



JUDICIAL COUNCIL OF CALIFORNIA

INFORMATION TECHNOLOGY
ADVISORY COMMITTEE

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INFORMATION TECHNOLOGY ADVISORY COMMITTEE

NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

Date: January 27, 2021
Time: 12:00 – 1:00 PM
Connection Info: <https://jcc.granicus.com/player/event/1119?&redirect=true>

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to itac@jud.ca.gov.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

Approval of Minutes (Action Required)

Approve minutes of the following Information Technology Advisory Committee meetings:

- December 7, 2020

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to itac@jud.ca.gov. Only written comments received by **12 p.m. on January 26** will be provided to advisory body members prior to the start of the meeting.

III. REPORTS AND POSSIBLE ACTION ITEMS (ITEMS 1-6)

Item 1 12:05 p.m. – 12:10 p.m.

Chair's Report

Presenter: Hon. Sheila F. Hanson, Chair

Item 2 12:10 p.m. – 12:15 p.m.

Judicial Council Technology Committee Update

Update on activities and news coming from this internal oversight committee.

Presenter: Hon. Kyle S. Brodie, Chair, Technology Committee

Item 3 12:15 p.m. – 12:25 p.m.

Tactical Plan for Technology 2021-2022 (Action Required)

Review and approve updated Tactical Plan and recommend to Technology Committee.

Presenters: Hon. Sheila F. Hanson, Chair

Item 4 12:25 p.m. – 12:40 p.m.

Budget Change Concepts

Receive an overview of proposed concepts for potential technology-related Budget Change Proposals (BCPs) for funding beginning FY 22/23 and discuss if any other concepts should be considered.

Presenters: Heather Pettit, Chief Information Officer

Item 5 12:40 p.m. – 12:50 p.m.

2021 Governor's Budget Overview

Receive an update on the Governor's budget for 2021.

Presenters: Zlatko Theodorovic, Deputy Director, Budget Services

Item 6 12:50 p.m. – 1:00 p.m.

Technical Guidelines Related to Video Remote Interpreting (Action Required)

At the December 7, 2020, meeting, ITAC agreed to establish a working group to review and update the [Recommended Guidelines for Video Remote Interpreting for Spoken Language-Interpreted Events](#). The working group will be reporting on its progress and request approval to circulate the proposal for comment.

Presenters: Hon. Samantha Jessner, Working Group Lead
 Douglas Denton, Principal Manager, Language Access Services

IV. A D J O U R N M E N T

Adjourn



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INFORMATION TECHNOLOGY ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

December 7, 2020

10:00 AM to 12:30 PM

Videoconference

Advisory Body Members Present:	Hon. Sheila F. Hanson, Chair; Hon. Louis R. Mauro, Vice Chair; Mr. Adam Creiglow; Mr. Jake Chatters; Mr. Brian Cotta; Hon. Julie R. Culver; Hon. Tara Desautels; Ms. Alexandra Grimwade; Hon. Michael S. Groch; Mr. Paras Gupta; Hon. Samantha P. Jessner; Hon. James Mize; Mr. Snorri Ogata; Mr. Darrel Parker; Hon. Donald Segerstrom; Hon. Peter Siggins; Hon. Bruce Smith; Ms. Jeannette Vannoy; Mr. Don Willenburg; Mr. David H. Yamasaki; Hon. Theodore Zayner
Advisory Body Members Absent:	Assemblymember Marc Berman; Senator Robert Hertzberg; Hon. Kimberly Menninger; Hon. Joseph Wiseman
Others Present:	Hon. Kyle Brodie; Ms. Heather Pettit; Mr. Mark Dusman; Ms. Jamel Jones; Ms. Camilla Kieliger; Ms. Andrea Jaramillo; Ms. Jackie Woods and other JCC staff present

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:02 AM and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the November 2, 2020, Information Technology Advisory Committee meeting. Judge Zayner abstained as he did not attend the meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-7)

Item 1

Chair's Report

Presenter: Hon. Sheila F. Hanson, Chair

Update: Judge Hanson welcomed members and provided several updates.

The Judicial Council voted to accept the report presented by the Intelligent Chat Workstream at its November 13 meeting. This completed the second of three Futures Commission directives assigned to ITAC. Judge Hanson congratulated Judge Groch and the workstream members for their hard work.

Judge Hanson then announced that Justice Siggins will be retiring on January 19, 2021, after 32 years of state service. Along with many other council appointments, Justice Siggins has been a member of the Information Technology Advisory Committee and served as the chair of the Rules & Policy Subcommittee since November 2014. He has led the effort to support the branch's ability to conduct business by electronic means, including the comprehensive set of rules detailing access to electronic court records developed by the Joint Ad Hoc Subcommittee on Remote Access to Court Records. Those rules were approved by the council in September 2018 and established the foundation for subsequent efforts related to e-filing, identity management and other activities supporting remote access to the courts.

Judge Hanson thanked Justice Siggins on behalf of the committee for his dedication and hard work and wished him well in retirement.

Item 2

Judicial Council Technology Committee Update

Update on activities and news coming from this internal oversight committee.

Presenter: Hon. Kyle S. Brodie, Chair, Technology Committee

Update: Judge Brodie provided an update on the Judicial Council Technology Committee's work since his last report on October 2.

The committee held an open meeting on October 9, a closed meeting on December 2, and two actions by email. Topics included Information Technology Advisory Committee items:

- The Futures Commission Voice-to-Text final report for submission to the Judicial Council was approved.
- The Data Analytics Workstream provided an overview of initial findings and next steps.

For the \$25M modernization funding allocations, the committee reviewed proposed funding models, allocation methodology program requirements, and the proposed application process. The committee approved the following model:

- \$12.5M in direct allocations to the trial courts;
- \$10M to fund branchwide initiatives, trial court grant programs, and Judicial Council support services; and
- \$2.5M in reserve to account for unexpected expenses, capture additional modernization opportunities, or leverage efficiencies that may arise.

The committee's next meeting will be on December 14.

Item 3

Court Technology Modernization Funding – Update and Status

Receive an update on activities related to the allocation of court technology modernization funding

Presenters: Hon. Kyle S. Brodie, Chair, Technology Committee
Ms. Heather Pettit, Chief Information Officer

Update: Judge Brodie explained the process that will be used to allocate funds, balancing the needs of the trial courts.

Ms. Pettit reported that all 58 trial courts applied, submitting very thorough and detailed project funding requests. This year a fast turnaround was required, but in the future, a group of court representatives may be established to review applications and projects. Next steps are to approve funding requests, and to submit a budget change proposal in January 2021 for 22/23 FY to request permanent funding.

Item 4

Branchwide Electronic Filing

Discussion on a potential expansion of the branchwide e-filing program.

Presenters: Mr. Snorri Ogata, CIO, Superior Court of Los Angeles County
Ms. Heather Pettit, Chief Information Officer

Update: Ms. Pettit provided an update on this project. Master service agreements were completed with two electronic filing manager vendors (Journal Technologies and ImageSoft); Tyler Industries decided after two years of negotiations that they do not wish to participate.

Ms. Pettit and Mr. Ogata suggested that the branch form a working group to evaluate e-filing solutions from today's perspective. The working group would make recommendations that would allow open friendly competition, work for both the trial and appellate courts, and standardize pricing for court users. The group would also review e-filing rules and statutes language for needed updates.

This approach does not mean that contracts with other vendors are no longer important, since many courts are currently working with those vendors to bring their e-filing solution online.

Members were encouraged to inform the chairs of any interest in participating in the ad hoc group.

Item 5

Updating Technical Guidelines Related to Remote Video

The Judicial Council approved the [Recommended Guidelines for Video Remote Interpreting \(VRI\) for Spoken Language-Interpreted Events](#) on March 15, 2019 with the expectation that updates would be considered, when appropriate. Members will consider the timeliness and potential participation in proposing updates to the guidelines.

Presenter: Ms. Heather Pettit, Chief Information Officer

Update: Judge Hanson noted that since the existing guidelines were approved at the March 2019 Judicial Council meeting, the branch has expedited the use of remote video and the guidelines may need to be updated.

Ms. Pettit mentioned that a majority of courts submitted proposals for video remote interpreting efforts under the \$25M modernization funding program. Given developments during the COVID-19 pandemic, the existing requirements need to be updated to include virtual locations and current platforms.

Mr. Denton suggested that a review and update of the guidelines can be completed quickly, with updates presented to the committee at the January meeting, and a final version targeting the Judicial Council's May 2021 meeting. Judge Jessner, Justice Mauro, Ms. Vannoy, and Mr. Chatters volunteered to participate.

Item 6

Update on Statewide Self Represented Litigant Portal

The project team seeks to update committee members on the progress of a branchwide collaboration to improve the accessibility, usefulness, and breadth of online, statewide information for self-represented litigants.

Presenters: Ms. Bonnie Hough, Principal Manager, Center for Families, Children and the Courts
Mr. Mark Gelade, IT Supervisor, Web Services
Mr. Jack Madans, Project Lead

Update: Ms. Hough began the presentation by emphasizing the importance of the availability of the self-help web portal, especially during the COVID-19 pandemic, allowing courts to serve more self-represented litigants online. There is a considerable need for help in civil cases, including housing and consumer debt concerns.

Mr. Madans noted that users of the self-help portal consist of not only the self-represented user, but also advocates that assist them, including lawyers, court staff and judicial officers. Using divorce as a test case scenario, Mr. Madans provided an overview of the tools available on the portal as well as the underlying design considerations.

Additional case types, including evictions, are under development and expected to be active by March. The new self-help web portal will be a hybrid site that can transition users to local court self-help services. Future iterations could include functions such as case look-ups, identity management and other integrations as they are developed.

Mr. Gelade provided information about the new Drupal platform. Next steps include migrating courts to the platform by July 2021. Courts will be able to take advantage of user experience and digital service design improvements, and the project will include end-user training, user guides, and live webinars.

Item 7

Annual Agenda and Written Workstream and Subcommittee Status Reports (Action Required)

Chairs and Executive Sponsors will provide an overview of current initiatives and introduce proposed Annual Agenda items for 2021 for ITAC's consideration and approval.

Action: Staff presented the written status reports and the 2021 annual agenda descriptions, as Executive Sponsors provided updates on their progress and plans for next year.

Futures Commission Directive: Voice-to-Text Language Services Outside the Courtroom

Hon. James Mize, Executive Sponsor

This directive will be presented to the Judicial Council at the January 22, 2021, meeting. The pilot program staff met with seven courts last week to provide an overview of the program and a demonstration of the tool. Lastly, the name selected for the tool is the "California Court Translator".

Tactical Plan for Technology Update Workstream

Hon. Sheila F. Hanson, Executive Sponsor

The 2021-2022 plan is being prepared for circulation for comments.

Identity and Access Management Strategy Workstream

Mr. Snorri Ogata, Executive Sponsor

No additional updates. Request to extend to March 2021.

Digital Evidence: Rules, Technology, and Pilot Evaluation

Hon. Kimberly Menninger, Executive Sponsor, Mr. Jake Chatters presenting

The workstream handed over the rules component to the Rules & Policy Subcommittee, so that objective is complete. The workstream is drafting a survey regarding digital evidence and will be asking courts to provide any local rules or procedures. This survey will help the workstream document workflows, evaluate technology, develop use case scenarios, and set criteria for future pilots. Work is being done in Placer and Orange counties over the next year.

