

BY BILL SCHIFFNER, CONTRIBUTING EDITOR

SERVING AMERICA'S COURTS AND THE PROFESSIONALS THAT RUN THEM  
**COURTS  
TODAY**

# Lights, Camera, Action:

AV Technology  
Is Changing the  
Landscape of  
the Courtroom

The integration of modern AV technology into the courtroom has significantly streamlined and sped up court processes. These new technologies provide legal counsel with an enhanced ability to present electronic information as well as single and multi-dimensional physical evidence—all at the touch of a button.

In the last few years we have seen more administrative, civil, and even criminal cases being presented with AV technology. Technology-based evidence presentation is substantially faster than traditional methods, and many agree that it also does a better job of presenting information to the judge and jury.

Crime weapons, documents from expert witnesses, x-rays, or forensic evidence can be shown to all participants simultaneously, without any interruption to court proceedings. AV technology also permits remote courtroom options otherwise not possible. Video conferencing, for example, allows for video arraignments where inmates no longer need to leave the secured perimeters of a correctional facility. In addition, using video conferencing for remote witness testimony as well as remote foreign language interpretation helps save on time and travel costs.



**A law student utilizing a WolfVision VZ-9plus<sup>3</sup> to present evidence during a mock trial in the McGlothlin Courtroom at the College of William & Mary.**

## *Video Conferencing Offers a Host of Solutions*

"Video conferencing is fast becoming a mainstream application for several reasons, says Andrew Treinis. "The economic times are mandating a more cost-effective way of appearing in court for both litigants as well as witnesses, it is making the court workflow better by being able to conduct administrative conferences with remote sites within a Circuit thus saving time and money for all participants to go to a central site, and it is making remote expert testimony more affordable and accessible to many parties," adds Treinis, president, CourtSmart Digital Systems, Inc., North Chelmsford, Mass.

"Security is another key area that video conferencing can and does impact," he continues. "Prisoners can be kept where they are incarcerated at a greatly reduced cost and greatly enhanced security. Security can also be provided for child witnesses that are allowed to testify remotely or threatened witnesses."

He says that legislation from many states is now making it easier

to conduct remote proceedings while maintaining due process. "For example, New York is introducing legislation that will not require consent to arraign remotely. Currently, remote proceedings need to be with the consent of the parties." In addition, he states that video conferencing allows for greater flexibility in scheduling. "For example, in some cases defendants arrested on a Friday or Saturday night must wait until Monday A.M. for first appearances. With video conferencing they can have their first appearances almost immediately, obtain bail and save tremendous costs to the state and afford defendants protection of due process rights."

Technology has become more accessible. Treinis points out that the advancement of H.264 compression is now making it possible to transport and record larger files such as HD images. In addition, that bandwidth is increasing geometrically and that is allowing the practical use of video conferencing over the Internet.

"Trends in video conferencing include hi-definition that is making the conferencing experience more

detailed and realistic and software integration that is making video conferencing easier to use and more cost effective. Software solutions such as CourtSmart's Integrated Video Conferencing solution are making use of powerful recording and encoding engines for an easy cost-effective conferencing solution. Integration means the ability to use one technology for several solutions. When the video is clear and the details are evident the participants gain confidence in the technology," he emphasizes.

## *The Center for Legal and Court Technology*

Today's new generation of litigators find a much different courtroom than the one that existed a decade ago. In addition to legal expertise they also now need to be more tech savvy. Buzzwords such as e-courtrooms and wired courtrooms are being heard in court facilities across the country. Just about every federal courthouse now has at least one high-tech-ready courtroom, and many state courts are moving in the digital direction as well.



**Cisco's Patterson reports that growing AV applications in use in the courtroom include remote arraignment, translation and remote witness appearance, and that those applications only scratch the surface.**

One organization that is helping prepare this next generation of technology-savvy lawyers and courtroom personnel is The Center for Legal and Court Technology (CLCT), a joint initiative between The College of William & Mary and the National Center for State Courts, located in the law school in Williamsburg, Va. Providing judicial and legal education and training as well as courtroom design, CLCT is a world center for empirical and legal research on courtroom technology. The Center holds legal technology demos and discussions for judges, lawyers, law faculty, court administrators, technologists, and architects from around the globe.

