

JAVS PERSPECTIVES SERIES:

EFFECTIVE USE OF DIGITAL RECORDING  
TECHNOLOGY IN THE LEGAL SYSTEM

# THE IMPORTANCE OF A CONNECTED COURTROOM

## TECHNOLOGY INTEGRATION TO ENHANCE THE COURT RECORD



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## **TECHNOLOGY INTEGRATION TO ENHANCE THE COURT RECORD**

**According to litigator Angela Campbell of the Dickey and Campbell Law Firm, P.L.C. in Des Moines, Iowa, “everyone should be using technology” in the courtroom because it is expected by jurors, judges, and clients.**<sup>2</sup> It is important to focus on technology integration—using technology that all works together to make it possible for everyone to see and hear what is happening in a courtroom according to the needs of the court. Technology integration allows attorneys to focus a judge and jury’s attention on documents and exhibits on video screens throughout the courtroom. Technology integration also assures that hard-of-hearing individuals can benefit from assistive listening devices that allow them to hear all media presented in court. In short, technology integration ensures that what happens in a courtroom—from witness testimony to demonstrations of evidence with a laptop to closing arguments—is fully and easily accessible in the official court record.

Although the idea of a fully connected courtroom is something that most judges and staff can appreciate, the process of bringing this about can be difficult. Many courtrooms with AV components utilize analog technology. Over the years, many courts chose a “piecemeal” approach rather than an integrated approach to technology, just adding one piece of equipment at a time rather than designing the entire system to handle today’s—and tomorrow’s—digital technology. We are quickly approaching the time when analog components are no longer manufactured, or supported. This approaching deadline is called “analog sunset.”



The answer to analog sunset? Designing the technology needs of a courtroom as a whole, ensuring that the technology is integrated so that it all works well together and digital coordination can capture the many new types of media advanced by attorneys in today's court system, from body cams to cell phones and annotated images. Courts need to be able to both display and preserve a court record that may include multiple forms of media in an easy, accessible, and integrated fashion.

### **AUDIO INTEGRATION IN A CONNECTED COURTROOM**

Integrated audio technology offers multiple ways to improve the court record. Some judges have been known to place the phone on speaker mode in front of a microphone in an awkward attempt to preserve the court record during a teleconference. This approach leads to possible gaps in the court record depending on how audible the phone is and whether the microphone can pick up all of the conversation. A better way is to integrate the technology by having the phone feed directly into a fully integrated audio mixer. This integrated method also means that the conversation can be amplified through the court's public address system, ensuring everyone can clearly hear the conversation if desired. With integrated digital audio technology, judges can still have private conversations with attorneys at the bench or in chambers to preserve the court record without broadcasting the conversation to the rest of the courtroom. Judges can enhance private conversations by projecting white or pink noise over the gallery and jury box to further mask the conversation. With integrated technology, judges can also record or mute during a private conversation.



A truly integrated courtroom also ties the Case Management System to the AV case record and marks it with metadata. The approach means that the clerk or court reporter does not have to manually type up case information for every recording because the title and other information will be automatically imported.

This metadata can also be useful if the court stores the video file digitally. Digital recording allows for automatic time stamping that can be linked with notes regarding the case. Automatic notes are created whenever a different person speaks, or an admin can add notes manually during or after a recording. When the case is reviewed at a later date, they can simply click a note and be taken directly to that point in the recording.

## **ADVANTAGES OF AN INTEGRATED COURT AUDIO SYSTEM:**

- Court AV system records directly into the digital recorder (ensuring crystal clear audio on playback)
- Conferencing solutions are fully integrated so that all sides of the teleconference conversation are heard and recorded
- Public Address (PA) systems boost volume of spoken word so everyone can hear the testimony
- All media players (including laptops and iPads) are connected to the PA system so that the material can be played throughout the courtroom
- Assistive listening systems can provide hard-of-hearing persons a more complete audio experience
- Case Management System integration: AV record is tied to case record—can mark with metadata rather than manually typing up case information for every recording



## **VIDEO INTEGRATION IN A CONNECTED COURTROOM**

Evidence can come in many forms, from witness testimony to exhibits such as documents, photographs, or even video clips such as the footage from a smartphone or bodycam. There must be an easy way for the attorney to present the evidence, everyone needs to be able to view the evidence if desired, and the presentation must be preserved as an official part of the court record.

Technology integration means that an Evidence Presentation System will replace the hassle of dragging in poster boards and easels (or worse, temporary dry erase boards that do not preserve images for the record). Storage is an issue for courts, and the use of bulky poster board means a lot of room is taken up preserving these large items for the record. In fact, storage has become such an issue that the state bar of Wisconsin banned the use of poster board exhibits except in murder trials.<sup>3</sup> Using technology integration, storage is reduced to digital space in a format that can be easily shared with an appellate court or other parties.

