Training (reciprocal training and external, organization-hosted training) of court as well as justice partner team members is essential to ensure team members are knowledgeable in best practices for the various aspects of interacting with and providing support to participants.
- Early identification of eligibility criteria and agreement on them between collaborative courts and justice partners is a key component to program success and smooth implementation.

⁴⁵ California Courts, *supra* note 6.

⁴⁶ For example, the Superior Court of Fresno County’s Human Trafficking Court grant project decreased in-custody days, reduced truancy levels, and improved recidivism outcomes for youth already in the court system and for vulnerable at-risk youth with the successful collaboration (from development stages through implementation) of local law enforcement, the public defender and district attorney, and WestCoast Children’s Clinic.

Connecting participants to services early and throughout the process improves outcomes

- Prescreening cases with the appropriate assessment tools can increase the effectiveness and efficiency of mediation and settlement and improve participant outcomes.
- Early intervention or settlement meetings increase participant agreement and satisfaction in outcomes.
 - This reduction in conflict in turn reduces the need for future appearances, thereby decreasing participant, justice partner, and court resources expended on the matter.
 - Compliance with court orders increased as participant satisfaction increased.
 - Persons charged with misdemeanors and those charged with felonies may be similar in terms of prior convictions; unstable housing; and employment, addiction, and mental health challenges. Services should focus on risk and need over the level of the arrest charge.
- Connecting participants with county and community services relieves participants of other stressors, promotes participation, and improves outcomes (e.g., in employment, housing, and health).⁴⁷
- Mentors provide participants critical support and the mentor coordinator role improves individual mentor retention and helps identify when community resources are not being best utilized.
- Despite having higher levels of need, participants at high risk for recidivism in multi-track drug and DUI courts had improved outcomes.
- One year of alcohol monitoring was favored by participants (although they did not like the inconvenience and cost of the monitoring) who found that the year forced them to find better coping activities for life's stressors. Participants who were monitored for drug and alcohol use are involved in fewer alcohol- or drug-related motor vehicle accidents.
- The user satisfaction rate for outcomes increased. Participants felt greater satisfaction with their case outcomes in the grant project program.
- Restitution monthly payment frequency and average payment amounts increased following referral to a restitution court.⁴⁸
- Many programs resulted in reduced jail time and decreased use of county resources when participants were offered shorter sentences as a reward for successful participation.

⁴⁷ For example, 100 percent of participants in the Superior Court of Mendocino County's Adult Drug Court grant project were employed and had attained housing at the exit of their court program.

⁴⁸ For example, the Superior Court of San Mateo County's DUI and Restitution Court grant project experienced a 169 percent increase in monthly payment frequency and an average monthly payment amount increase of 850 percent.

- Alignment of court services with community services (for target populations who rely heavily on community services, such as the unhoused population)⁴⁹ improves access to court resources; reduces barriers to court services; lets case managers, who play a vital role in connecting participants with a wide range of resources, also provide support to both the participant and the justice system team during the court process; and promotes trust in the court.
 - Alignment of services can be achieved by conducting court matters related to the target population from centralized community service locations (such as homeless court), with the awareness that the concern of all participants is acquiring food and shelter, not resolving court cases.
 - Courts noted that aligned, centralized services aid case resolution in populations that are less likely to have access to technology (including cellphones) to navigate court processes.

Streamlining court and participant interaction and information tracking improves decision making and efficiencies

- Use of comprehensive information systems results in improved outcomes⁵⁰ by reducing the time required for participant intake, communicating with team members, accessing participant status, and preparing reports.
- Providing customizable data dashboards and data analytics tools drives improved operational and court process decision making.
- Remote participation technology allows cases to be resolved without participants appearing in person, which helps keep the process centralized in one local court location, in turn freeing up resources that can be used to support the program and participants in other ways.