"The biggest trend in legal video conferencing is simply the increasing acceptance of video communications as 'normal,'" says chancellor professor of law and director of the CLCT Fred Lederer. "Clearly, the popularity of Skype has been the major cause of this. Although we don't consider Skype as an acceptable method for most court video applications, it has had a dramatic effect on the public, including judges and court staff. Higher quality laptop-centered inexpensive video communication is

probably *the* development for courts; 2012 might be the year in which remote motion practice finally takes hold on a grander scale. I have no courtroom numbers to back this up, but increasingly courtroom technology installations now include video conferencing set-ups. The major price drops and improvements in quality make it hard to resist," he adds.

### ***AV Training in the McGlothlin Courtroom***

At the center of CLCT is the McGlothlin Courtroom, a revolutionary blend of technology and courtroom information and presentation technology. As part of an extensive training regimen, lawyers and court technologists can attend CLCT's AV training courses to learn to operate, install, and maintain this equipment. A key piece of equipment being utilized since the courtroom's inception is the WolfVision Visualizer VZ-9plus<sup>3</sup>.

"The WolfVision Visualizer VZ-9plus<sup>3</sup> is a critical element to arguments for the prosecution and defense, as well as evidence display, and courtroom telepresence. It is an especially fine way of presenting visual images of court exhibits when

they are not in computer media. When properly connected to a video conferencing system, they provide a means to transmit exhibit images to a remote party," Prof. Lederer explains. "Interestingly, they also provide a fine means for displaying iPad images when counsel is not able to connect the iPad to the courtroom display systems," he adds.

### ***Playing a Leading Role***

"Hardware and software options in the courtroom are more numerous, more robust, less expensive and easier to use than ever before," says Kyle Greetham, communications manager at WolfVision Inc., Duluth, Ga. "We are seeing more systems being installed and the technology is being used for video arraignments from remote locations. It saves tons of time and transportation costs."

Greetham reports that as part of the Legal Skills program, all William & Mary Law School students must try simulated cases using the courtroom and its technology. The WolfVision visualizer is used by lawyers to give opening statements, present evidence, and make closing arguments during these mock trials.



**At the recent CTC show, CourtSmart showcases a 12-display video wall integrating several applications including video conferencing.**

**“Higher quality laptop-centered inexpensive video communication is probably THE development for courts; 2012 might be the year in which remote motion practice finally takes hold on a grander scale.”**

—FRED LEDERER

“Products such as our visualizers give people viewing the proceedings the feeling that they can actually pick up the object being presented. We try to produce the best product possible so users can get to see all the little details of the evidence. The large zoom range of [our product] allows the finest of detail to be displayed to the court without any loss of image quality. Our visualizers have been used in New York State courtrooms for the last ten years and allow comprehensive and detailed presentation of evidence materials,” Greetham adds.

## **High Definition Video Making a Mark**

David Outhwaite, president and CEO of VIQ Solutions, Markham, Ont., Canada, is also seeing more integration of AV technology occurring in the courtroom. “As a court recording solutions provider, we’ve noticed an increasing trend toward integrating high-definition video conferencing components to the court record. Video conferencing allows certain court proceedings to occur despite great distances between participants, like a prisoner appearing before a judge for arraignment while still at the jail or an expert witness testifying from another part of the country. Courts can capture this video feed and make it part of the official record, whether it’s remote arraignment, depositions or witness testimony.”

He has also noticed a significant movement towards digital media evidence and rules of protection and security. Civil, criminal and state laws are changing to accommodate the

use of audio/video data as the reference record. “We are also seeing increased courthouse transparency via public streaming feeds of court proceedings, including video. More digital-based evidence is also being submitted and the greater use of audio/video digital records.”

On the hardware side, Outhwaite points out that improved high-definition video tools allow for a much more “in person” feel for video-conferencing. “Enhancements to high-definition CCTV (closed-circuit television) and IP cameras mean participants can be located greater distances from the court and still have a high-quality interactive proceeding that can be integrated as part of the official record. Likewise, improved network bandwidth and greater speeds are allowing seamless IP-based video conferencing.”

Outhwaite says his firm’s software allows the court to capture valuable high-definition video feed as part of the record. Everything from pre-trial arraignment through the trial and appeal or parole hearings is readily available for review, in one centralized location.