With technology integration, an attorney can hook up a laptop or iPad to a rolling kiosk to project images on screens throughout the courtroom. Typically, the kiosk will provide an array of input connections for various devices such as HDMI, DVI, VGA, and more. The kiosk usually contains a high-resolution document camera as well as a DVD or Blu-ray player. Whatever the attorney puts on the screen from any of these sources will automatically become part of the official video court record. This includes drawing annotations on an exhibit projected through the camera in real-time to show physical evidence to an entire courtroom. The zoom on the camera shows the finite details of weapons, clothing



and bloodstains, etc. If desired, technology integration preserves a court record that can be easily played back to a jury later in the trial.

Evidence Presentation Systems always have a remote control for the judge, who can turn on the PA system and video screens in the courtroom—or turn them off as needed. Thus, the court can easily control what the jury sees and hears. For example, the judge can even record evidentiary hearings regarding video clips that the jury was not permitted to see, while preserving the evidence in the official court record for appeal.

Judges can also choose to make a record of what occurs in chambers (such as attorney conferences). In addition, a video screen in chambers allows a judge to monitor the courtroom without having to take the bench.

Technology integration can reduce the cost of the transportation of prisoners to court by ensuring that videoconferencing between the jail and court is viewable by everyone in the courtroom and is captured effectively for the court record. For example, video arraignments can reduce travel costs from the jail, reduce insurance costs, and reduce the number of deputies needed in the courtroom. Through video proceedings, courts can efficiently handle multiple inmates at one time as well as increase the safety of officers, court staff, and the public.

Finally, technology integration can allow for Video Switching, where cameras automatically cover who is speaking without the need for manual adjustment. This allows court clerks to focus on courtroom needs rather than adjusting camera angles.



## ADVANTAGES OF VIDEO INTEGRATION IN A CONNECTED COURTROOM

- A judge's chambers can have recording equipment for in-chambers conferences and video screens to monitor the courtroom
- Document camera shown on monitors throughout courtroom—display is recorded directly into official court record
- Touch screen annotations—annotate in real time and everything is captured as part of the official record
- Connections for third party media players (DVD, Blu-ray, phones, laptops, police body cams) make presentations part of official court record
- Jury Review—equipment available to play back part of trial
- Remote arraignment option by video increases safety and reduces budget for transportation and security
- Video Switching—(video cameras automatically cover who is speaking without manual adjustment needed)<sup>4</sup>

## MISCONCEPTIONS ABOUT INTEGRATED DIGITAL AV AND RECORDING

### Audio/Video is Automatically Live-streamed to the Web

There is sometimes a fear that capturing audio or video of court proceedings means that the record automatically streams live to the Web. In fact, capturing an audio and/or video record simply means that the court now has a recording stored safely in the court's database. Technology integration means that the court is in complete control of when that record is released to anyone, either directly through the Web



or through a storage device such as a flash drive.

### **AV Systems are Designed to Replace Court Reporters**

Technology integration can benefit everyone in the courtroom, including court reporters who can use the audio and video record to verify that a transcript is correct. In fact, integrated AV systems enhance the capabilities of already skilled court reporters, because AV technology serves as a valuable back up for court reporters who may not be present at a hearing, may be momentarily distracted while reporting, or who may be trying to sort out the statements of multiple speakers at one time.

AV recording preserves the court record for review during the transcription process, allowing the reporter to further enhance the accuracy of the court transcript. By preserving audio for later listening and video that displays non-verbal communication by the speaker, court reporters have even better resources to draw from than trying to get everything down at once.

### **CONCLUSION**

Ultimately, technology integration is simply a method of ensuring that everyone in the courtroom can see and hear the proceedings, as well as to preserve an accurate, easily stored AV court record. Judges and court personnel may not know where to start in upgrading and connecting technology; it is important to seek out the necessary expertise so that the AV systems are built as an integrated whole. Avoid analog sunset and design an integrated courtroom that truly meets the technological needs of today.



## **ABOUT JUSTICE AV SOLUTIONS (JAVS)**

Justice AV Solutions (JAVS) is the global leader in digital courtroom recording solutions integrated in over 10,000 courtrooms throughout the United States and across four continents. Clients across the world have trusted the JAVS solution to accurately capture, store, and publish the official verbatim record of the court for 35 years. From public address to remote arraignment to open source access, JAVS promotes truth and accuracy by preserving the record for tomorrow's justice system.

## **NEXT STEP**

Call Justice AV Solutions (JAVS) at 1-800-354-JAVS or visit [www.javs.com](http://www.javs.com) to schedule a free consultation on integrating technology for your court.

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1. Author Julie A. Helling is a graduate of the University of Michigan Law School. She served as a prosecutor before becoming a college professor.
  2. From the video "Technology In and Out of the Courtroom" viewable at [www.youtube.com/watch?v=SbM\\_gNdqwCs](http://www.youtube.com/watch?v=SbM_gNdqwCs), published on 2-10-2017.
  3. Prof. Lederer in video interview "Courtroom Technology: Changing the Practice of Law," viewed at [www.youtube.com/watch?v=GRwk3s2sL3m](http://www.youtube.com/watch?v=GRwk3s2sL3m), accessed on 10-3-2017.
  4. For more information on Video Switching technology, see Julie A. Helling, "Video Switching," Justice AV Solutions (2017).