

Electronic Evidence Workstream Ph II Findings and Recommendations

March 2024

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



Workstream Charge

Goals

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

Use Cases that could benefit:

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

Approach

Tracks

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

Branch Survey

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

Conducted March-April 2021

Pilot Projects



Superior Court of Orange County



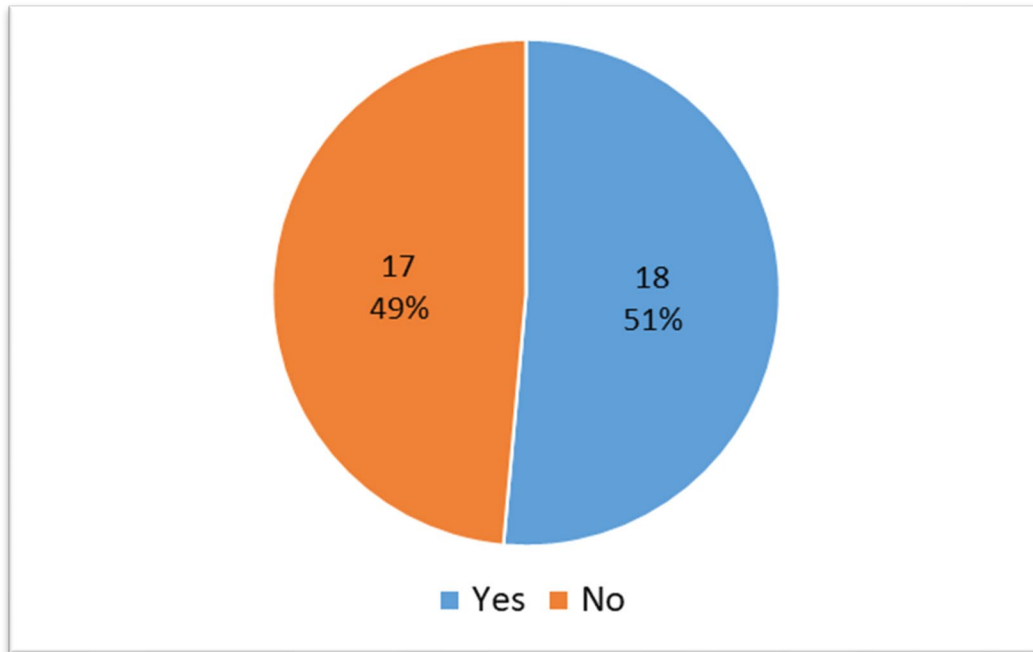
Superior Court of Placer County



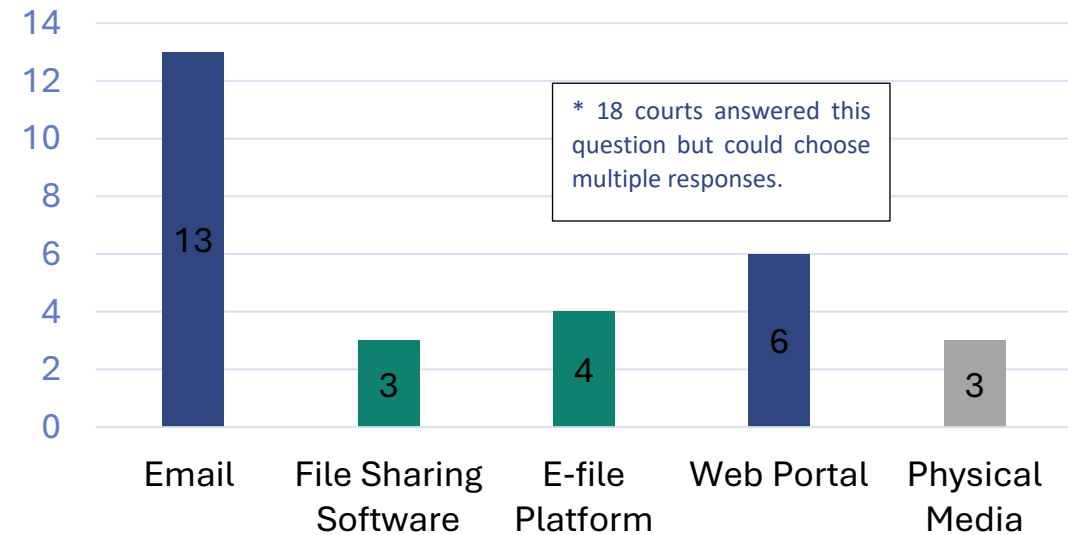
Superior Court of San Diego

Stakeholder Survey Findings: Court Results

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

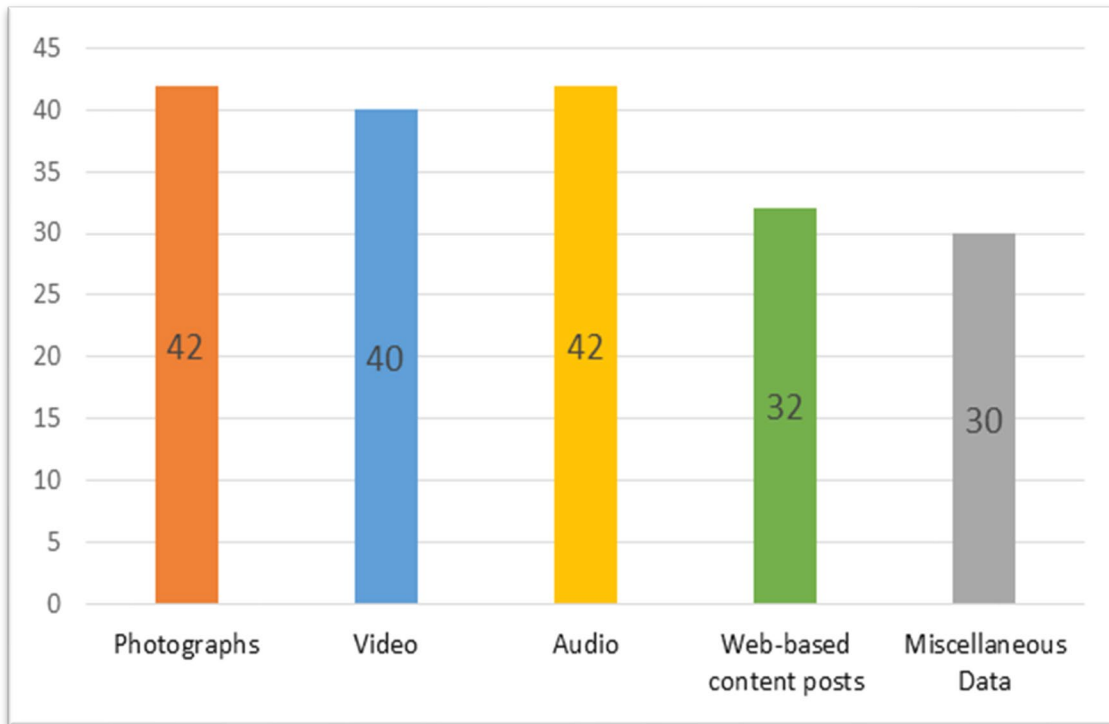


QUESTION 15: If you answered yes to question 13, by what transmission method does your court accept electronic evidence (choose all that apply)?

