

Virtual Court Proceedings Committee

Minutes – July 10, 2020

Present – Chief Judge St. Peter, Judge Torline, Judge Rush, Judge Roush, Katherine Oliver, Marilyn Targos, Stephanie Gerken, Kim Schwarz, Ellen House, Jen Olsen, Jennie Leach, Doug Hamilton

Staff – Amber Smith, Sarah Hoskinson, John Houston, Cayce Good

The committee approved the minutes from the June 26, 2020 meeting.

Judge St. Peter invited the subcommittee chairs to report on the progress of their subcommittees.

Data Gathering Subcommittee

Ellen House shared some preliminary results from a survey of judicial branch judges and employees. She reported that judicial districts were divided by size when compiling results; the subcommittee considered the number of clerks in each district to determine whether it was small, medium, or large.

The survey showed that Zoom is the most widely used audio visual communication platform across the state, with WebEx and Blue Jeans in second place. The survey also measured which types of cases are being conducted remotely; criminal and CINC cases were at the top of the list. The most frequent hearing types courts reported handling remotely were motion and continuance hearings. Some counties reported internet connectivity issues; the vast majority of them were in judicial districts classified as small. Ellen indicated that these results were consistent with information gleaned from a statewide broadband access map she provided to the group.

Ellen noted that municipal court judges and employees were not included in the survey. She agreed to work with Judge Torline to gather similar data from the municipal courts.

The subcommittee's next project will be to survey members of the Kansas bar regarding their experience with virtual courts. The committee discussed possible questions for attorneys, noting a need to gather information about use of remote technology outside of hearings as well (e.g. to facilitate attorney client communications with incarcerated defendants).

Ellen indicated the subcommittee will work with OJA to distribute the survey to the bar.

Guidelines Subcommittee

Judge St. Peter reported that the subcommittee put together a rough draft of guidelines based on comments shared via Dropbox. The subcommittee is continuing to work through the draft, which includes some longer term issues that may not be resolved until legal research is completed. He directed the committee to the most recent Supreme Court administrative order regarding audio visual communication and suggested the subcommittee focus on developing directives on those items in the short term.

Other Business

The committee discussed grant opportunities that may be used for expanding remote technology in the court system. Sarah Hoskinson noted that some courts are seeking guidance about which items they will need to fully develop the ability to run court proceedings remotely. Judge St. Peter volunteered to compile a list of equipment courts have identified as being useful in attaining that goal. Some items mentioned during the meeting included: internet boosters, hotspots, battery backups, mobile screens, server space, updated networking, and IT consulting.

Judge St. Peter directed the committee to the Oregon Judicial Branch's live stream proceedings website (<https://www.courts.oregon.gov/services/online/Pages/live-stream.aspx>). He noted the virtual proceedings user guides located on that page and suggested those may provide a helpful model for what the committee could develop.

The next committee meeting will be held on July 24, 2020 at noon.