Data Analytics: Assess and Report

Hon. Tara Desautels and Mr. David Yamasaki, Executive Sponsors

Proposing to present at the May Judicial Council meeting instead of March to allow sufficient public comment time and for any changes that might need to be made.

Disaster Recovery (DR) Initial Pilot and Knowledge Sharing

Mr. Paras Gupta, Executive Sponsor

Working on roadmap documentation for any court to use. Will include findings, tools, and templates. Will reference back to concepts from the initial DR Phase 1 workstream document, and will allow for other options other than cloud only. The June 2021 target date includes all approvals; however, the Phase 2 draft document will be ready sooner.

Online Dispute Resolution (ODR): Research Workstream

Hon. Julie Culver, Executive Sponsor

October and November were busy visiting with many states and vendors. Starting work on the report with help from Judicial Council staff and court staff to help with the rules. Requesting an extension for May 2021.

Branchwide Information Security Roadmap Workstream

Hon. Donald I. Segerstrom and Mr. Brian Cotta, Executive Sponsors

Working with other workstreams to look at needs across the branch. The current branch security vendor is participating in meetings and is a valued contributor. Workstream tasks include looking at recommending and balancing policies, recommending security standards and approaches. Extension request for March 2021.

Rules & Policy Subcommittee

Hon. Peter Siggins, Chair

Rule proposal set to take effect January 2021 on allowing those that do not consent to e-services to still e-file. New projects include the referral on rules around digital evidence; working with the Criminal Law Advisory Committee to allow video proceedings in criminal law cases; and developing a proposal to amend permissive electronic filing and electronic service rules to reference Penal Code section 690.5.

Joint Ad Hoc Subcommittee: Remote Video Appearances in Civil Proceedings

Hon. Peter Siggins, Co-Chair

Project is just getting underway. There will be statutory changes presented to the Judicial Council at their January meeting.

Motion to approve the Annual Agenda as revised.

Approved.

The final agenda will be posted to the public website.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:11 PM.

Approved by the advisory body on enter date.

TACTICAL PLAN FOR TECHNOLOGY 2021–2022



December 2020



Tactical Plan Update Workstream Members

Hon. Sheila F. Hanson, Executive Sponsor
Judge of the Superior Court of California,
County of Orange

Hon. Kyle S. Brodie
Judge of the Superior Court of California,
County of San Bernardino

Hon. Michelle Williams Court
Judge of the Superior Court of California,
County of Los Angeles

Hon. Paul M. Marigonda
Judge of the Superior Court of California,
County of Santa Cruz

Hon. Kimberly Menninger
Judge of the Superior Court of California,
County of Orange

Mr. Michael Baliel
Chief Information Officer of the Superior
Court of California, County of Santa Clara

Ms. Kimberly Flener
Court Executive Officer of the Superior Court
of California, County of Butte

Mr. Jason Galkin
Court Executive Officer of the Superior Court
of California, County of Nevada

Mr. Kirk Hauer
IS Manager at the Superior Court of California,
County of Butte

Mr. Kevin Lane
Appellate Court Executive Officer of the Court
of Appeal, Fourth Appellate District

Mr. David MacDonald
Chief Information Officer of the Superior
Court of California, County of Kern

Ms. Heather Pettit
Chief Information Officer of the Judicial
Council of California

Ms. Holly M. Riccio
Director of the California Judicial Center
Library

Ms. Jeannette Vannoy
Chief Information Officer of the Superior
Court of California, County of Napa

Mr. Don Willenburg
Partner, Gordon & Rees LLP

Workstream Staff

Mr. Richard Blalock, Project Manager
Senior Business Systems Analyst,
Judicial Council Information Technology

Mr. Mark Dusman
Principal Manager, Judicial Council
Information Technology

Ms. Deborah Silcox
Principal Manager, Judicial Council
Information Technology

Ms. Jamel Jones
Information Systems Supervisor,
Judicial Council Information Technology

Ms. Camilla Kieliger
Senior Business Systems Analyst,
Judicial Council Information Technology



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Introduction

In 2020, Californians found themselves interacting with technology in unprecedented ways. Schools transitioned to distance learning. “Telemedicine” became a new way to provide healthcare. Movie premiers moved into our living rooms. Working remotely became the new normal for millions.

The exponential growth of new technologies is more visible in the wake of the COVID-19 pandemic, but the judicial branch has been transforming its use of technology for years. The *Tactical Plan for Technology* sets forth the portfolio of technology projects currently undertaken by the judicial branch. Collectively, those projects reflect the creativity, hard work, and passion for public service that epitomize the best of the judicial branch.

It has long been true that Californians want to be able to do business from anywhere, at any time. Chief Justice Tani G. Cantil-Sakauye recognized that expectation when she announced her “Access 3D” initiative. As she put it, “Remote access means increasing our ability to conduct branch business online to file court cases, access case information and records, and to make video appearances where and when appropriate.”

Since the Chief Justice called for improved remote access, we have seen transformative expansions across a wide range of court operations. Digital documents are increasingly common. E-filing is routine. Remote hearings, once confined to the world of “someday,” are part of our here and now.

But our work is not finished. We are expanding self-help services for court users and working to allow disputes to be resolved online. We are also using technology to help break down language barriers that can inhibit access to justice.

Courts will be using technology to improve their internal operations. Gathering solid, verifiable data will give courts the ability to structure their operations to best serve court users. Digital records, identity management, and modern case management systems are fundamental to working smarter and making the best use of always-limited resources.

Californians expect excellence. The *Tactical Plan for Technology 2021–2022* shows how we are meeting that expectation and furthering the goals that are outlined in the *Strategic Plan for Technology 2019–2022*. Although 2020 was challenging in ways that few could have anticipated, we are ready for whatever tomorrow may bring. The judicial branch has embraced every challenge as an opportunity to improve and innovate. And we are just getting started.

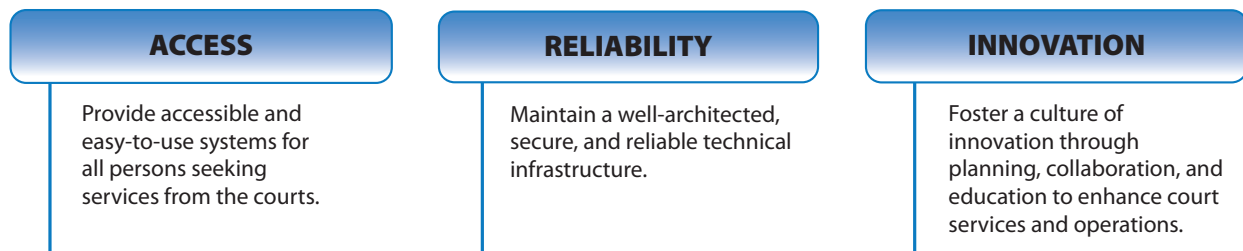


Summary of the *Strategic Plan for Technology 2019–2022*

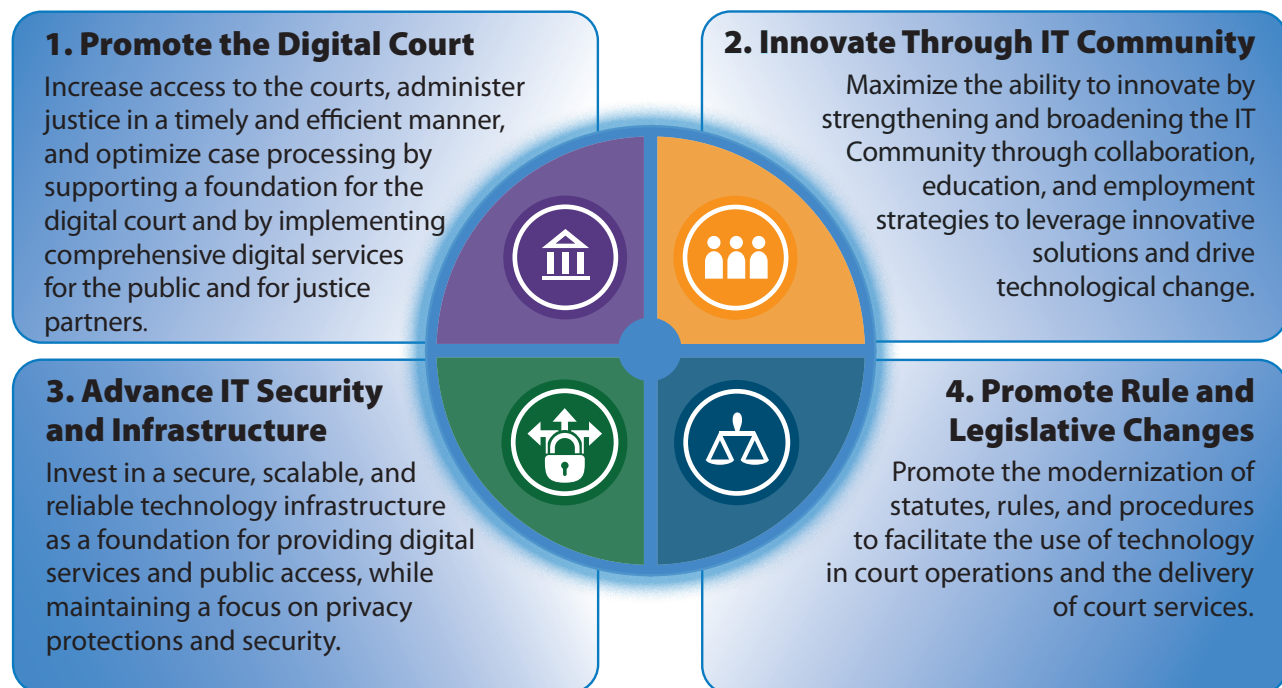
Vision

Through collaboration, innovation, and initiative at a branchwide and local level, the judicial branch adopts and uses technology to improve access to justice and provide a broader range and higher quality of services to litigants, attorneys, justice partners, and the public.

Principles



Goals





Tactical Plan for Technology: Summary of Initiatives

The four-year *Strategic Plan for Technology* contains goals and objectives that are aligned with the overarching goals in the judicial branch's strategic plan. It also provides the strategic framework for this two-year *Tactical Plan for Technology* that contains the individual initiatives that will be pursued to support the higher-level goals.



GOAL 1: Promote the Digital Court

- Case Management System Migration and Deployment
- Expansion of Electronic Record Management
- Language Access Technology
- Remote Video Appearances
- Data Analytics: Governance and Sharing
- Electronic Evidence Management
- Branchwide Identity Management
- Enterprise Resource Management
- Online Self-Help Services
- Electronic Filing Development and Deployment
- Online Dispute Resolution Evaluation and Implementation



GOAL 2: Innovate Through IT Community

- Expansion of Collaboration Within the Branch IT Community
- Digital Court Ecosystem (*New*)



GOAL 3: Advance IT Security and Infrastructure

- LAN/WAN Infrastructure
- Next-Generation Branchwide Hosting Solutions
- Disaster Recovery
- Branchwide Information Security



GOAL 4: Promote Rule and Legislative Changes

- Identification of New Policy, Rule, and Legislative Changes



Promote the Digital Court

Case Management System Migration and Deployment

Description

Although most trial courts have deployed, or are in the process of deploying, new case management systems, some courts still have legacy systems that need to be replaced. Modernizing these remaining systems will complete the branchwide digital court foundation from which court services can be expanded. It is essential for courts to provide expanded digital access and services that meet the expectations of the people of California, especially during the public health social distancing protocols of the COVID-19 pandemic.