Participating courts also noted additional learning experiences gained during their court’s response to the COVID-19 pandemic. Many collaborative programs had to limit or suspend in-person court and justice partner services. Programs shifted to utilizing technology to replace in-person interaction and in some cases were forced to reschedule services until the pandemic restrictions were removed or eased; however, not all court and justice partner services are appropriate for remote participation. A reduction in participation and service delivery impacted many awardee courts’ ability to fully leverage the grant funding, collect progress data, and complete development and implementation of final program phases that were reliant on consultant services (e.g., information system software features). Despite this, many courts leveraged the knowledge gained by their grant-funded programs by implementing customized,

⁴⁹ For example, the Superior Court of Stanislaus County’s Homeless Court Program.

⁵⁰ Drug courts have been found to be 65 percent more cost-effective when standardized information on services and outcomes is entered into a management information system that is capable of generating automated summary reports. National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards* (2018), vol. II, p. 66, www.nadcp.org/standards.

innovative processes and tools in other collaborative courts within the local court to minimize the pandemic's impact on the continuity of services.

The common goal of all collaborative court types is to find solutions to better serve participants while ensuring justice. Funding from the grant program enabled awardee courts to test innovative approaches to support this goal, many of which are currently the basis for branchwide efforts.

Branchwide Opportunities

Support local collaborative court development

Based partly on the collaborative court project learning experiences, the Judicial Council is looking to expand its trial court support services to provide more in-depth development and support of drug and other adult and juvenile collaborative justice courts that have proven to effectively improve case outcomes and reduce recidivism. To support this expansion and the development of local programs, the Judicial Council is seeking funding that would be awarded to trial courts with these collaborative courts.

If the proposal is funded, monies would be distributed through a grant application process that will be modeled after successful programs in other states and will ensure that each court receiving funds develops a collaborative plan with all relevant stakeholders, including county behavioral health departments, defense and prosecution attorneys, probation, child welfare agencies, and others. The proposed annual application process would be used to ensure that courts employ evidence-based practices, demonstrate a clear need for the funding request, have the ability to submit the required program data, and participate in program-related training.

Enhance information tracking in rural courts to improve services to participants

The grant program also supported comprehensive management information systems to eliminate the need for multiple systems to track a participant's information and progress. These management information systems also promote better participant interaction and monitoring, program analysis, and evaluation; eliminate the need for redundant data entry; are more easily queried; produce reports more quickly; and connect to justice partner information systems to share participant information in real time.

The Judicial Council received a grant supported by the Bureau of Justice Assistance, U.S. Department of Justice, to develop the Collaborative Court Data Improvement Project. One component of the project is to assess the Superior Court of Alameda County's ability to replicate and implement its Collaborative Court Management Information System in a rural collaborative court setting. This project will assist in mitigating the difficulties associated with managing data entry and maintenance by case managers on separate court-specific and case manager-specific spreadsheets and hard copy journals. Other components of the study will:

- Evaluate and analyze the project in-depth to identify common data elements and outcome measures currently being collected that will lay the foundation for future projects aimed at standardizing collaborative justice courts' statewide data.
- Provide training and technical assistance to the courts related to data collection and data analytics.
- Allow the judicial branch to build on the project's learning experiences and the successes realized during the pandemic and shelter-in-place mandates to create a virtual communication hub and information exchange platform. The platform would support increased standardization of treatment court practices and the adoption of evidence-based practices throughout the state.

Conclusion

Innovation is at the heart of California and is foundational for providing access to justice through new approaches and services, increased efficiencies, and a flexible and resilient infrastructure. The grant program provided not only an opportunity to innovate, but also to establish a framework for encouraging, supporting, and replicating innovations across the California courts. The grant projects all experienced success—not because they all worked as imagined, but because every innovative project provided the judicial branch with an understanding of what does and does not work and why, and of how to anticipate and mitigate potential issues in the future.

The grant program provided the awardee courts with the opportunity to experiment with new tools and approaches to increase access to justice. The program also unexpectedly provided the branch with a head start in the use of these innovations to quickly pivot to address the impact of the COVID-19 pandemic on court operations.

The innovation projects further provided insight about the areas in which court users need the most assistance and helped guide the scope and use of modernization funding and budget change proposals. For example, modernization funding is providing the opportunity to develop judicial branch projects including the Statewide Self-Represented Litigant Portal, standard answers for online chat for court websites, the digitization of court records, and an e-filing system for court use.

