

**Minutes**  
**Access to Justice Commission**  
**Workgroup on Video Conferencing & Access to Justice**  
**January 31, 2014**

The Workgroup on Video Conferencing & Access to Justice met on Friday, January 31, 2014 at 2:00pm at 225 Spring Street, Wethersfield in Room 4B.

Those in attendance: Ms. Krista Hess, Co-Chair, Mr. Scott Rosengrant, Co-Chair, Atty. Thomas Chapman, Atty. Cheryl Halford, Atty. Mark Nordstrom, Chief Public Defender Susan Storey, Atty. Jennifer Robinson and Atty. Herman Woodard, Jr..

Mr. Matthew Mazur, of the Judicial Branch's Information Technology Division, was also in attendance. Mr. Carl Von Hassel, also of the Judicial Branch's Information Technology Division, joined part of the meeting via video conferencing, during a demonstration of the technology.

The meeting was called to order at 2:03 pm.

1. Ms. Hess welcomed everyone in attendance to the first meeting of the Workgroup, and the members went around the room to introduce themselves. The following literature was submitted to the members for their review: Report of the Summit on the Use of Technology to Expand Access to Justice, Legal Services Corporation (LSC), December, 2013; Final Report, Video Conferencing for Access to Justice, An Evaluation of the Montana Experiment, Richard Zorza, June, 2007; and, Overview, Virtual Pro Bono Legal Services, Pro Bono Project.
2. Ms. Hess reviewed with the members the charge of the Workgroup. Ms. Hess, Mr. Rosengrant and Atty. Robinson gave the members an overview of the history of video conferencing within the Judicial Branch, and discussed how the use of this technology has promoted access to justice. The use of video conferencing first began 14 years ago in Rockville, and, in 2007, the Judicial Branch received a federal grant of more than \$1 million to install video conferencing equipment throughout the state. Presently, all courts have at least one video conferencing system. The use of the technology has contributed to access to justice in a variety of ways, including issues related to travel, accommodations under the Americans with Disabilities Act (ADA), and access to competent counsel. Ms. Hess asked the practicing members of the Workgroup whether they had encountered the use of video conferencing in the courts, and some members had, while others had not. In discussing the Workgroup's charge, Ms. Hess encouraged the members to be broad and over encompassing in their ideas about how video conferencing can be

used to facilitate access to justice. Ms. Hess emphasized that, out of this discussion, the members can then prioritize these various avenues.

3. Mr. Rosengrant then began a demonstration of the Judicial Branch's video conferencing equipment. Mr. Mazur and Mr. Von Hassel, who joined the meeting from the Information Technology Division's office in East Hartford, showed the members different features of the video conferencing system, such as camera angles, views, and the ability to play a DVD or display a computer screen (for PowerPoint presentations, going to a website, etc.). Mr. Rosengrant discussed how most of the video conferencing systems in the courthouses are cart based systems, with large casters that make movement from one area of the building to another easy. The carts can roll anywhere, and they fit easily into elevators. All that is needed to use the cart based system is a power outlet and a data jack – by connecting to the network, the video conferencing system is fully integrated. Smaller systems are also available, which are predominantly used in sentence review. The Judicial Branch uses Cisco Jabber for video conferencing. There can be 12 concurrent connections at a time, through a conferencing bridge.

Several members had questions about the use and availability of the technology. Atty. Storey inquired about Connecticut Valley Hospital (CVH), and Mr. Rosengrant and Atty. Robinson explained that it has five systems. Atty. Chapman asked about where in the courthouses the equipment is stored, and Mr. Rosengrant discussed various locations. Mr. Rosengrant explained how attorneys should contact Atty. Robinson for purposes of scheduling. Atty. Robinson can then coordinate with the appropriate on-site Judicial Branch staff. Atty. Woodard brought up the issue of facilities outside of the Judicial Branch, such as corrections, and Atty. Robinson explained how the staff at correctional facilities has been trained in the use of video conferencing equipment. Christine Randolph, at the central office at corrections, manages the scheduling. Mr. Rosengrant also discussed the use of video conferencing in juvenile matters, and how they have PCs with cameras. Ms. Hess, Mr. Rosengrant, Mr. Mazur, Mr. Von Hassel and Atty. Robinson further described other contexts in which video conferencing is currently used within the Judicial Branch, such as presentence investigation, jail re-interview, motions for illegal sentence, family support magistrate dockets, interpretation, out-of-state or abroad parties and witnesses, and family and juvenile matters involving incarcerated individuals. Ms. Hess and Mr. Rosengrant discussed how an attorney or self-represented party can easily video conference with a Judicial Branch system, with minimal equipment – all that is needed is a PC with a webcam, and a high speed (ideally, cable) internet connection.