To accelerate the remaining case management system (CMS) deployments, courts should leverage the collective knowledge and experience of the judicial branch IT community in support of their modernization efforts.

Benefits

- Builds the branchwide foundation for the digital court.
- Provides for faster and easier access to case records and documents for judicial officers, research attorneys, and judicial assistants.
- Provides the opportunity to expand online access for all external participants in the justice process—state and local justice partners, private attorneys, and public users—through authorized remote access to case records and documents.
- Lowers costs to store and retrieve documents electronically through a CMS.
- Enables integration with state and local justice partner systems.
- Provides the foundation to expand ease-of-use functionality to the public, such as electronic filing and acceptance of online payments.
- Enables management reporting to make data-driven decisions.
- Improves operational efficiencies by automating processes, which is critical for optimizing branch resources and providing the public greater access to the courts.
- Allows groups of courts using the same CMS to take advantage of economies of scale and implement best practices.



Goals and Objectives

- Continue implementation of new, current CMS systems for all case types across the branch.
- Collaborate on, track the status of, and support CMS deployments for all courts.
- Support courts in completing CMS deployment projects funded by budget change proposals.
- Support CMS user groups in leveraging lessons learned from prior and in-progress CMS deployments and migrations.

Considerations

- Ongoing funding sources for branchwide initiatives or for support and maintenance.
- Deployment schedules, which depend on the availability of vendor resources.
- Timing of legacy system replacements, which depend on local court staff resources.

Potential Funding Requirements

One-time costs

- Deployment of new case management systems.

Ongoing costs

- Licensing, maintenance, support, and enhancement of new case management systems.
- Staff resources to provide support to the trial courts related to CMS services and judicial branch master service agreements.



Promote the Digital Court

Expansion of Electronic Record Management

Description

To receive the full benefit and efficiencies of electronic filing and a digital court record, a court must transition from existing paper-based case files to electronic case files. To do so, a court's case management system must integrate with a document management system (DMS) or an enterprise content management system (ECMS). Both provide for a true digital court record or paper-on-demand environment with configurable workflows and other operational benefits. Although modern case management systems include an integrated DMS, extending existing case management systems with digital court record solutions such as a DMS or ECMS, where feasible, may be another option in circumstances where case volume and workload do not require the efficiencies generally garnered from the implementation of a new case management system.

DMSs and ECMSs also provide support and operational efficiencies for court administration (e.g., fiscal, facilities, human resources, procurement, and other functions). To leverage the benefits of digital court records, a court's legacy records may be converted to a digital format.

Providing equipment and start-up funding to enable courts to digitize records is the essential first step to providing increased remote access to court documents for litigants, attorneys, justice partners, and the public. Digitized records will also provide the foundation for courts to transition to remote case processing and improve a court's disaster preparedness through reduced dependency on physical files.

To date, as part of a digitized document pilot project, seven superior courts and one district court of appeal are engaged in digitizing 330,683 linear feet of active and permanent paper records, 38,524 rolls of microfilm, and 1,091,376 sheets of microfiche, reducing costs for facilities required to store these records. Additional courts have expressed interest as funding becomes available.

Benefits

- Improves workforce efficiency through simultaneous access and review of case documents.
- Eliminates the risk of lost or misplaced physical files by providing centrally stored, managed, and protected electronic files accessible by authorized personnel.
- Promotes uniformity in document processing.
- Eliminates the need for manual reminders and file-tracking tasks, promoting instead the use of automated electronic processes.



- Improves court disaster recovery and continuity of operations.
- Reduces physical document storage and provides for more efficient means of purging documents eligible for destruction.
- Reduces reliance on outdated microfilm/fiche viewing equipment.
- Expands options for public access.
- Promotes greater and more convenient self-service.
- Reduces the costs related to staff time required to retrieve, distribute, and locate case files.
- Reduces or eliminates the need for courts to purchase physical case file jackets.
- Reduces copy fees.

Goals and Objectives

- Identify additional opportunities for implementation or expansion of DMSs and/or ECMSs with existing branch and local case management systems, and for administrative use throughout the branch.
- Monitor and provide input on the completion of DMS implementation for the existing Appellate Court Case Management System.
- Identify the most efficient and cost-effective models for transitioning from paper-based case files and filmed archival records (e.g., microfilm/fiche) based on the results of the Digitizing Court Records Phase 1 project.
- Leverage branchwide master service agreements for DMS software procurement and digitization of court case records.
- Promote information sharing for courts transitioning from paper and filmed archival records to electronically accessible case files.

Considerations

- Funding and resource allocation for digitization programs and services.
- Court business process reengineering.

Potential Funding Requirements

One-time costs

- Hardware, software, and services for DMS or ECMS implementation at identified courts.
- Hardware, software, and services for implementation of document digitization at identified courts.

Ongoing costs

- Annual maintenance and periodic software and hardware upgrades.



Promote the Digital Court

Language Access Technology

Description

In August 2013, Chief Justice Tani G. Cantil-Sakauye announced Access 3D, her vision for improving access to justice for all Californians. Access 3D involves physical (safe, secure, accessible), remote (online), and equal access to the justice system, including the need for courts to serve people of all languages, abilities, and needs, in keeping with California’s diversity. In 2015, the Judicial Council adopted the *Strategic Plan for Language Access in the California Courts*,¹ which recommends the appropriate use of technology throughout the branch to enhance language access. More than 200 languages are spoken in California, and the state has 7 million limited-English-proficient (LEP) residents and potential court users. Efforts to enhance language access for all LEP court users through projects including video remote interpreting (VRI) and voice-to-text language services are critical components of this vision.

VRI uses video conferencing technology to provide court users with a qualified interpreter when an onsite interpreter is not readily available. When surveyed in October 2020, nearly half the courts expressed a prioritized need for using modernization funding to support VRI solutions. In fiscal year 2020–21, the judicial branch will grant funding to interested courts to deliver remote video solutions and services more broadly, including for VRI.

Voice-to-text language services will allow court staff outside the courtroom to conduct court business with LEP stakeholders via the use of automated translation technologies. Several courts are piloting voice-to-text solutions at clerks’ counters and self-help centers. The pilot will provide information on the usability of such solutions and the business processes necessary for them to be effective during live interactions with court customers.

Benefits

- Leverages technology to provide LEP court users additional access to court services through scalable language services.
- Provides increased and timely access to the courts by streamlining the logistics involved in arranging or interacting with language services

¹ Judicial Council of Cal., *Strategic Plan for Language Access in the California Courts* (2015), www.courts.ca.gov/documents/CLASP_report_060514.pdf.



Goals and Objectives

- Expand the availability of remote services from certified and registered court interpreters.
- Improve the quality of remote interpretation technology.
- Expand the use of remote language services using assistive voice-to-text technologies for court activities conducted outside the courtroom (e.g., at clerks' counters, self-help centers, family law facilitators' offices, and mediation facilities).
- Capture lessons learned from pilot projects to inform future deployments.

Considerations

- Strategies to measure technology-based language services to validate their effectiveness.
- Collaboration between the various groups working on remote video and language access programs.
- Adequate internet bandwidth and fidelity to provide quality web-based language service solutions.

Potential Funding Requirements

One-time costs

- Hardware, software, and telecommunications infrastructure, if not currently available.

Ongoing costs

- Annual maintenance, lease, licensing, or expenses for hardware and software.
- Hosted, cloud-based solutions, which may require an annual subscription or have consumption-based expenses.



Promote the Digital Court

Remote Video Appearances

Description

The Commission on the Future of California’s Court System sought practical ways to effectively adjudicate cases, achieve greater fiscal stability for the branch, and use technology to enhance the public’s access to its courts. One of the key recommendations in the commission’s final report was to move forward with remote video appearances for most noncriminal court proceedings: “The option to attend court proceedings remotely should ultimately be available for all noncriminal case types and appearances, and for all witnesses, parties, and attorneys in courts across the state.”² The Information Technology Advisory Committee established a workstream to investigate the issue and explore implementation. The workstream conducted a mock hearing and developed a set of key considerations, which were accepted by the Judicial Council on September 25, 2020. Following the conclusion of the workstream, several advisory bodies will collaborate to consider the expansion of remote appearances to all case types.

The COVID-19 pandemic propelled the branch to adopt remote appearance technologies at an unprecedented pace in all case types. Although primarily driven by public health guidelines to reduce the number of participants physically appearing in court, this experience has shown that a significant number of participants are willing and eager to interact with the court remotely. The option to appear via remote video in and out of the courtroom has allowed courts to continue to provide access and services to the public that they otherwise would not have been able to provide under the shelter-in-place orders and social distancing protocols imposed during the pandemic. With the added option of remote video appearances, courts have a responsibility to prepare and support the public in the process. The lessons learned during the pandemic response can inform how courts can continue to provide this expanded access while preserving in-person appearances, as appropriate.

Benefits

- Enhances the remote experience by providing participants additional visual information not available in audio-only appearances.
- Gives participants more convenient options for appearance locations, including their homes or workplaces.

² Commission on the Future of California’s Court System, *Report to the Chief Justice* (Apr. 2017), p. 222, www.courts.ca.gov/documents/futures-commission-final-report.pdf.



- Saves participants time and the cost of travel and reduces the need to miss work or arrange childcare.
- Provides easier access for those with illnesses, disabilities, or difficulty traveling to the courthouse.
- Provides individuals in custody the ability to appear remotely in civil matters, reducing costs for the state and the person in custody.

Goals and Objectives

- Evaluate how the solutions implemented during the COVID-19 pandemic response created greater access.
- Identify successful approaches to providing remote video appearance solutions and share best practices to enhance existing solutions and/or inform implementation priorities.
- Identify necessary legislative changes or revisions to rules of court to eliminate barriers for increased remote video appearances.

Considerations

- Ongoing operational costs and potential funding models.
- Willingness of the court and parties to litigate in a nontraditional manner.
- Collaboration and cooperation with other advisory committees and working groups.
- Collaboration and cooperation with other stakeholders (e.g., interpreters, bar associations, justice partners).
- Changes or updates to legislation or rules of court.

Potential Funding Requirements

One-time costs

- Hardware, software, and courtroom audio and telecommunications infrastructure, if not currently available.
- Bandwidth/network upgrades, if required.

Ongoing costs

- Annual maintenance, leases, and licensing for hardware and software.
- Staffing needs, depending on the workload created by the solutions.



