

The Center for Legal & Court Technology Successfully Conducts Technology-Augmented Test Trial



The Center for Legal & Court Technology

About

Launched as the Courtroom 21 Project in 1993, the Center for Legal & Court Technology (CLCT) at William & Mary Law School is a joint initiative of the law school (the nation's oldest) and the National Center for State Courts. CLCT's primary mission is "to improve the world's legal systems through the appropriate use of technology."

Among its activities, CLCT provides legal technology demonstrations and discussions for jurists, lawyers, law faculty, court administrators, technologists, architects and others from throughout the world. In the years since its founding, CLCT has emerged as a world leader in empirical and legal research on courtroom technology. The forum for this research is CLCT's courtroom laboratory, the McGlothlin Courtroom at William & Mary Law School, the world's most technologically advanced trial and appellate courtroom.

Video in the Courtroom

Both evidence presentation and video conferencing technology uses have been studied by CLCT since 1993. The days of traditional evidence presentation within the courtroom are passing quickly. Paper evidence is being replaced by electronic documents, emails, texts, Facebook and Instagram posts and web pages. Similarly, video evidence is increasingly common given video technology on smartphone cameras, drones, and police bodycams.

Research has shown that image display, particularly video presentation, yields improved juror comprehension and information retention.¹ More efficient evidence presentation can also reduce trial time, saving money for the court system. For instance, it is estimated that technology-augmented trials generally tend to save between 25 and 33 percent of trial time as compared with traditional trials.²

Although technology-augmented trials are generally viewed as desirable, ordinarily they are dependent upon sophisticated and expensive courtroom technology infrastructure. Given sharply limited court budgets, many courts simply can't afford the technology and the technology infrastructure that would improve both the administration of justice and efficiency.

¹ http://www.bu.edu/law/journals-archive/scitech/volume122/documents/sherwin_web_000.pdf
² <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1055&context=facpubs>

The cloud based solution presents a significant opportunity for courts and administrative agencies to add cost-effective evidence presentation to any location that has Wi-Fi internet capability.

Brother OmniJoin Passes the Test

William & Mary Law School Professor Fredric Lederer, director of CLCT, learned of Brother OmniJoin at the National Center for State Courts 2015 Court Technology Conference (CTC). After reading about its simple, secure cloud-based deployment, affordability and compatibility with mobile devices and desktop computers, Lederer and the CLCT decided to test Brother OmniJoin in the McGlothlin Courtroom in one of CLCT's well-known "Laboratory Trials." CLCT's "Lab Trials" are fictional cases tried as if they are real and are designed to test the interaction of technology, law and real people. The March, 2016 Lab Trial was *United States v. Chiu*, a federal racketeering attempted murder prosecution involving competing criminal gangs from Hong Kong.

Conducted with support from the Federal Judicial Center and presided over by a federal district judge, the case was tried to a community jury. Counsel presented case evidence from computers and a smartphone while jurors viewed opening statements, evidence and closing argument images on Microsoft Surface tablets and an Apple iPad. Case evidence included documents, Facebook pages and still images. Counsel used the Brother OmniJoin web video conferencing solution to transmit their case images to the juror tablets.

Because the full featured OmniJoin web video conferencing solution permitted easy display of desktop content as well as traditional video conferencing it provided an excellent means for transmission of evidentiary images from counsel to jurors. Counsel were able to present their images quickly and easily without any delays. The cloud-based platform seamlessly allowed jurors to view evidence on the tablets in high-definition resolution, depending on the source, without delay or technical interruption. Additionally, given the technology, jurors were unable to use the tablets for anything other than viewing counsels' presentation eliminating concerns that they could access tablet apps or the internet.

Given Brother OmniJoin's annual cost, the cloud based solution presents a significant opportunity for courts and administrative agencies to add cost-effective evidence presentation to any location that has Wi-Fi internet capability. Further, Brother OmniJoin provides potential remote witness or participant capability. Whether running on computers or tablets and functioning in its usual videoconferencing mode, OmniJoin can output video to large screen monitors for easily visible in-court testimony. Potential benefits for these court systems and agencies include the ease and

affordability of the cloud-based implementation, requiring no major capital expenditure or extensive networking infrastructure. This simplicity is coupled with the elegant, intuitive interface and operation that allows lawyers to present evidence and jurors to view it without technical delays or distractions.

Another benefit is that Brother OmniJoin offers court systems a low annual fee, nearly 10-times less than other video web conferencing providers without sacrificing any of the high-definition video or audio quality. Confidentiality is also protected as Brother OmniJoin offers end-to-end encryption using the industry-standard TLS protocol and the Advanced Encryption Standard (AES) 256, the same level used across the country to protect healthcare, financial and government information.

The Verdict

- Presents images quickly and easily
- High-definition video resolution on tablets
- No delays or interruptions
- Cost-effective
- Secure, end-to-end encryption
- Simple, cloud-based implementation

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