For these reasons, the judicial branch will continue to identify opportunities for innovation, not solely for experimentation purposes, but to proactively plan, inform, and guide the branch through adverse events and to further drive the commitment to increasing access to justice for the people of California.

	Court	Project Name	Original Award	Total Award ¹	Final Expenditure
		Program Total	\$22,425,337.72	\$26,155,622.80	\$21,876,426.26
		Subtotal	\$10,150,110.98	\$11,466,379.54	\$9,351,429.77
Collaborative Courts					
1	Alameda	Collaborative Court Management Information System	\$ 114,223.00	\$ 134,042.00	\$ 115,628.05
2	Contra Costa	Veteran's Treatment Court	\$ 367,974.33	\$ 367,974.33	\$ 171,453.14
3	Fresno	Human Trafficking Court	\$ 383,651.00	\$ 508,776.00	\$ 503,731.49
4	Humboldt	Family Dependency Drug Court	\$ 1,414,209.82	\$ 1,414,209.82	\$ 507,603.81
5	Inyo	Reentry Court	\$ 273,712.00	\$ 273,712.00	\$ 247,487.37
6	Mendocino	Adult Drug Court	\$ 374,611.89	\$ 449,611.89	\$ 449,611.89
7	Placer	Integrated Video Appearance System	\$ 280,000.00	\$ 632,378.03	\$ 632,371.40
8	Sacramento	Monitor and Measure the Achievement of Program Goals	\$ 311,849.00	\$ 311,849.00	\$ 311,849.00
9	San Diego	Evidence-Based Sentencing Triage Assessment Unit	\$ 1,484,758.85	\$ 1,484,758.85	\$ 1,013,244.03
10	San Francisco	Veterans Justice Court	\$ 318,592.00	\$ 466,050.60	\$ 466,050.60
11	San Joaquin	Community Supervision Court	\$ 1,881,853.18	\$ 2,194,871.94	\$ 2,076,456.22
12	San Mateo	DUI and Restitution Court	\$ 1,012,477.00	\$ 1,012,477.00	\$ 934,040.70
13	Santa Cruz	Collaborative Justice System	\$ 1,174,633.00	\$ 1,458,102.17	\$ 1,457,959.61
14	Solano	Drug Court Case Management System	\$ 108,000.00	\$ 108,000.00	\$ 59,409.76
15	Sonoma	Veterans Court Enhancements	\$ 56,476.00	\$ 56,476.00	\$ 56,476.00
16	Stanislaus	Homeless Court Program	\$ 593,089.91	\$ 593,089.91	\$ 348,056.70
		Subtotal	\$ 7,449,274.76	\$ 9,456,574.21	\$ 7,783,386.41
Self-Help, Family and Juvenile Courts					
1	5th DCA	Appellate Self-Help Resource Center	\$ 317,916.00	\$ 353,166.00	\$ 346,503.20
2	Butte	Remote Video-Conferencing Technology	\$ 576,140.00	\$ 922,657.15	\$ 922,657.15
3	Contra Costa	California's Virtual Self Help Site	\$ 970,365.00	\$ 970,365.00	\$ 249,486.95
4	El Dorado	One Family/One Judge Pilot Project	\$ 66,599.00	\$ 152,471.55	\$ 84,217.41
5	Los Angeles	Jury Chatbot	\$ 59,373.00	\$ 97,500.00	\$ 71,727.84
6	Monterey	California Court Access App	\$ 789,940.00	\$ 789,939.86	\$ 789,939.86
7	Orange	Court User Portal	\$ -	\$ 399,360.00	\$ 398,771.61
8	Orange	Conservatorship Accountability Portal	\$ -	\$ 99,840.00	\$ 99,321.98
9	Orange	Enhancement of Self-Help Portal	\$ 326,800.00	\$ 326,800.00	\$ 326,784.16
10	Placer	Integrated Video Appearance System	\$ 280,000.00	\$ 280,000.00	\$ 280,000.00
11	Riverside	Intelligent Self-Help Kiosk	\$ 628,774.14	\$ 759,302.14	\$ 653,986.66
12	Riverside	Traffic Avatar	\$ 66,865.65	\$ 66,865.65	\$ 33,289.60