Promote the Digital Court

Data Analytics: Governance and Sharing

Description

It is critical for the judicial branch to analyze and share data to inform decision-making related to enhancing, evolving, and expanding programs and services that serve the people of California. *Data analytics* is the process by which information or data is collected and analyzed to draw conclusions and make business recommendations. Although in the past, analyzing data has been a time-consuming activity, technical advancements in data analysis tools have made the process easier and more accessible, reliable, and digestible than ever before. Advanced data analytics tools combined with other court-related advances (e.g., modern case management systems, electronic filing, electronic juror summons, human resources platforms, inexpensive storage, computing power, and cloud technology) create an opportunity for the judicial branch to use data to enhance its business practices and operations and make data-driven decisions. The key to success is determining what data is relevant, gathering that data, and translating it into understandable visuals that can provide greater insight into court services and management for all judicial branch entities.

Several key efforts are underway toward implementing a data governance infrastructure—consisting of policies, processes, and technology—that will ensure better use and management of data across the branch, including in the areas of data submission, accuracy, security, and access. The Data Analytics Workstream is identifying areas of policy and governance, while a data-sharing and data integration project aims to build an integrated analytics platform developed from pilot projects, including the Superior Court of Orange County Court Innovations Grant project, pretrial risk assessment, Judicial Branch Statistical Information System modernization, the ability-to-pay application, and a statewide case search index.

Benefits

Data analytics can help inform, enhance, and transform the way the judicial branch operates to increase access to justice, provide fair and timely case resolution, and improve court operations, regardless of jurisdiction. The following examples demonstrate how data analytics could benefit the courts and those who interact with the courts:

- Clarifies litigation and appellate trends that demonstrate resource needs or suggest internal reallocation of court resources through the analysis of existing statewide reporting data (e.g., Judicial Branch Statistical Information System filings).



- Helps organize resources to meet the needs of self-represented litigants through analysis of self-help services provided (e.g., demand, location, case type, and language).
- Facilitates the organization and scheduling of interpreters and court reporters to promote increased language access and compliance with legal reporting requirements through analysis of interpreter and court reporter requests.
- Helps courts more accurately analyze juror summons response and usage rates, potentially saving state residents substantial time and transportation costs.
- Helps courts predict and track vacancies and better plan for the associated management and budgetary impacts through analysis of human resources data.
- Provides a mechanism to perform “what-if” analysis on potential changes in legislation, alternative business practices, and model policies.

Goals and Objectives

- Adopt workstream proposals for rule, legislative, or policy development, including such critical touchpoints as data analytics collection, governance, sharing, security, and publication.
- Identify an advisory committee to create data collection, retention, sharing, reporting, and destruction standards that can be adopted by judicial branch entities.
- Create local and branchwide data analytics governance models to facilitate the consistent and intentional use of data analytics, as well as public disclosure of analytics results, where appropriate.
- Continue to identify and prioritize areas of focus that might be appropriate subjects of a data analytics pilot program.
- Investigate appropriate data analytics solutions for the branch and develop associated data analytics training and implementation resources.
- Consider a potential statewide request for proposal or master services agreement for data analytics products, software, and services, and make related proposals, as appropriate.
- Explore options for leveraging the Digital Court Ecosystem (aka CourtStack) to supply standardized data to solutions developed via the Data Analytics Workstream.

Considerations

- Accuracy and reliability of the data being gathered. Currently, data collection capabilities vary. Leveraging common business processes would contribute to more effective data analytics efforts.
- Local court technology staff resources and their skill sets. Many courts do not have the personnel or funding to engage in meaningful data analytics efforts. For that reason, clear, low-cost implementation opportunities and associated funding will be necessary for any widespread analytics work within the branch.



Potential Funding Requirements

One-time costs

- Software, hardware, and services for data analytics tools.
- Staff training to implement appropriate data collection and analytics practices.

Ongoing costs

- Software and hardware maintenance.
- Software programming and integration services for effective implementation of data analytics tools.
- Staffing to support data collection and analytics.



Promote the Digital Court

Electronic Evidence Management

Description

The COVID-19 pandemic has propelled the judicial branch to adopt remote appearance technologies in many case types at an unprecedented rate, resulting in an increased demand for the courts to also be able to accept electronic evidence. As courts continue to pursue additional ways for attorneys, justice partners, and the public to appear in court remotely, having the ability to accept, store, or retain electronic evidence is no longer just a convenience, it has become a necessity. The current practice for most courts is to require that electronic evidence be transferred onto a physical storage medium such as CDs, DVDs, or flash drives, which are becoming outdated modalities in today's electronic world.

A statewide survey conducted in 2018, as well as individual court experiences, have illustrated that it would be beneficial for the California courts to identify a common set of processes and technology solutions to better manage electronic evidence. Courts and justice partners have also expressed interest in having statewide guidelines and technology recommendations established that address electronic evidence.

Ideally courts can share their policies, processes, and electronic evidence management solutions so that others may learn from their experiences and leverage effective practices. Technology solutions for electronic evidence management are also continuing to evolve and additional solutions are entering the market, offering more options for consideration.

Benefits

- Minimizes the requirement for paper or other physical evidence when an electronic copy is available.
- Provides consistency, efficiency, and security of practices for accepting, storing, presenting, and retaining electronic evidence.
- Offers recommendations for equipment and services for securely accepting, storing, and retaining electronic evidence.
- Minimizes the cost and effort by establishing master services agreements for the branch.
- Reduces the need for and cost of physical storage.
- Provides greater consistency and predictability across courts for litigants (including self-represented litigants), attorneys, and the public.
- Efficiently uses technology to securely share and view electronic evidence.



Goals and Objectives

- Propose changes to rules and statutes for accepting and managing electronic evidence and identifying potential standards and formats.
- Research and propose statewide standards and best practices for accepting, maintaining, securing, accessing, storing, retaining, protecting, transmitting, and otherwise managing electronic evidence.
- Research and recommend existing technology and services available in the market for managing electronic evidence.
- Establish a means for courts to share experiences with and best practices for implementing electronic evidence solutions.
- Ensure that recommendations consider both the requirements of trial courts and those of courts of review, including appellate and federal courts.
- Ensure that recommendations consider law enforcement and justice partners for optimal use of technology for digital evidence.
- Circulate proposed best practices and technical standards for comment, and then publish them.

Considerations

- Rule and statute changes should support the strategy and road map of proposed electronic court initiatives.

Potential Funding Requirements

One-time costs

- Consulting assistance regarding technical standards, if needed.
- Modification of existing document or case management systems to accept, store, and provide access to digital exhibits.
- Acquisition of technology solutions.

Ongoing costs

- Expanded hardware storage capacity for electronic evidence, possibly including associated storage and retrieval software.
- Maintenance of technology solutions.
- Implementation of new policies and business practices by court staff.



Promote the Digital Court

Branchwide Identity Management

Description

Branchwide identity management provides individual court users with the means to authorize and authenticate themselves using a single user identity (“single sign-on”) as they interact with online court services. In addition to single sign-on, it enables the appropriate authorized access level for each of the online court services for those individual users.

As courts move further into the digital world, transactions that once required a visit to the courthouse may now be done remotely through online or mobile court services and third-party service providers. Transactions such as e-filing a document, accessing case information remotely, or making a reservation for services at the court (e.g., a self-help center workshop) are possible but require verification of the online user. Connecting a person’s online and physical identity is accomplished with an identity management program.

Establishing a central location to securely store and manage online identities will allow individual users to access services across many courts and, potentially, justice partners from different jurisdictions. The efficiencies gained by a centralized identity management platform will improve the experience for all court users and allow courts to fully realize the power of transitioning to the digital world.

Identity and access management (IAM) has three core capabilities:

- *Identity management:* The baseline platform that supports IAM services and includes a unique online digital identity; the ability to capture, store, and share identity information (directory services); and the ability to manage the identity over time.
- *Access management:* The process of controlling and granting access to services. Features include single sign-on, the ability to establish trust and federation across organizations (for certain types of identities), the ability to grant or revoke access (user entitlement management), and auditability.
- *Authentication and authorization:* The processes to manage login, sharing access attributes and directory information within and across service providers.

Benefits

- Protects the individual and the court from unintended access to court resources and services and restricts access to personal information.
- Improves the user experience through single sign-on and data sharing across courts and services.



- Allows an individual user to access services across several courts and services without needing to establish separate online identities.
- Improves the user experience as data can be securely shared between authorized service providers outside the court.
- Increases productivity for the court, justice partners, and litigants as users become more self-sufficient in completing tasks.

Goals and Objectives

The underlying technology to support branchwide identity management has already been selected. The goals and objectives of this phase focus on policy and implementation.

Policy

- Develop an IAM governance structure for courts and the judicial branch.
- Identify and document policies (statewide and court specific) required to effectively implement an identity-management capability.
- Develop identity-information sharing guidelines between service providers.

Implementation

- Develop implementation guidance for courts and vendors.
- Establish a process to ensure that service providers adhere to judicial branch requirements.
- Manage legacy vendors (CMS vendors for case access; e-filing managers for EFSP) and their transition to the branch identity solution.
- Manage and facilitate implementation and transition to a branchwide identity solution.
- Implement and deploy new services enabled by identity management using the experience gained from early IAM deployments in the Placer and Los Angeles courts.
- Identify and define a funding model for ongoing user identity-management costs.
- Ensure IAM linkage to, and alignment with, other branchwide initiatives such as e-filing, the self-help portal, the ability-to-pay application, next-generation hosting, and CMS migration.
- Recommend any necessary legislative or rules changes needed to support IAM in the courts in conjunction with the Information Technology Advisory Committee's Rules and Policy Subcommittee.

Considerations

- Service providers must adhere to the branchwide identity solution to realize benefits.
- Public identities must be managed centrally to ensure the greatest access to services.



- Justice partner identities are greatly simplified with local court and county adoption of Microsoft Office 365 or Microsoft Azure identity services.
- Identity proofing (linking an online and a physical identity) may require local court effort.
- Authorization to some services (e.g., person-centric docketing of events in the court's case management system) may require local court effort.

Potential Funding Requirements

One-time costs

- Court staff to implement and integrate identity management capabilities into court legacy applications.
- Vendor consulting to implement and integrate identity management capabilities into their services.

Ongoing costs

- Identity services for users and authentication.



Promote the Digital Court

Enterprise Resource Management

Description

Enterprise resource planning (ERP) systems are designed to manage core administrative business processes such as finance and accounting, human resources (including education management), and facilities. The vendors that design these applications continually invest in research and development of new technologies and incorporate industrywide best practices into their software. Understanding and adopting these advancements will allow courts and the judicial council to create additional efficiencies by using modern tools that support the administrative functions of the courts and integrate with reporting tools.

This initiative focuses only on ERP systems managed by the Judicial Council. Examples include the following existing systems:

- *Phoenix System*: The statewide financial system for all trial courts as well as the human resources application for a growing number of courts.
- *Human Resources and Education Management System*: The primary human resources application and education tracking system for the Judicial Council, the Supreme Court and appellate courts, the Habeas Corpus Resource Center, and the Commission on Judicial Performance.
- *Computer-Aided Facilities Management*: Branchwide facilities, lease, and maintenance management.

Judicial Council ERP systems are essential for supporting day-to-day core business operations. They provide vital services to the branch for managing staff, financial, and facilities resources. These mission-critical support systems must be kept up to date for supportability and to incorporate new functionality to address changing business needs.