He adds that VIQ Solutions makes the transition simple by providing an “off-the-shelf” court recording system with an integrated high-definition video conferencing component. They partner with video conferencing and hardware experts like Cisco to provide total, end-to-end solutions that connect the entire justice spectrum. He says that the flexibility of their solution means courts can add functionality as their needs change without having to purchase new hardware, protecting their original investment. They

use standard Windows technologies and, whenever possible, redeploy existing equipment. “Our integrated approach means the entire justice chain can be connected, including such areas as corrections facility health records, within a single vendor solution,” Outhwaite concludes.

## **Technology Not Being Utilized Fully**

While AV technology is making inroads in the courtroom, there are still some growing pains in properly employing it. “Courts are generally far behind many other professions in utilizing technology to improve operations,” states Judge (Ret.) Boyd Patterson, business development manager at Cisco-Connected Justice, based in Dallas. “Although computerized record-keeping is nearly universal for such chores as docketing, few utilize such resources for actual in-court processes. For example, from our research, it is estimated that while growing in number, fewer than 20% of courts nationwide use video conferencing in any significant degree to expedite case disposition today.

“Without an extensive history of usage to look to for emulation, many are not sure what opportunities exist or how to apply existing technology solutions. Among those applications growing in use are remote arraignment, translation and remote witness appearance. However, these represent only a small fraction of the uses which can be applied,” Patterson points out.

Opportunities to enhance ancillary or support functions are often overlooked, Patterson laments.



**The McGlothlin Courtroom at the College of William & Mary Department of Law offers training in high-tech AV equipment.**

“These include such matters as attorney-client contact, pre-sentence proceedings such as bond or writ hearings, motion practice, preparation of pre-sentence investigation reports, alternative sentencing options and others. Although the cited examples refer to criminal courts, opportunities exist across the entire justice system. Pre-trial conferences are common to all types of cases including civil, family and probate dockets. The statutory requirement for periodic review for continuance of juvenile placement lends itself well to video solutions. The ability to bring remote testimony to any case represents a major step forward, not only increasing docket efficiency but reducing the court’s or litigants’ expenses,” he adds.

*For further information:*

*The Center for Legal and Court Technology [www.legaltechcenter.net/education/mcglotthlin-courtroom/](http://www.legaltechcenter.net/education/mcglotthlin-courtroom/) or call 1.757.221-2494*

*Cisco Systems Inc., [www.cisco.com](http://www.cisco.com), [www.tandberg.com](http://www.tandberg.com), 1.900.553.NETS*

*CourtSmart Digital Systems Inc., [www.courtsmart.com](http://www.courtsmart.com), 1.800.235.8690*

*VIQ Solutions, [www.viqsolutions.com](http://www.viqsolutions.com) or call 1.905.948.8266*

*WolfVision Inc., [www.wolfvision.com](http://www.wolfvision.com) or call 1.800.356.WOLF.8266*

## *Secure Solutions*

Patterson reports that the solutions which Cisco can offer include not only the products and services themselves, but two other indispensable qualities. “As much as in any other profession, the users must be assured of total security of communication. Cisco’s encryption standards are of the highest order, thereby helping to ensure complete privacy,” he stresses. “Whether used in attorney/client discussions or among judges and lawyers, our systems help guarantee not only privacy but fidelity of audio, video and data transmissions.

“Secondly, a no more user-friendly and reliable product line than ours

is offered. Members of the legal profession are often not extensively trained in the use of first-line technology. The resources we provide make it possible for even the least experienced user to maximize benefits with very little training required.”

He points out that Cisco, through its Connected Justice initiative, has made a major commitment to help bring technology into the courtroom. “In addition to a high quality product line and unrivaled support, subject matter experts with decades of actual experience in law enforcement, courts and corrections have been brought on board to work with clients to develop solutions custom tailored to meet their specific needs,” he concludes. **CT**

Reprinted with permission from Courts Today, December/January 2012. On the Web at [www.criminaljusticemedia.com](http://www.criminaljusticemedia.com).  
© Criminal Justice Media. All Rights Reserved. Foster Printing Service: 866-879-9144, [www.marketingreprints.com](http://www.marketingreprints.com).



Center for Legal  
& Court Technology

P.O. Box 3050 • Williamsburg, VA 23187-3050  
757-221-2494 • [clct@wm.edu](mailto:clct@wm.edu) • [www.legaltechcenter.net](http://www.legaltechcenter.net)