

**ANNUAL REPORT  
OF THE  
AUTOMATION AND TECHNOLOGY COMMITTEE  
TO THE ILLINOIS JUDICIAL CONFERENCE**

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## I. STATEMENT ON COMMITTEE CONTINUATION

The Automation and Technology Committee ("Committee") of the Illinois Judicial Conference shall provide consultation, guidance, and recommendations regarding standards, policies, and procedures relating to the use of technology and automation within the judicial branch.

The general charge assigned to the Automation and Technology Committee includes the development of general guidelines which promote the effective and efficient use of technology and automation in the trial courts, including recommendations for statewide standards, protocols, or procedures. The Committee will analyze and develop recommendations related to rules and statutory changes that will manage the use of technology within the courts. The Committee's work also includes the review and evaluation of technology applications and their impact on the operation and workflow of the court. The Committee will also research and recommend response protocols to resolve security issues which may affect the use of technology.

For Conference Year 2007, the Supreme Court assigned the Automation and Technology Committee projects which include the analysis of video arraignment/deposition technologies and a review of the Disaster Recovery Guide presented in Conference Year 2006.

During the 2007 Judicial Conference year, the Automation and Technology Committee analyzed video court/conference systems and the impact of using these systems in the trial courts. To assist the Committee with its evaluation of video court systems, a survey was distributed to the chief circuit judges requesting feedback as to the circuits' experience with video court systems, how such systems were being used, the benefits and detriments in using video court systems, as well as the local rules or procedures used to govern video court systems in the trial court.

The Automation and Technology Committee requests that it be continued in the 2008 Conference year.

## II. SUMMARY OF COMMITTEE ACTIVITIES

The Automation and Technology Committee expended considerable effort on the research and analysis of the technology, caselaw, and rules relating to video court/arraignment systems and their use in trial court hearings. The Committee analyzed the features, technology and components of video court/arraignment systems. Also studied, were the benefits and detriments of these systems and potential uses for specific hearings. The Committee researched legislation, caselaw, and Supreme Court Rules that currently govern the use of such systems, as well as potential areas for revisions in the rules and legislation, differentiating the results by civil hearings and criminal hearings. An impact statement is being compiled which will present the Committee's findings and identify recommendations for any changes to new rules/statutes or revisions to existing rules/statutes.

The Committee also reviewed the Disaster Recovery Guide presented during the 2006 Conference Year. A description of the Committee's activities is summarized below.

### **A. Video Arraignment/Deposition (Video Court) Project**

The Automation and Technology Committee developed an outline to guide its analysis of video court/conferencing systems and their use in the trial courts. The Committee began its research with respect to the technology (components and standards), the potential uses, and the related legislation and Supreme Court Rules, in order to develop an impact statement for consideration by the Conference and Court.

The Committee began by discussing the technology and functions represented by the various terms that define technology and its use during various court hearings. Terminology associated with court functions includes video arraignment, video court, video conference, and video deposition. In addition to terminology, varying technologies and standards are used to 'connect' the separate geographic locations of a video court system. Alternatives for the connections may include closed-circuit technology, dedicated data circuits (T1), the use of the Internet (broadcast or secure connections), fiber optics, or microwave technology. For example, closed-circuit video systems (CCTV) involve the use of video cameras to transmit a signal to a specific, limited set of monitors, which differs from systems that use the Internet, fiber optic, or a microwave connection between multiple locations. However, either technology can be used for motions or first appearance hearings and are included in the Committee's scope of research. Also included in the Committee's analysis is witness testimony from a remote location.

In May 2007, a survey was distributed to the twenty-three chief circuit judges requesting input on the use and any experiences with video court/conference systems within their respective circuit. Sixteen circuits responded with eleven circuits indicating the use of some form of video court/conferencing technology. Two circuits indicated they were exploring the use or expansion of video court/conferencing systems. The survey responses indicated that video court/conference systems were used primarily during first appearances, bond hearings, and remote witness testimony. The benefits of video court/conferencing systems include a significant reduction in transportation costs by eliminating the need to transport prisoners to the court facility, which also impacts the resources required from the sheriff's office. Survey results also included a benefit in enhancing the security in the courthouse, as well as a reduction in outbursts or disruptions during a hearing. The survey results also indicated a benefit in scheduling hearings, and efficiencies in concluding a hearing. Other benefits mentioned were the ability to separate victims from a defendant in child and domestic hearings. Video court/conference systems also provided the ability to reduce travel costs and improve scheduling by allowing remote witness testimony.

The survey results did list several detriments or concerns with the use of video court/conferencing systems. The initial cost of these systems can be high, with recurring costs including data circuits/connections and annual maintenance/support contracts. Additional equipment may also be needed, should evidence presentation systems be integrated in a courtroom and available during a video court/conference hearing. In addition, hearings can be disrupted with equipment malfunctions or the weather may impact the functionality of a system, when using technologies such as microwave connections. Finally, special consideration is necessary to allow defendants

to consult with their attorney in a video court environment.

The Committee is researching the caselaw, legislation, and Supreme Court Rules that impact the use of video court/conferencing systems. The Committee will also explore the need for revisions or new rules which would benefit the use of these systems. The impact statement will include the Committee's analysis of video court/conferencing systems and any recommendations with respect to civil and criminal hearings in Illinois trial courts.

#### **B. Disaster Recovery Guide - Review**

The Automation and Technology Committee has reviewed the Disaster Recovery Guide and recommends no changes at this time. However, within the trial courts, opportunity exists in sharing resources among neighboring Illinois counties in many aspects of the Disaster Recovery Guide and in implementing a disaster plan. Such opportunities might include, the use of another courthouse, courtroom or facilities as a contact point during a disaster; offsite storage space with a courthouse more than 15 miles away; or the use of computing resources or infrastructure from a neighboring county during a disaster.

### **III. PROPOSED COMMITTEE ACTIVITIES FOR THE NEXT CONFERENCE YEAR**

For the 2008 Conference year, the Automation and Technology Committee recommends that it be assigned to complete any remaining items relating to the Video Court/Conference Impact Statement and proposed rule or legislative amendments. The Committee also recommends it be assigned the exploration of resource sharing for disaster planning and implementation of an actual plan concerning what is available in a circuit or other facilities in the judicial branch. The Committee is receptive to any other assignments from the Supreme Court or the Judicial Conference Executive Committee.

### **IV. RECOMMENDATIONS**

The Automation and Technology Committee is making no recommendations to the Conference at this time.