Benefits

- Ensures stability, security, and better integration.
- Supports deployment of new technology (e.g., mobile and cloud) and enhanced functionality (e.g., self-service and data analytics).
- Introduces economies of scale with implementation as well as the ability to leverage existing enterprise agreements.
- Collects data for more-informed decisions.



Goals and Objectives

The overall goal is to continue to provide robust ERP solutions managed by the Judicial Council in support of the courts.

- Enable consistent, ongoing investment to keep these systems protected.
- Determine ongoing staffing required to support changing technology needs and evolving business processes.
- Identify new technologies and functionality that can be incorporated into Judicial Council-managed ERP systems.
- Realize economies of scale by incorporating local court functionality, as appropriate.
- Migrate ERP systems to next-generation hosting solutions.

Considerations

- Leveraging ERPs requires an examination of business processes and flexibility in standardizing these processes.
- The move toward more standardized business processes requires strong change management.

Potential Funding Requirements

One-time costs

- Acquisition of software products and hardware/equipment.
- Services related to migration, hosting, and consulting.
- Upgrades for technology infrastructure.
- Project implementation activities, such as travel and training.
- Purchase or development of required system or application interfaces.

Ongoing costs

- Staffing or services to design, develop, deploy, and maintain functionality as defined by the branch.
- Maintenance for software products and equipment.
- Training.
- Maintenance associated with interfaces.



Promote the Digital Court

Online Self-Help Services

Description

Each day, thousands of Californians research or seek information that will enable them to resolve a legal issue. In California, more than 4.3 million people per year come to court without an attorney and more than 75 percent of civil cases have at least one party without an attorney. The trend of Californians representing themselves in court, as well as the expectation that they can conduct court business online, is increasing.

The vision for statewide online self-help services is to enable the public to access the courts more effectively online, instead of *in* line. A new statewide self-help portal aims to deliver an end-to-end “customer journey” for site visitors, beginning with instructional information, moving on to document assembly, and culminating with e-filing or online document submission. A key component of the portal will be intelligent chat technology to assist users in navigating the court processes and to provide real-time support as they complete legal forms. This technology will be tested with a pilot focusing on name change, with an additional two domains to follow.

Benefits

- Enhances service delivery through remote technology, reducing the need for court visits, additional staffing, and space requirements.
- Informs and prepares litigants for visiting court self-help centers and participating in their hearings.
- Provides the ability to achieve economies of scale and leverage current statewide instructional materials and resources.
- Enables the introduction of electronic tools to reduce the error rate of submitted and filed legal forms and documents.
- Allows greater online interaction between self-represented litigants and court systems.
- Offers the public more convenience and greater access to the justice system.
- Provides access to court services at any time, resulting in greater customer satisfaction because of fewer missed work hours and delays caused by needing to travel to court during regular business hours.
- Enhances digital services by integrating self-help resources with trial court systems.
- Offers intelligent chat services to provide real-time answers to common questions and assistance in completing Judicial Council forms, thereby helping customers in a more timely, cost-effective manner.



- Supports mobile-friendly self-help by providing access via smartphones and tablets.
- Improves satisfaction with the court experience overall.

Goals and Objectives

- Assess courts' needs and interest in expanding online self-help services.
- Deliver a judicial branch self-help portal that includes increasing levels of assistance: self-service (e.g., wayfinding and form completion), interactive chat (including automated and live agent services), and a video drop-in/virtual self-help center.
- Align the self-help portal and other online services with language access technology and other virtual court services.
- Leverage lessons learned from the Self-Help Assistance and Referral Program (SHARP), a collaborative effort between 22 courts led by the Superior Court of Butte County.
- Building on the results of the Intelligent Forms Workstream, identify next steps to provide more effective assistance to the public in completing and filing Judicial Council forms.
- Develop chat services in prioritized services/subject matter domains.
- Complete procurement activities for live chat technologies to support a virtual customer service center.

Considerations

- Integration with related initiatives (e-filing, intelligent chat, intelligent forms, and identity management).
- Coordination with and leveraging of a multitude of existing self-help resources at the branch and local court levels (e.g., smart forms have already been developed for many Judicial Council forms, and document assembly software is licensed at the branch level).
- Commitment by courts to engage in the prototype or pilot and later phases.

Potential Funding Requirements

One-time costs

- Initial design, testing, development, deployment, and integration based on a phased rollout.

Ongoing costs

- Maintenance of new e-services, and maintenance and updating of forms, information, resources, and instructional materials.



Promote the Digital Court

Electronic Filing Development and Deployment

Description

Electronic filing (e-filing) is becoming a standard method for people to interact with the courts. This initiative will establish a statewide standards-based e-filing environment that employs multiple electronic filing manager (EFM) solutions to ensure a competitive marketplace and give courts the ability to select a vendor that best suits their individual needs. E-filing requires courts to use an EFM and an e-filing service provider (EFSP) to route documents between filers and courts. Individuals use an e-filing service provider to submit documents to the electronic filing manager. The EFM, in effect, acts as a bridge between the EFSP and the court. The EFM provides courts with the ability to review and accept or reject case documents. The EFM also provides payment processing support, including the transfer of filing fees to the court.

Although courts are not required to use an EFSP, many have chosen or will choose this route because the EFSP will shoulder much of the workload, from training users to providing technical support for e-filing transactions.

The statewide e-filing program relies on the Electronic Court Filing/National Information Exchange Model³ standards published by the Organization for the Advancement of Structured Information Standards.⁴

The Electronic Filing Workstream established an e-filing framework and selected two EFM vendors—Journal Technologies and ImageSoft—to serve California’s trial courts. In this model, electronic filing service providers must first be certified in order to work with all statewide EFMs. The development effort is currently being led by Journal Technologies, who will implement e-filing for the Placer and Madera courts. The solution that is implemented will produce the initial baseline version of the California ECF standard.

Benefits

- Increased services to the public and streamlined court filing operations.
- Zero cost to implement for courts using a core case management system.
- Lower processing fees for filers.
- Availability of executed master agreements for all courts.

³ Available at www.oasis-open.org/committees/tc_home.php?wg_abbrev=legalxml-courtfiling.

⁴ Available at www.oasis-open.org/.



- Availability of implementation assistance for smaller courts.
- Integration with statewide identity management system.
- More flexible options for law firms operating in multiple jurisdictions.

Goals and Objectives

- Continue to assess and meet statewide court e-filing needs by convening an e-filing forum and developing best practices.
- Publish an implementation plan for trial courts participating in the statewide e-filing program.
- Establish the standards for integration between EFSPs, EFMs, and courts.
- Coordinate branchwide efforts to integrate EFMs and EFSPs, including through an identity and access management solution.
- Establish an escalation process for resolution managed at the statewide level of issues between principal stakeholders (EFSPs, EFMs, and courts).
- Allow for universal deployment of e-filing for all case types.
- Facilitate e-filing access by justice partners.

Considerations

- Adherence of service provider agreements to the *Judicial Branch Contracting Manual*.
- Congruence of a court's CMS strategy (current or future) with its strategy for e-filing.

Potential Funding Requirements

One-time costs

- Court staff time to design the new procedures for handling electronic caseflow and filing fee management.

Ongoing costs

- Judicial Council staff time to administer the statewide shared e-filing program components.



Promote the Digital Court

Online Dispute Resolution Evaluation and Implementation

Description

New developments in technology have resulted in the increased use of online tools to resolve disputes. Online dispute resolution (ODR) provides a mechanism for individuals and entities to negotiate and settle disagreements without the need for in-person negotiation, mediation, arbitration, or formal court proceedings. Many courts in the United States and abroad have been testing and implementing various ODR solutions. Additionally, the Commission on the Future of California's Court System recommended that online alternative dispute resolution be expanded in California to allow parties to resolve cases without having to go to a court location.

Benefits

- Resolves disputes effectively and in a timely manner.
- Offers an alternative approach for parties to resolve their disputes.
- Increases access to justice.
- Adds the convenience of remote online access.
- Maximizes the effective use of court time, money, and other resources.

Goals and Objectives

- Identify and evaluate available ODR technologies and potential scenarios in which ODR might benefit the judicial branch and its customers.
- Capture lessons learned and best practices from courts and pilots.
- Assess the need for a branchwide master service agreement.

Considerations

- Usability, efficiency, availability, and maturity of ODR options.
- Possible need for amendments to existing laws and court rules.
- Reconfiguration of court business processes.



Potential Funding Requirements

One-time costs

- Hardware, software, and resources for ODR implementation.

Ongoing costs

- Maintenance and periodic software and hardware upgrades.



Innovate Through IT Community

Expansion of Collaboration Within the Branch IT Community

Description

The California courts are diverse in terms of geography, demographics, and population, yet all courts are striving to pursue technology solutions that achieve local court efficiencies, allow for state and local integrations, and provide increased access and services to the public. The branch needs accessible collaboration tools that support increased information sharing among courts, including research materials, project artifacts, documented best practices, and local court innovations. Using technology to collaborate will ultimately reduce the burden on individual courts to independently research and develop common solutions, while also providing tools to support more effective project and program teams.

The pace of technological change, along with the demand for remote online access by those served by the courts—particularly in response to the COVID-19 pandemic—requires courts to remain agile in their technology pursuits. For the past decade, the judicial branch has committed to a collaborative approach to technology adoption and sharing solutions. The increased use of collaboration tools will serve to strengthen the branch IT community overall.

Benefits

- Offers more efficient access across the branch via a shared community collaboration platform.
- Streamlines project management and delivery with geographically diverse project participants.
- Facilitates adoption of common digital services by more courts in a repeatable fashion, offering more consistent services throughout the branch.

Goals and Objectives

- Increase collaboration throughout the branch by sharing work products in an accessible manner to reduce the time spent researching solutions (e.g., the transition to electronic case files).
- Identify and implement a shared, web-based platform to share technology-related knowledge and experience.



Considerations

- Commitment throughout the branch to work together to contribute information and knowledge to solve common problems.
- Planning, orientation, and follow-through to ensure that tools that are adopted are being used effectively.
- Funding for recommended strategies.

Potential Funding Requirements

One-time costs

- Judicial Council establishment of a branch collaboration solution.

Ongoing costs

- Judicial Council program support, as needed.
- Judicial Council IT maintenance and licensing of branch collaboration solutions.



Innovate Through IT Community

Digital Court Ecosystem

Description

The judicial branch has made considerable progress in modernizing and reducing the number of vendor-specific case management systems implemented throughout the branch. However, when courts want to expand their core CMS functionality through integrated systems or products, the current approach requires courts to repeatedly “reinvent the wheel” to do so. This is largely because these add-on systems must be tightly coupled with the underlying CMS. These challenges, along with variations in technology resources from court to court, create significant inconsistencies in digital access and services for the public throughout California. A common, CMS-agnostic platform is needed to shorten the time required for courts to implement these common peripheral applications to provide greater operational efficiencies, streamline work between justice agencies, and provide digital access and services to the public.

The judicial branch IT community has a long history of sharing ideas and leveraging solutions where possible. To extend these efforts and focus on sharing solutions, a judicial branch team has created a vision for an application development architectural framework, known as CourtStack, that will create a digital court “ecosystem.” The CourtStack architecture distills the technology into standards-based components and application programming interfaces (APIs) (e.g., Virtual CMS, an integration engine, identity management, case searching, case access, etc.) that create an abstraction layer on top of the core case management systems and a common communication layer for systems to interact with. This modular approach to integrating and interacting with core case management systems provides the foundation from which to streamline the adoption of current and future technology solutions across courts and promotes significant reuse of branch technology assets.

