

Electronic Evidence Workstream Ph II Findings and Recommendations

March 2024

Based on workstream research from 2020-2021. Additional study recommended.



Workstream Charge

Goals

1. Understand the court needs,
2. Evaluate the solutions in use,
3. Make recommendations on technologies,
4. Make recommendations on court processes and procedures, and
5. Identify rules and laws that need to be considered.

Use Cases that could benefit:

- Remote proceedings
- Hybrid proceedings
- Live court hearings
- Organization of evidence
- Electronic storage of evidence
- Electronic movement of evidence from court to reviewing courts

Approach

Tracks

1. Rules & Statutes
2. Business Practices & Integrated Justice
3. Technology Standards, Practices & Governance

Branch Survey

- Appellate Courts
100% response rate
- Trial Courts
60% response rate
(35 of the 58 courts)
- Justice Partners
46 agencies across 30 counties

Conducted March-April 2021

Pilot Projects



Superior Court of Orange County



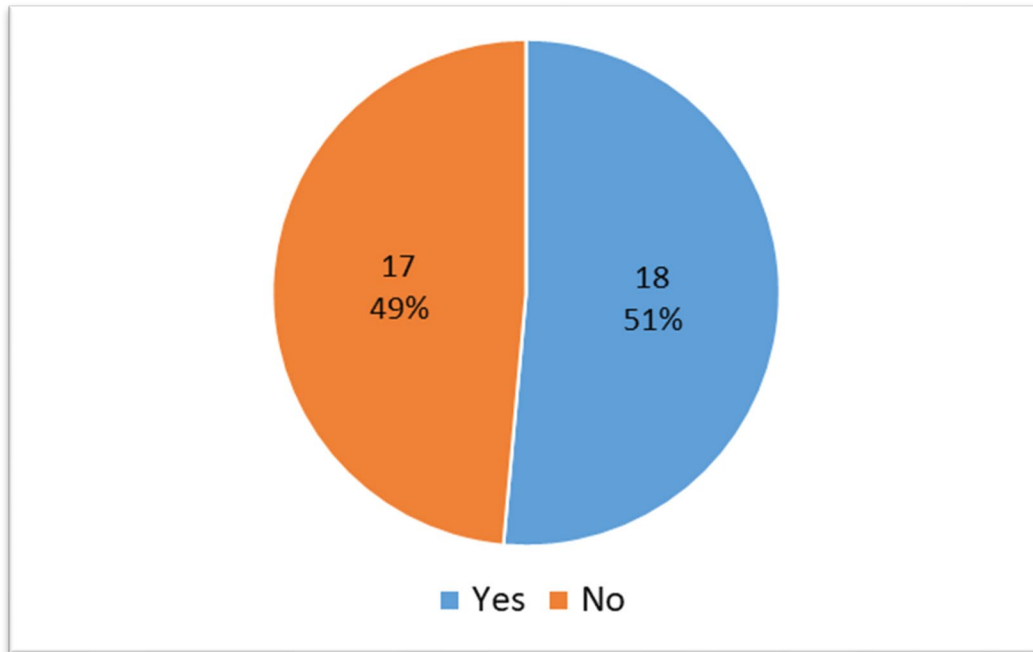
Superior Court of Placer County



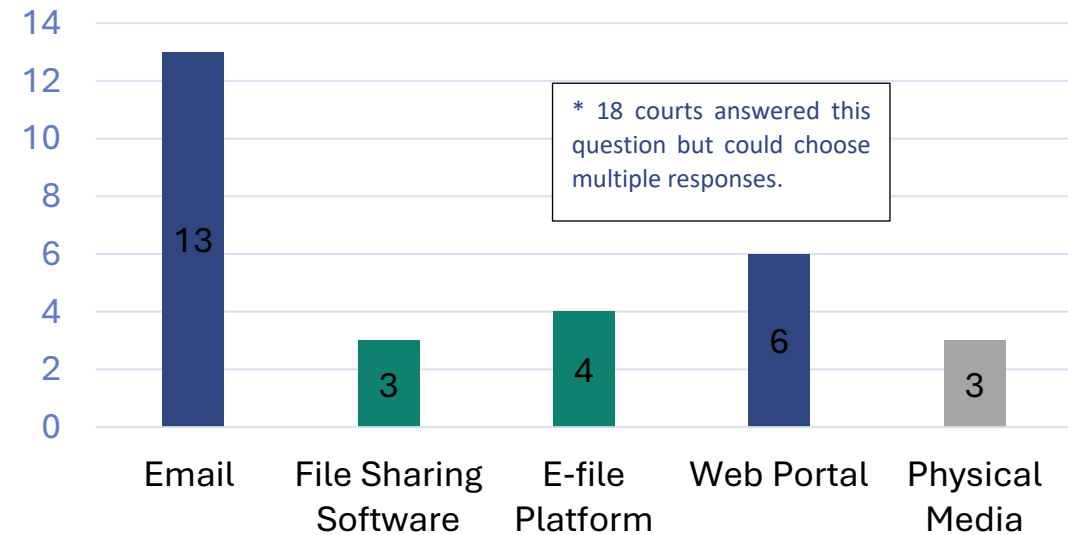
Superior Court of San Diego

Stakeholder Survey Findings: Court Results

QUESTION 13: Does your court accept electronic evidence via electronic transmission? This is as opposed to requiring submission of a physical storage device such as a USB Drive, CD, or DVD.

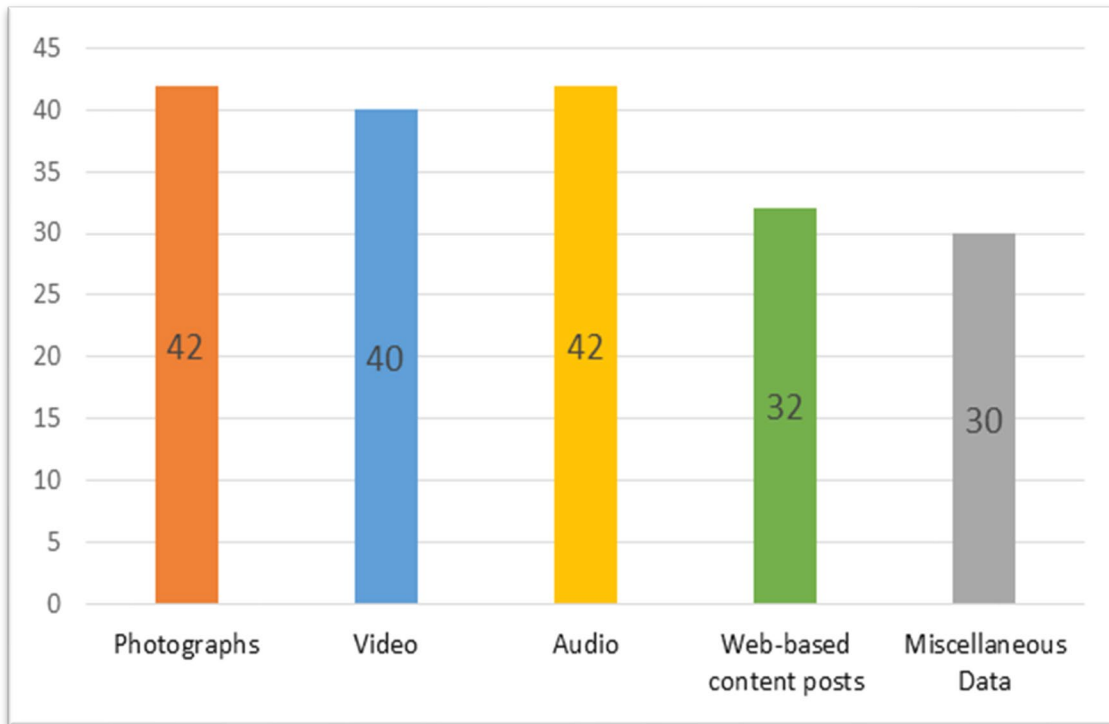


QUESTION 15: If you answered yes to question 13, by what transmission method does your court accept electronic evidence (choose all that apply)?

