

Minutes
Access to Justice Commission
Workgroup on Video Conferencing & Access to Justice
June 25, 2014

The Workgroup on Video Conferencing & Access to Justice met on Wednesday, June 25, 2014 at 1:30pm at 225 Spring Street, Wethersfield in Room 4B.

Those in attendance: Ms. Krista Hess, Co-Chair, Mr. Scott Rosengrant, Co-Chair, Atty. Anne Louise Blanchard, Atty. Cheryl Halford, Mr. Matthew Mazur, Atty. Jennifer Robinson and Atty. Herman Woodard, Jr..

Atty. Cynthia Cunningham, chief clerk for juvenile matters, was also in attendance.

The meeting was called to order at 1:38pm.

1. The Workgroup voted to approve the minutes of the May 9, 2014 meeting of the Workgroup on Video Conferencing & Access to Justice.
2. Ms. Hess introduced guest speaker Atty. Cunningham. Mr. O'Donovan Murphy, director of judicial marshal services, was unable to attend. Ms. Hess provided the members with a summary of the various video conferencing initiatives that have been proposed throughout the Workgroup's exploratory meetings, as well as a video visitation brochure from juvenile residential services.

Atty. Cunningham indicated that video conferencing has proved to be extremely beneficial in juvenile matters, and that the use of video conferencing is particularly popular in certain locations, including Waterbury and Torrington. The frequency with which video conferencing is used is really driven by the judge, and the judges are all aware that it is an option. Although the technology has been a little slow to catch on, Atty. Robinson noted that the use of video conferencing has increased by 40% each year. Mr. Rosengrant emphasized the importance of Judicial Branch staff, as well, and he reiterated that Oliver Burgos, deputy chief clerk for juvenile matters at Torrington, has been a strong advocate of video conferencing.

In the course of the discussion, Atty. Blanchard stated that it is generally preferential and just as easy to meet with a client in person, but that there are certain circumstances in which being able to communicate via video conferencing would be ideal. Examples include follow-up communications with clients living in remote locations. The Workgroup also discussed public defenders' resistance to video conferencing, and any reasons behind the aversion. Atty. Woodard shared his experience and preferences in criminal practice. Mr. Rosengrant noted the benefit of viewing video conferencing in action. Everyone agreed that a particularly great venue is in Middletown, where they have video conferencing

equipment in courtrooms and adjacent small conference rooms (for private discussions between attorneys and their clients).

There was also discussion among the members and Atty. Cunningham of whether any Judicial Branch staff could use a refresher on the video conferencing technology, as a follow-up to the training that they received two years ago. Atty. Cunningham proposed that she could perhaps send a survey to her staff to assess interest and need.

The Workgroup also explored perceived pros and cons to video conferencing, particularly in the area of criminal matters. Atty. Robinson mentioned how safety concerns often drive the decision of whether to use video conferencing. She also emphasized how the Practice Book rules are in place to ensure that video conferencing is never used in a way that would limit a criminal defendant's liberty. Atty. Woodard stressed the importance of criminal defendants appearing in person, and expressed his concern over whether the use of video conferencing has the resultant effect of failing to humanize a person. Even in the context of expert witnesses appearing via video conferencing, Atty. Woodard suggested that a trial attorney may feel less effective when examining the witness in this way, and that criminal matters are very different from civil matters. He noted that each step in the process is an evaluation, whether it is dressing in a certain way, acting in a certain way, etc., and he reiterated his concern over the loss of immediacy and intimacy when video conferencing is employed.

As the Workgroup debated how judges likely think and feel about video conferencing, Ms. Hess proposed the idea of creating an anonymous survey, which would provide the members with valuable feedback from the judges' perspective. The Workgroup embraced the idea, and also discussed whether a similar survey may be beneficial for clients, particularly criminal defendants. Ms. Hess and Atty. Halford will draft language for the proposed survey for the judges.

3. The Workgroup agreed that it was premature at this point to assess and prioritize the various video conferencing proposals/initiatives that have come up during the Workgroup's exploratory meetings, and that the feedback of future guest speakers Mr. Murphy and Mr. Lucio DeLuca, deputy director of technology for judge support services, would be beneficial. The Workgroup also agreed that it would be helpful to have the results of the proposed judges' survey.
4. Once the Workgroup has had the benefit of meeting with Mr. Murphy and Mr. DeLuca, as well as obtaining the results of the proposed judges' survey, the Workgroup will commence work on developing an implementation plan.
5. The Workgroup will try to meet again before the next Access to Justice Commission meeting on September 16, 2014.
6. The meeting adjourned at 2:25pm.