Benefits

- Enables courts to adopt innovative solutions developed by other courts and vendors.
- Enables courts to adopt branchwide programs geared toward increasing local court efficiencies and to expand remote access and remote services to the public—critical objectives of the Digital Court.
- Reduces the time required to implement innovative solutions and branchwide systems.
- Expands available digital court solutions that increase the public’s access to services.



Goals and Objectives

- Develop and expand the CourtStack technical ecosystem for integration between core case management systems and custom-developed and vendor-based peripheral systems that will allow for further innovation sharing among courts.
- Identify established state and local initiatives, use cases, and/or solutions that would have the greatest potential benefit to the branch.
- Incorporate technical foundation requirements into prioritized initiatives for piloting or deployment (e.g., an ability-to-pay application) and capture lessons learned.
- Propose a funding and support model for establishing the technical foundation and ongoing support needs.

Considerations

- Identify and prioritize the foundational components and services required before developing top-level solutions.
- Identify new or established branchwide programs that can leverage the foundation.
- Court and branch commitment to leveraging the Digital Court Ecosystem foundation when building, integrating, and supporting new peripheral systems to allow for adoption by other courts.
- Assess courts' needs and interest in expanding online self-help services.

Potential Funding Requirements

One-time costs

- Development of technical foundation.

Ongoing costs

- Maintenance and support.



Advance IT Security and Infrastructure

LAN/WAN Infrastructure

Description

The Telecommunications LAN/WAN Program provides a portfolio of services for all courts. The current program projects focus on modernizing branchwide wireless infrastructure to support mobile apps and services while optimizing LAN/WAN infrastructure and architecture to support data analytics and cloud-based applications and services. Additional focus areas include implementing infrastructure for cost-effective and reliable internet service at all courts; offering managed security services that provide a layered defense against threats to the availability, integrity, and confidentiality of court data; and inventory tracking for network equipment.

This initiative's areas of focus do not change greatly from year to year; however, new technology and services implemented during the period covered by this tactical plan provide the necessary foundation for courts to operate in the electronic realm.

Benefits

- Increases coverage and capacity for wireless and mobile devices, applications, and the IoT (Internet of Things).
- Proactively identifies and closes gaps in maintenance coverage.
- Enhances accuracy in budget projections.
- Provides a stronger defense against threats to court information and services as court technology and use of mobile devices expand.
- Increases availability and improves performance for remote online access to court services, remote hearings, data analytics, and cloud-based applications and services.

Goals and Objectives

- Increase LAN backbone speeds as equipment is refreshed and court cabling permits.
- Upgrade routing, switching, and security infrastructure and architecture to support the increase in internet and WAN bandwidth required for remote access to court services, data analytics, and cloud-based applications and services.
- Provide reliable internet access for all courts, especially those located in remote rural areas.
- Modernize Wi-Fi infrastructure to provide better coverage and more bandwidth for mobile devices, mobile apps, and IoT.



- Modernize standards for cloud connectivity, WAN failover (transferring tasks from a failed component to a backup component), and WAN optimization.
- Extend the footprint of new managed security services to additional seats/courts.
- Continue collaboration between the Judicial Council's Facilities Services and Information Technology offices to design and implement modern technologies and platforms in smart buildings that meet current requirements and are adaptable for future need.

Considerations

- Current funding source (State Trial Court Improvement and Modernization Fund) is operating at a structural deficit and may be unable to provide complete funding for this program.

Potential Funding Requirements

One-time costs

- Modernization of the branchwide wireless infrastructure.
- Infrastructure to provide cost-effective and reliable internet service at all courts.

Ongoing costs

- Asset management.
- Additional managed security services.



Advance IT Security and Infrastructure

Next-Generation Branchwide Hosting Solutions

Description

Over the past several years, the branchwide strategy for hosting court case management systems and other shared applications has evolved to correspond with the growth of new hosting technology solutions. The judicial branch continues to evaluate available modern hosting solutions to ensure that resources and opportunities are being used as effectively as possible to address the current and future needs of courts and align the branch with the new strategic direction.

As hosting models and technology evolve, the most cost-effective branchwide strategy for hosting IT applications and services may be enabled through a combination of selective consolidation, virtualization, and implementation of secure private and public cloud environments. The goal of this tactical initiative is to further leverage the branchwide hosting model to provide strategies that support a modern approach to data center and application delivery, including the transition of branchwide applications to hosted solutions, and continued consultation with and services to courts.

Benefits

- Provides a strategy for business continuity and disaster recovery.
- Reduces ongoing needs for maintenance and support of local infrastructure.
- Reduces dependency on core facility infrastructure provisions, such as electrical power, cooling, and space.
- Reduces reliance on outdated technologies that do not meet the strategic goals of the judicial branch.
- Provides a versatile environment that enables the judicial branch to more rapidly deploy new services that better meet the needs of the public and consumers of judicial branch services.
- Offers the ability to rapidly obtain needed infrastructure in emergency and nonemergency situations.

Goals and Objectives

- Create a multifaceted application strategy to make determinations about hosting, factoring, building, and/or replacing applications and their delivery.
- Determine how new applications can be deployed and/or built using secure cloud-optimized and cloud-native design principles.



- Utilize the structured hosting matrix that identifies potential use cases for cloud computing, including the benefits and challenges for specific application workloads.
- Align next-generation hosting with the strategy and road map for the digital court initiatives and ensure that it is consistent/compliant with the security road map.

Considerations

- Availability of Judicial Council and court staff resources to plan, develop, and execute next-generation hosting for judicial branch entities.
- Availability of expertise to assist judicial branch entities in their transition to next-generation hosting.

Potential Funding Requirements

Ongoing costs

- Hosting services that are shared across the branch.
- Direct billing to the courts for court-specific services.



Advance IT Security and Infrastructure

Disaster Recovery

Description

The vision of the disaster recovery initiative is to modernize and simplify the approach to implementing disaster recovery solutions within the California judicial branch. A robust disaster recovery program is a critical component of an organization's continuity of operations plan. In case of a significant disruption resulting from a disaster such as a flood, a fire, an earthquake, or another natural or man-made incident, judicial branch entities have varying degrees of preparedness for recovery of their technological systems and may be at risk of being unable to provide a timely restoration of essential functions and services to court staff and the public.

Modern technologies with new thresholds for elasticity, availability, and security provide judicial branch entities with opportunities to design, test, and deploy scalable disaster recovery solutions in an expedited, cost-effective, and efficient manner. This initiative will continue to promote the adoption of modern disaster recovery solutions.

Benefits

- Improves the availability of and accessibility to court programs and services.
- Ensures essential court records will be securely maintained and will remain available, even in the event of a disaster.
- Provides a model for interested judicial branch entities to adopt emerging disaster recovery solutions.
- Modernizes and simplifies the approach to implementing disaster recovery solutions within the California judicial branch.
- Improves continuity of business services and access to justice.
- Reduces the risk of interruption to vital court services.
- Ensures that courts are better able to meet the public's expectations after a disaster incident.
- Reduces the complexity of the local infrastructure footprint as well as the cost.
- Extends recovery capabilities using modern and emerging technology service providers.

Goals and Objectives

- Modernize and simplify the approach to implementing disaster recovery solutions within the California judicial branch.



- Demonstrate the viability of emerging solutions for disaster recovery.
- Recommend a list of critical technology services that make business sense for recovery adoption.
- Develop a set of business questions or a toolkit for judicial branch entities to self-assess their preparedness for disaster recovery and tolerance for risk.
- Leverage the work products and design solution templates from the Disaster Recovery Phase 2 Workstream to increase the disaster recovery maturity level.
- Recommend standard recovery times and priorities for each of the major technology components of the branch that leverage learnings from the new technology capabilities and service offerings.
- Identify existing technology initiatives and infrastructure solutions that can be leveraged, such as the Next-Generation Hosting Workstream, the Court Innovations Grant Program, and courts that have deployed solutions in the cloud (e.g., functional hybrid architectures for critical systems that extend local infrastructure by using cloud service offerings for high availability).
- Track and validate courts moving to implement modern and emerging disaster recovery solutions for critical technology services.
- Conduct education sessions and demonstrations of relevant use-case scenarios for courts interested in design, testing, and implementation of disaster recovery solutions using emerging technology solutions.

Considerations

- Work products and recommended approach from the Disaster Recovery Workstream.
- Success of the pilot implementation of disaster recovery solutions.
- Funding sources for judicial branch entities to implement recovery solutions using technologies from vendors selected in the disaster recovery master agreement.

Potential Funding Requirements

One-time costs

- A disaster recovery solution for critical systems using recovery solutions based on emerging and modern technology platforms.
- Design and deployment of functional hybrid architectures for priority systems that extend infrastructure to the cloud while reducing the local footprint.

Ongoing costs

- Data storage, system, bandwidth, and other operational usage needs related to operating cloud-based, hybrid, or other emerging disaster recovery solutions.



Advance IT Security and Infrastructure

Branchwide Information Security

Description

With increased use of technology and remote access solutions comes increased security risks to the courts throughout California. One of the judicial branch's strategic objectives is to establish a sustainable information security program to support the reliable delivery of services to judicial branch entities and their customers. The judicial branch continues to invest in a secure, scalable, and robust technology infrastructure as a foundation to providing digital services. This program will accomplish its mission through the use of information security governance, policies, standards, guidelines, and services that protect the judicial branch's information assets and the security interests of the users of branch services. The Information Technology Advisory Committee's security workstream now in progress will develop further recommendations to achieve these goals and ensure alignment with ongoing development of judicial branch security standards.

Benefits

- Enhances security and data reliability; improves collaboration, data sharing, and decision-making.
- Provides more effective risk management.
- Provides clear security guidelines for all judicial branch entities.
- Creates baseline policies as a foundation to measure effectiveness.
- Ensures consistent application of security controls across the branch.
- Provides a central point of contact for judicial branch entities to address IT security needs.

Goals and Objectives

- Update the implementation road map for addressing evolving security strategies and tools.
- Create an overarching strategy for educating courts on information security best practices, risk management, and incident response.
- Create an overarching strategy in the branch for educating courts on information security best practices, risk management, and incident response.
- Continue to provide ongoing branchwide information security assessments to court security environments and prioritize activities within the security road map.
- Formalize an IT Security Governance model that is community-focused and leverages resources from local, state, and federal cybersecurity organizations.



- Enhance and update security incident response processes and procedures to detect, identify, and address an ever-evolving set of potential security risks.
- Propose additional proactive risk management tools and tactics, including end point management and incident response.

Considerations

- Ability of courts to keep up with constantly evolving security protocols.
- Aligned policies, procedures, and standards that can be leveraged by individual courts.
- Availability of and funding for security awareness training for employees, executives, and judicial leaders.
- An understanding that information security is an ongoing program requiring maintenance and support and not a one-time, discrete project.
- Difficulty for some courts to fund additional and ongoing expenses for information security (including business continuity and disaster recovery programs) out of their existing budgets.