13	Riverside	Attorney and Litigant Electronic Courtroom Self Check-In	\$ 178,732.14	\$ 178,732.14	\$ -
14	San Bernardino	Customer Relationship Management Portal	\$ 430,755.51	\$ 445,137.60	\$ 432,109.85
15	San Bernardino	Video-Conferencing of Child Custody Recommending Counseling	\$ 35,537.40	\$ 35,537.60	\$ 35,525.79
16	San Diego	Access to Information Made Simple	\$ 276,320.00	\$ 332,631.00	\$ 299,556.49
17	San Mateo	Develop and Provide Expanded Online Self-help	\$ 336,000.00	\$ 336,000.00	\$ 334,851.71
18	Santa Barbara	Instant Family Law Orders	\$ 312,926.00	\$ 412,926.00	\$ 408,685.49
19	Shasta	Cooperative Parenting Program	\$ 603,558.92	\$ 603,558.92	\$ 173,243.22
20	Sonoma	Queuing/Appointment/Calendar System	\$ 56,586.00	\$ 56,586.00	\$ 41,999.23
21	Tuolumne	Expand Small Claims-Civil Mediation Program	\$ 24,000.00	\$ 24,000.00	\$ 1,350.00
22	Ventura	Juvenile Delinquency Family Engagement Workshops	\$ 88,182.00	\$ 88,182.00	\$ 74,362.61
23	Ventura	Internet Based Self-Help Workshops	\$ 932,404.00	\$ 1,633,515.60	\$ 1,633,515.60
24	Yolo	Online Interactive Multilingual Tool	\$ 91,500.00	\$ 91,500.00	\$ 91,500.00
		Subtotal	\$ 4,825,951.98	\$ 5,232,669.05	\$ 4,741,610.08
Other Efficiencies					
1	5th DCA	Modernize the Transcript Assembly Program	\$ 793,000.00	\$ 793,000.00	\$ 792,695.30
2	Butte	Remote Video-Conferencing Technology	\$ -	\$ 62,053.64	\$ 62,053.64
3	Contra Costa	Expanding LEP Court Access	\$ 239,000.00	\$ 239,000.00	\$ 103.92
4	Humboldt	Interactive Video Conferencing System	\$ 170,919.87	\$ 170,919.87	\$ 150,311.73
5	Los Angeles	E-Filing Technical Capabilities	\$ 114,760.00	\$ 114,760.00	\$ 100,000.00
6	Los Angeles	Justice System Partner and Litigant Portal	\$ 637,500.00	\$ 637,500.00	\$ 574,125.00
7	Merced	Video Conference Hearings Project	\$ 194,540.00	\$ 222,566.45	\$ 219,960.89
8	Monterey	Disaster Recovery to the Cloud	\$ 209,360.74	\$ 224,740.74	\$ 215,189.16
9	Monterey	California Court Access App	\$ -	\$ 127,797.82	\$ 127,797.82
10	Orange	Court User Portal	\$ 511,200.00	\$ 511,200.00	\$ 511,200.00
11	Orange	Improving Court Management Through the Use of Analytics	\$ 938,851.34	\$ 1,038,851.34	\$ 1,038,851.34
12	Orange	Automated Courtroom Check-in	\$ 246,190.00	\$ 246,190.00	\$ 230,736.76
13	Orange	Conservatorship Accountability Portal	\$ 212,972.00	\$ 212,972.00	\$ 212,972.00
14	Sacramento	Videoconferencing of Mental Health Hearings	\$ 52,860.00	\$ 66,249.00	\$ 59,297.03
15	San Bernardino	Remote Video Proceedings	\$ 244,698.58	\$ 295,194.74	\$ 242,596.40
16	San Mateo	Automated Line Queuing System	\$ 125,000.00	\$ 125,000.00	\$ 63,790.69
17	Santa Barbara	Instant Family Law Orders	\$ -	\$ 9,574.00	\$ 9,574.00
18	Santa Cruz	SMS Notification System	\$ 135,099.45	\$ 135,099.45	\$ 130,354.40

¹ Total amount awarded under the funding category utilizing contingency funds that may include returned funds by other projects.

² Received funding from multiple funding categories.