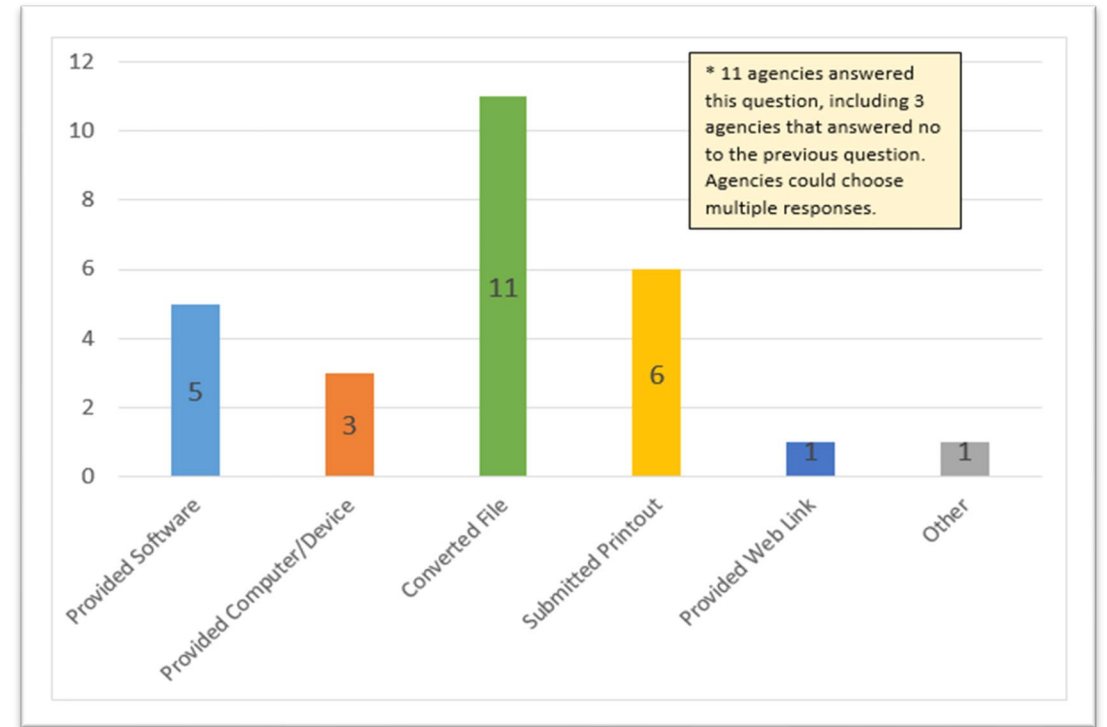


Stakeholder Survey Findings: Criminal Justice Partner Results

QUESTION 5: What type of evidence do you collect and store?
(Choose all that apply)



QUESTION 14: Identify how the evidence maintained in a proprietary file format was made accessible to the Superior Court (choose all that apply):



Recommendations

1. Seek **funding** for additional electronic evidence **pilot projects**.
2. Convene a **branch user group** to assess use cases, additional best practices, and funding models necessary to support secure, reliable, and branchwide digital evidence practices.
3. Consider the need for any **master service agreements** to benefit the courts and branch.
4. **Support and adopt rules** and regulations that enable electronic evidence submission, receipt, display, transfer, and storage.
5. Establish or identify an entity responsible for **monitoring legislative changes**, informing those affected, and updating our solutions to meet the changing laws.

Workstream Members

Executive Sponsor: Hon. Kimberly Menninger, Superior Court of Orange County

Mr. Fred Acosta

Superior Court of Orange County, Workstream Project Manager

Hon. Mariano-Florentino Cuéllar

Associate Justice, Supreme Court of California

Hon. Julie R. Culver

Judge, Superior Court of Monterey County

Hon. Michael Gaffey

Judge, Superior Court of Alameda County

Hon. Jeff Kauffman

Judge, Superior Court of Solano County

Ms. Brenda Allen-Booth

Director of Operations, Superior Court of Sacramento County

Ms. Robin Brandes-Gibbs

Deputy General Counsel, Superior Court of Orange County

Mr. Larry Chaffin

Technology Specialist, Superior Court of Orange County

Mr. Jake Chatters

Court Executive Officer, Superior Court of Placer County

Mr. Joshua Dunn

Senior Deputy Clerk, Court of Appeals, Second Appellate District

Mr. Sharif Elmallah

Court Executive Officer, Superior Court of Butte County

Mr. Ken English

Acting Managing Attorney, Superior Court of Sonoma County

Mr. Jeremy Gentry-George

Court Information Officer, Superior Court of Fresno County

Ms. Kelley Heffelfinger

Manager, Superior Court of Los Angeles County

Ms. Hema Krishnamurthy

Information Technology Director, Superior Court of Sonoma County

Mr. Scott McNitt

Information Security Officer, Superior Court of Kern County

Ms. Ashley Huang

Judicial Fellow, Superior Court of San Mateo County

Mr. Rick Walery

IT Director, Superior Court of San Mateo County

Ms. Mary Garcia-Whalen

Deputy Court Manager (Criminal), Superior Court of Orange County

Judicial Council staff:

Additionally, the workstream included staff representation from the Judicial Council Information Technology, Legal Services, and Facilities Services offices.

Action Requested and Next Steps

Action Requested:

Approve the workstream's *Findings & Recommendations* report for recommendation to the Technology Committee.

Next Steps:

Submit to the Technology Committee for approval. With their approval,

- Officially sunset the Phase 2 workstream.
- Initiate Phase 3 workstream, as per the 2024 Annual Agenda.