Potential Funding Requirements

Ongoing costs

- Maintenance of an effective information security program.



Promote Rule and Legislative Changes

Identification of New Policy, Rule, and Legislative Changes

Description

The need to align policies, rules of court, and legislation to support the use of technology in all courts consistent with the judicial branch's *Strategic Plan for Technology* is ongoing. This need includes supporting changes to implement select initiatives of the Commission on the Future of California's Court System, advance the use of innovative technologies in the courts, ensure that laws support the adoption of new and existing technologies, authorize the use of technology to improve the court-room experience, balance the protection of personal privacy, and increase public access to the court. Proposals for such changes may originate with judicial branch advisory committees or workgroups, courts, judges, attorneys, government entities, or the public.

Benefits

- Updates or provides new authority to implement modern business practices and technology.
- Increases public satisfaction as court users are able to conduct court business and obtain services electronically outside of traditional business hours.
- Promotes safety and potential savings in time, resources, and expenses.
- Improves, expands, and offers more convenient access to the courts.
- Aligns with branch efforts to expand self-help and language services.
- Allows for better communication and information sharing between courts and justice partners.

Goals and Objectives

- Continue modernization of statutes, rules, and procedures to permit and enhance the use of technology in court operations and the delivery of court services.
- Develop and update rules, standards, and guidelines in areas in which new technologies affect court operations and access to the courts.
- Update and publicize branch and model court privacy policies on electronic access to court records and other court-held information contained in the *Privacy Resource Guide*.⁵

⁵ Judicial Council of Cal., *Privacy Resource Guide: For the California Trial and Appellate Courts and the Judicial Branch* (Nov. 1, 2018), available on the Judicial Resources Network.



- In partnership with the Court Executives Advisory Committee, revise the *Trial Court Records Manual* to reflect changes in the law, new standards and guidelines, and best practices relating to electronic court records.

Considerations

- Rules and legislative proposals require action by the Judicial Council, internal committees, and advisory committees (including subcommittees).
- Legislative proposals require action by the Legislature and Governor.
- Branch internal policies and guidelines require advisory committee action and may also require action by the Judicial Council and internal committees.
- Public and stakeholder feedback must be considered at all levels.
- Judicial Council staff support is required throughout applicable review and approval processes.

Potential Funding Requirements

No new funding is required to change policies, rules, and legislation.

One-time costs

- Implementation of policy, rule, and legislative changes by individual courts.

Ongoing costs

- Staff support and committee member time for the development, review, and approval process of specific proposals.
- Implementation of policy, rule, and legislative changes by individual courts.



Initiative Summary and Progress

2019–2022 Strategic Plan Goal	2019–2020 Tactical Plan Initiative	2021–2022 Tactical Plan Initiative Update	Strategic Plan Objectives Supported*
Promote the Digital Court	CMS Migration and Deployment	CMS Migration and Deployment	1.1, 1.3, 1.4, 1.5, 2.2, 3.2, 3.4
	Expansion of Electronic Court Record Management	Expansion of Electronic Record Management	1.1, 1.2, 1.3, 1.4, 1.5, 3.1, 3.2, 3.3, 3.5, 3.6
	Language Access Technology	Language Access Technology	1.1, 2.1, 2.2, 3.1, 3.5, 4.1, 4.2, 4.3, 4.4
	Remote Video Appearances	Remote Video Appearances	2.2, 3.5, 4.1, 4.2, 4.3
	Self-Help Electronic Services	Online Self-Help Services	1.1, 1.3
	Statewide Electronic Filing Program Development & Deployment	Electronic Filing Development & Deployment	1.1, 1.2, 1.3, 2.2, 3.4, 4.1, 4.2, 4.3
	Digital Evidence Management	Electronic Evidence Management	1.1, 1.2, 1.3, 1.5, 2.1, 2.2, 2.3, 3.2, 3.3, 3.4, 3.5, 4.1, 4.2, 4.3, 4.4
	Branchwide Identity Management	Branchwide Identity Management	1.1, 1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 2.3, 2.5, 3.2, 3.4
	Data Analytics and Business Intelligence	Data Analytics: Governance and Sharing	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 2.3, 2.4, 2.5, 4.1
	Enterprise Resource Management	Enterprise Resource Management	1.1, 1.2, 1.4, 2.2, 3.2, 3.5
Online Dispute Resolution Investigation	Online Dispute Resolution Evaluation and Implementation	1.3	
Innovate Through IT Community	Expand Collaboration Within the Branch IT Community	Expand Collaboration Within the Branch IT Community	1.2, 1.4, 2.1, 2.2, 2.3, 2.4, 2.5
		Digital Court Ecosystem (New)	1.1, 1.2, 1.3, 1.5, 2.2



2019–2022 Strategic Plan Goal	2019–2020 Tactical Plan Initiative	2021–2022 Tactical Plan Initiative Update	Strategic Plan Objectives Supported*
Advance IT Security and Infrastructure	LAN/WAN Infrastructure	LAN/WAN Infrastructure	1.1, 1.2, 1.4, 3.1, 3.2, 3.3, 3.5, 3.6
	Transition to Next-Generation Branchwide Hosting Model Phase II	Next-Generation Branchwide Hosting Solutions	1.1, 1.2, 1.3, 1.5, 1.6, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6
	Disaster Recovery Phase II	Disaster Recovery	1.1, 2.2, 2.5, 3.3
	Branchwide Information Security Road Map	Branchwide Information Security	1.3, 1.5, 1.6, 3.1, 3.4, 3.6
Promote Rule and Legislative Changes	Identify New Policy, Rule, and Legislative Changes	Identify New Policy, Rule, and Legislative Changes	4.1, 4.2, 4.3, 4.4

* Judicial Council of California, *Strategic Plan for Technology 2019–2022*, pp. 8–15.



SP20-12

Tactical Plan for Technology 2021-2022

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
1.	<u>CourtCall</u> by Bob Alvarado, CEO Los Angeles, CA	AM	<p>CourtCall respectfully suggests that the proposals are appropriate to begin to form the basis of an approach but that much additional consideration is required.</p> <p>More specifically, CourtCall can offer a number of suggestions to support the initiative and would welcome the opportunity to do so or to assist with the work of any advisory groups. Zoom-bombing, security concerns, the cost of using court staff to schedule and moderate sessions and the statutes and rules that require modification reflect a few of the many issues to be addressed. We observe that there is considerable interplay among the topics of Language Access Technology, Remote Video Appearances (which should include consideration of telephonic appearances), Electronic Evidence Management and Online Dispute Resolution Evaluation and Implementation and further observe that the “best practices” and methods to employ these technologies vary among case types and the nature of the hearing involved.</p>	No revisions required.
2.	Superior Court of San Bernardino County	A	No specific comment submitted	No revisions required.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

CALIFORNIA JUDICIAL BRANCH

Recommended Guidelines and Minimum Specifications for Video Remote Interpreting (VRI) for Spoken Language- Interpreted Events

XX, 2021



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The *Recommended Guidelines and Minimum Specifications for Video Remote Interpreting (VRI) for Spoken-Language Interpreted Events* was adopted by the Judicial Council on XX, 2021. This document was prepared under the direction of a working group of the Information Technology Advisory Committee, which reviewed and updated the guidelines in 2020-21. These guidelines were adapted from the *Strategic Plan for Language Access in the California Courts*, which was adopted by the Judicial Council on January 22, 2015. The guidelines were last revised in March 2019, following a VRI pilot conducted in 2018.

For electronic copies of these guidelines and for more information, visit www.courts.ca.gov/VRI.htm.

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DRAFT

Introduction

California is home to a very diverse population, with over 200 languages and dialects spoken within its borders. Approximately 7 million of its residents are limited English proficient (LEP), meaning they read, write, speak, or understand English “less than very well.” Federal laws, such as Title VI of the Civil Rights Act of 1964 and Executive Order 13166, ensure that these individuals have meaningful access to any program or activity receiving federal financial assistance by prohibiting discrimination on the basis of race, color, or national origin. Accordingly, LEP individuals must be able to access the court system in a meaningful manner. In an effort to address this need, in January 2015, the Judicial Council of California adopted the [Strategic Plan for Language Access in the California Courts](#) (Language Access Plan, or LAP), which (1) provides the foundational components for ensuring that all LEP court users in the state have equal access to justice, and (2) sets forth guidance and recommendations to help courts expand their language services at the local court level. Two main components of the LAP are to increase qualified interpreter services in any court-ordered, court-operated proceeding as well as to increase the availability of language access services to all court users. The use of technological solutions to expand such services is a component of this plan and is specifically addressed by Goal 2 of the LAP, which highlights the need to incorporate technology to provide access in courtroom proceedings through the provision of remote interpreting and the establishment of recommended minimum technology specifications to facilitate its use.

About VRI

In order to achieve the goal of universal provision of interpreters in judicial proceedings, the LAP notes that appropriate use of technology must be considered. From the use of various forms of remote interpreting (telephonic or video) to developing multilingual audiovisual material, technology will, by necessity, be part of any comprehensive solution to the problem of lack of language access in judicial proceedings.

The use of remote interpreters in courtroom proceedings can be particularly effective in expanding language access. To increase LEP court user access to qualified interpreters, the LAP allows for the proper use of video remote interpreting (VRI) in the courts:

12. The use of in-person, certified and registered court interpreters is preferred for court proceedings, but courts may consider the use of remote interpreting where it is appropriate for a particular event. Remote interpreting may only be used if it will allow LEP court users to fully and meaningfully participate in the proceedings.

The LAP also notes that the quality of interpretation is of paramount importance and should never be compromised. In response to the COVID-19 pandemic in 2020, many California courts implemented remote video solutions to ensure access to justice and protect the health and safety of court staff, court users, and judicial officers. Today, courts have access to a wide variety of technology solutions that enable remote access to court proceedings, including off-site location of the interpreter, the LEP party, jail staff, judge or attorney. In both physical and virtual courtrooms, the quality of the interpretation continues to be of paramount importance and should never be compromised. If the effectiveness of the communication is in no way compromised and certain controls are in place, remote interpreting provides an important and viable way in which to provide LEP court users with immediate access to a qualified interpreter. As described in this document, remote interpreting allows LEP court users to fully and meaningfully participate in court proceedings when the court meets appropriate minimum specifications and provides training and resources for court staff and court users.

Among the benefits of remote interpreting is the facilitation of prompt availability of language access for litigants by providing certified and registered interpreter services with less wait time and fewer postponements; this saves both the court user's and the court's valuable time. In addition, having qualified interpreters more readily available through remote interpreting can decrease the use of less qualified interpreters, dismissals for failure to meet court deadlines,

and the frequency of attorneys or parties waiving interpreter services or proceeding as if the LEP person is not present, in order to avoid delays. By decreasing interpreter travel among venues and increasing the number of events being interpreted by individual interpreters, remote interpreting allows more LEP litigants to be served, in more areas, utilizing the same personnel and financial resources, thereby greatly expanding language access.

Remote access is not limited to providing interpreter services. It is a means to provide a variety of services in locations that are not near a courthouse or not easily accessible. For example, where satellite courts have been closed or where jails are located some distance from courthouses, remote technology has allowed courts to provide access and service to those locations. It is imperative that courts, and the branch as a whole, include remote access technology solutions in language access planning efforts.