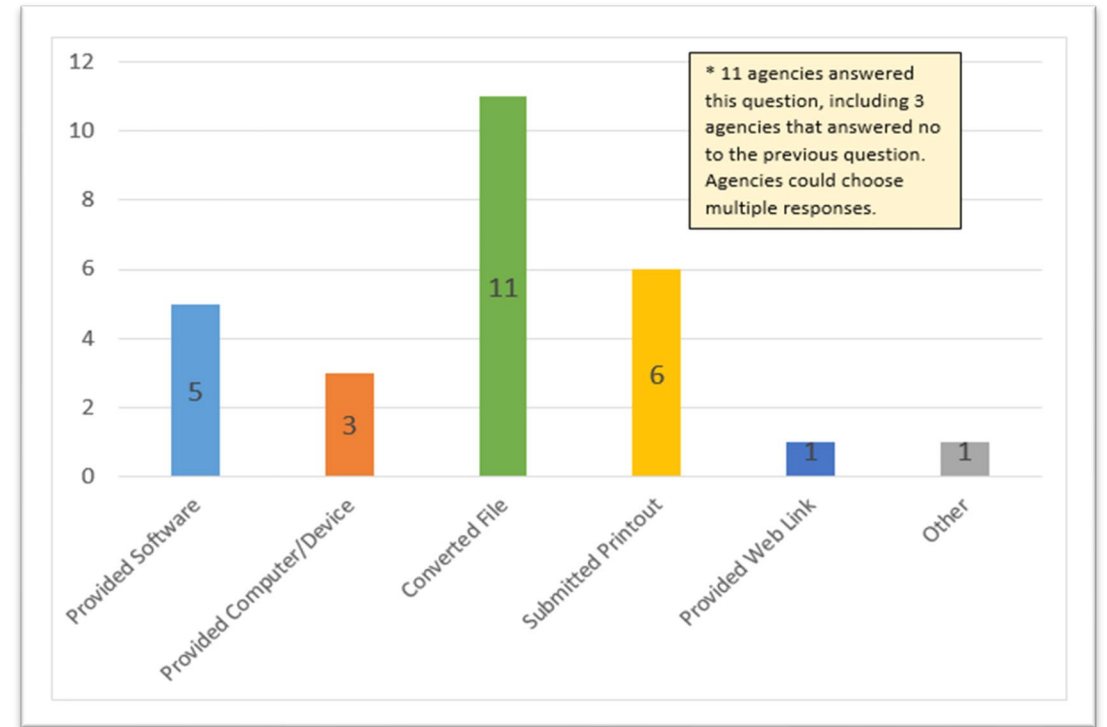


Stakeholder Survey Findings: Criminal Justice Partner Results

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



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



Recommendations

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

Workstream Members

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

Mr. Fred Acosta

Superior Court of Orange County, Workstream Project Manager

Hon. Mariano-Florentino Cuéllar

Associate Justice, Supreme Court of California

Hon. Julie R. Culver

Judge, Superior Court of Monterey County

Hon. Michael Gaffey

Judge, Superior Court of Alameda County

Hon. Jeff Kauffman

Judge, Superior Court of Solano County

Ms. Brenda Allen-Booth

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Mr. Sharif Elmallah

Court Executive Officer, Superior Court of Butte County

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Information Technology Director, Superior Court of Sonoma County

Mr. Scott McNitt

Information Security Officer, Superior Court of Kern County

Ms. Ashley Huang

Judicial Fellow, Superior Court of San Mateo County

Mr. Rick Walery

IT Director, Superior Court of San Mateo County

Ms. Mary Garcia-Whalen

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

Judicial Council staff:

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

Action Requested and Next Steps

Action Requested:

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

Next Steps:

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

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

California Trial Court Facilities Standards

Revisions

March 7, 2024



Revisions

- Related to technology including audio visual requirements
- Suggestions based on work of the Hybrid Courtroom workstream

Revision Summary: Audio

- **Add microphones** to Bailiff, Lectern, and additional wireless microphones.
- Suggest **microphone at court reporter station** for use during hybrid hearings.
- **8 to 12-channel audio feed** for court proceedings.

Revision Summary: Visual

- Include **four fixed cameras** to capture Judge, Witness, and each Attorney table.
- Large **flat panel displays** on wall in place of projector and screen. A **monitor behind the witness** should also be considered.
- **Audience monitors** in all courtrooms.
- **Document camera** per courtroom.

Revision Summary: Additional Considerations

- **Raised floor systems** should be used in rooms where there is extensive use of technology and in-floor / distributed power needs
 - EX: hybrid courtrooms, training rooms, videoconference spaces
- **Touch panels** for judge *and* clerk.

Action Requested

Request approval of the proposed updates to the Trial Court Facilities Manual related to technology including audio visual requirements and provide to the Court Facilities Advisory Committee for consideration.

Questions & Discussion