4. Ms. Hess then asked the members to discuss their perceptions of the positive and negative impacts/effects of video conferencing. The members discussed, particularly in the context of criminal matters, how many attorneys are concerned about their clients not appearing in person. Atty. Storey and Atty. Woodard shared their impression that video conferencing may fail to humanize a person,

and that appearing in person is important. On the other hand, the members discussed how sometimes individuals, for a variety of reasons, may not want to physically appear in person, but may be more interested in participating in proceedings if they could appear via video conferencing. Atty. Nordstrom inquired whether there are absolute rights about appearing, and Atty. Robinson explained how the relevant Practice Book sections for civil matters are broad, whereas they are carved out for criminal matters. Atty. Chapman raised concern about trying to have private attorney/client conversations, and Atty. Robinson described how video conferencing equipment can be set up in close proximity to the courtroom for such purposes. Atty. Nordstrom, who uses video conferencing regularly in his practice, stated that he really could not see many negative aspects of the technology. Atty. Nordstrom relayed how video conferencing used to be more stilted, but now it feels like the person on the other end is sitting right there with you. Atty. Storey inquired how documents are reviewed and signed. Atty. Nordstrom responded that most people have their laptops with them to review documents, and that his office typically uses video conferencing for things that lend themselves best, such as PowerPoint presentations. Atty. Robinson stated that, in the case of incarcerated individuals, fax machines are used where document submission or signatures are necessary. The idea of document cameras was also discussed. Atty. Chapman brought up the issue of whether disruptions to service ever occur. Mr. Rosengrant stated yes, but that this mostly only occurs with some of the older equipment used in corrections facilities, and Mr. Mazur added that weather can sometimes be a factor. The Workgroup also discussed that planning and coordination is the key to making video conferencing successful.

5. Ms. Hess next led a discussion as to other potential uses for video conferencing to increase access to justice and participation in pro bono service. Atty. Chapman mentioned the idea of training. Atty. Woodard discussed how transportation issues are access to justice issues, which video conferencing can help to overcome. Atty. Nordstrom mentioned how some states have a landlord/tenant day, and Ms. Hess brought up the issue of video conferencing versus not having access to an attorney at all, which is discussed in the final report regarding the Montana experiment. Atty. Nordstrom also suggested the potential for video conferencing in the area of elder law, particularly in the case of individuals who are unable to leave their homes. Ms. Hess mentioned that data reflects that only 40% of self-represented parties have internet access, but it is difficult to decipher how many individuals without computers may nonetheless own smartphones. Ms. Hess asked whether video conferencing is possible with smartphones, but Mr. Rosengrant stated that the technology has not sufficiently evolved yet. Atty. Storey brought up the idea of video conferencing in public libraries, and Atty. Robinson mentioned the related idea of video conferencing in Court Service Centers and the Law Libraries. Ms. Hess expressed the concern of privacy and confidentiality. Mr. Rosengrant stated that some of the smaller video conferencing units have a hand-set option. Atty. Storey mentioned how it would

be helpful for children in juvenile detention centers to be able to call and speak privately with their lawyers.

Ms. Hess asked the members who practice whether video conferencing would make pro bono service more or less attractive. Atty. Chapman indicated that face to face interaction with a client is important, but that the convenience of video conferencing would certainly be attractive. Atty. Storey thought that video conferencing could help increase participation by broadening the number and pool of attorneys. Atty. Nordstrom discussed how helpful video conferencing has been in programs such as the Iraq Refugee Assistance Project. Atty. Woodard shared his perspective that, for most attorneys, pro bono service is not even on their radar, and that incentives for pro bono service are lacking. For those who are interested in pro bono service, however, Atty. Woodard thought that the technology of video conferencing would certainly be helpful.

Mr. Rosengrant mentioned the potential for video conferencing in the area of training, and the usefulness of being able to record training sessions for future viewings. Ms. Hess and Atty. Halford discussed the idea of introducing a video conferencing component to the Judicial Branch's Volunteer Attorney Program. Lastly, the Workgroup discussed how Stand Down, an annual event held in September at the Connecticut Veterans Home in Rocky Hill, could benefit from the use of video conferencing in the legal assistance provided to veterans.

Ms. Hess stated that she would report the Workgroup's ideas to the Access to Justice Commission at the next meeting on February 27, 2014.

6. The Workgroup agreed that their next meeting would mostly likely be in March, 2014, with a definite date to be determined.
7. The meeting adjourned at 3:30pm.