Any introduction of remote interpreting in the courtroom will have to include, in advance, appropriate training and education for all personnel who will be involved in the court proceedings. Judicial officers, interpreter coordinators and other court staff will need to know how to use the available technology. This includes how to launch the programs and how to use the technology during remote court proceedings. Judicial officers in particular will have to understand the logistics of the remote interpretation process to ensure they are managing the courtroom and the proceedings appropriately. Similarly, interpreters will need training on the use of the technologies and platforms utilized by the court, as well as ensuring that audio is clear to adequately provide accurate and effective interpretation. As appropriate, attorneys, bailiffs, sheriffs and jail staff must also receive training and instructional material on the use of adopted platforms and technologies. Similarly, court staff must be trained and available to troubleshoot and address any technical problems with the equipment as the need arises.

LEP court users should also be informed of how to use the court's technologies and platforms. This may include translated instructions and recorded online orientations, etc. The LEP court user should be advised of the options for participation and the minimum technological

specifications required to support those options (e.g. telephone, Wi-Fi, etc.). The court should make alternative solutions available (e.g., telephonic interpretation or workstations at the court) if the LEP court user does not have access to the minimum technology necessary for effective virtual participation as described in this document.

About These Guidelines

These are suggested guidelines for remote interpreting for spoken language based on current best practices and, as such, should be subject to updating and revision by the Council to accommodate advances in technology that will support the delivery of interpreter services to LEP court users and help ensure quality communication with LEP court users.

Considerations and Guidelines for Video Remote Interpreting in Court Proceedings

When using VRI meeting minimum technology specifications and providing training are critical. Additionally, prior to selecting VRI for a particular courtroom event, the court should adhere to additional considerations and guidelines as described below.

Key Considerations

A. Minimum Technology Specifications for Remote Interpreting

When using VRI in any proceeding, the court should ensure that it has the equipment and technology to provide high-quality communications, regardless of the physical location of the participants. (See Appendix A for Minimum Technology Specifications).

B. Training

Prior to conducting VRI proceedings, the court should provide all persons participating in the VRI event adequate training and orientation in the use of the equipment, interactions and interpreting protocols.

Considerations for VRI for a court event

The initial analysis for determining whether a court proceeding is appropriate for VRI may be made by the interpreter coordinator, judicial officer, and/or court staff. The interpreter coordinator, judicial officer, and/or court staff should consider all of the following when using VRI:

- The anticipated length and complexity of the event, including complexity of the communications involved.
- The relative convenience or inconvenience to the court user.
- Whether the matter is uncontested.
- Whether the proceeding is of an immediate nature, such as arraignments for in-custody defendants, bail reductions, and temporary restraining orders.
- Whether the LEP or other parties are present in the courtroom or appearing remotely.
- The number of court users planned to receive interpretation from the same interpreter during the event.
- The efficient deployment of court resources.
- Whether the LEP party requires a relay interpreter; e.g., where there is an interpreter for an indigenous language who relays the interpretation in Spanish to another interpreter who then provides the interpretation in English. (The need for a relay interpreter does not preclude the use of VRI but might necessitate the presence of at least one of the interpreters in the courtroom or a combination of remote technologies.)
- Whether the LEP parties require different interpreters.

Guidelines for using VRI in a court proceeding

1. Need to Interrupt or Clarify

When using VRI, the court should consult with the interpreter to determine how best to facilitate interruptions or clarifications that may be needed. The court should suspend

and reschedule a matter if VRI is not facilitating effective communication due to technology issues or other reasons.

2. VRI Time Management

The court should be mindful that in remote interpreting, there may be additional lag time needed for interpreting and relay interpreting. In addition, remote interpreting may include increased fatigue and stress. Events involving remote interpreting should have shorter sessions or more frequent breaks.

3. Participants Who Must Have Access

The remote interpreter's voice must be heard clearly throughout the courtroom or in a remote courtroom session, and the interpreter must be able to hear all participants, whether they are in person or appearing remotely.

4. Visual/Auditory Issues, Confidentiality, and Modes of Interpreting

VRI is generally preferred over telephonic interpreting that does not provide visual cues. Several remote platforms provide options for confidential conversations with the LEP litigant, attorney and interpreter. Remote technologies may provide sight translation, consecutive, and simultaneous interpretation options.

5. Documents and Other Information

The court should ensure the availability of technology to communicate written information to the interpreter including a copy of exhibits being introduced, as well as information after a proceeding, such as an order, so the interpreter can provide sight translation to the LEP individual if needed.

6. Professional Standards and Ethics

The same rules for using qualified interpreters apply to assignments using VRI. It is the intent of the language access plan to expand the availability of certified and registered interpreters through the use of VRI. All interpreters performing VRI should be familiar with—and are bound by—the same professional standards and ethics as onsite court interpreters.¹

¹ The requirements for provisionally qualifying an interpreter can be found in Government Code section 68651(c) and California Rules of Court, rule 2.893.

7. Data Collection

- a. Courts using VRI in the courtroom, or in a remote courtroom session, should monitor the effectiveness of their technology and equipment. This may include periodic surveys and/or a method for feedback and complaints by in person and remote participants.
- b. For purposes of supporting funding requests, courts should collect data regarding VRI on an ongoing basis (e.g., number of interpreter sessions provided, number of languages, and quality of VRI solutions).
- c. The Court Interpreter Data Collection System (CIDCS) allows courts to track VRI as the method of interpretation. The data collected in CIDCS is used to support Budget Change Proposals, including augmentation requests for the Court Interpreter Fund and other language access projects, including funding for VRI equipment.

Visual/Auditory Issues, Confidentiality, and Modes of Interpreting When Working Remotely

1. A clear view of the LEP court user is more important than a view of every speaker. Although the default setting for various platforms displays the speaker, the courts may pin various courtroom participants to remain in view. Cameras on all stakeholders may be beneficial but may not be essential. A speakerphone is not recommended unless it accommodates the other requirements of these guidelines, including the ability to be part of a solution to allow for simultaneous interpreting when needed.
2. To ensure the opportunity for confidential attorney-client conferencing, the attorney should have the ability to speak confidentially with their LEP client with the assistance of an interpreter. This could be accomplished using a combination of personal communication devices such as smartphones, tablets, headphones, and/or individual handsets, depending on the physical location of each participant. Technology used to support virtual courtroom sessions must include some sort of breakout room or conference call functionality to provide for private conversations.

3. Interpreting in the courtroom regularly involves both simultaneous and consecutive modes of interpreting. This can be achieved in a variety of ways using existing and emerging technologies. In longer matters, failure to have a technical solution that can accommodate simultaneous interpreting will result in delays of court time and may cause frustration with remote interpreting. Courts should use a technical solution that will allow for simultaneous interpreting. However, there may be proceedings or connectivity issues (for example, very short matters via a telephone) in which consecutive interpreting is adequate to ensure language access. When using consecutive interpreting, the court should advise participants to speak clearly and in short sentences to help facilitate accurate interpretation.
4. Recognizing that courts may implement very different technical solutions for VRI, it is critical that prior to the start of an interpreted event all parties, judicial officers, court staff, jail staff, and officers of the court (including attorneys and interpreters) know how to allow for confidential conferencing when needed. For example, how to launch a virtual breakout room, add participants, and rejoin the hearing.
5. All participants, including the LEP party and the interpreters, need to check microphone and/or camera clarity before beginning interpretation. In addition, all participants, including the LEP court users and interpreters should also check their phone or internet connectivity to ensure adequate signal.
6. Both VRI interpreters and courts should receive training and be knowledgeable of general steps to address technical issues. If available, the courts should also have technical support readily available as needed.
7. Clear, concise operating instructions should be available to interpreters, courtroom staff, jail staff, and LEP court users regarding any technical specifications or procedures related to remote interpretation.

Note: There are different and other visual considerations, including visual confidentiality, if using VRI with American Sign Language (ASL). Please see www.courts.ca.gov/documents/CIP-ASL-VRI-Guidelines.pdf for a complete discussion of using VRI with ASL-interpreted events.

Appendix A—Minimum Specifications for Remote Interpreting

The following table provides guidelines for providing remote interpretation to LEP court users in court sessions that are initiated in a physical courtroom or a virtual courtroom. Solutions will need to support both consecutive interpretation (in open court when the speaker pauses after one or two sentences and allows the interpreter to interpret from the source language to the target language before the speaker continues on with their speech) and simultaneous interpretation (when the interpretation from the source language to the target language happens in real time). Solutions will also need the capability for breakout rooms that allow confidential conversations between the LEP, attorney and court interpreter.

Court users will receive instructions from the court on how to participate in remote hearings if they are appearing remotely. Court users may participate in remote hearings by using their smartphone or computer if the device has a microphone and internal or external video camera, and access to internet and Wi-Fi that supports reliable connectivity for sound and video image. Remote video connections can also be provided from a location within the courthouse for both the LEP and/or an interpreter (e.g., workstations at the courthouse that allow the LEP or interpreter to participate remotely via video). If the LEP can only connect using audio only (i.e., a phone without smartphone functionality and no video), then a telephone number will be provided to the LEP by the court for participation.

Courts will need to ensure that platforms used for remote hearings ensure data security for the court.

Court Information Technology (IT) personnel are highly encouraged to contact their assigned Judicial Council LAN/WAN design engineer for technical advice on network equipment and internet circuits. If court personnel are not sure who their design engineer is, they can e-mail LANWAN@jud.ca.gov and the appropriate team member will respond.

Minimum Specifications for Remote Interpreting

The following table provides guidelines for various scenarios to provide consecutive and simultaneous interpretation to LEP court users in court sessions that allow for remote appearances that are either:

1. Initiated in a physical courtroom with both in-person and remote participation, or
2. A virtual courtroom session, where all participants are remote.

All scenarios require a remote video solution that provides the following functionality:

- Breakout rooms for interpreters and LEP court participants to have confidential discussions with attorneys.
- Ability for the interpreter to toggle back and forth between a connection to speak with the LEP and to the court in English and the required language (consecutive interpreting) and to listen to proceedings and to speak with the LEP only in their required language (simultaneous interpreting).

1. Physical Courtroom with In-person and Remote Participants

Scenario	LEP Connection	Interpreter Connection	Audio
Interpreter and LEP Remote	<i>Remote video*</i>	<i>Remote video*</i>	<i>Internal (courtroom microphones) and external (remote session) audio connected to the courtroom public address (PA) system so all participants can be heard</i>
Interpreter in Person, LEP Remote	<i>Remote video*</i>	<i>Tablet device and headset to join the remote video session from within the courtroom</i>	
LEP in Person, Interpreter Remote	<i>Tablet device and headset to join the remote video session from within the courtroom</i>	<i>Remote video*</i>	

2. Virtual Courtroom with all Remote Participants

Scenario	LEP Connection	Interpreter Connection	Audio
Interpreter and LEP Remote	<i>Remote video*</i>	<i>Remote video*</i>	<i>Provided via remote video solution</i>

** If the LEP can only connect via telephone (no video), then a telephone number will be provided to the LEP by the court for participation. A remote video connection could be provided from a location within the courthouse for both LEP and/or an Interpreter.*