

Question: Can increasing the amount of courtroom technology reduce space problems experienced by the District Court in Polk County?

Answer: Only in a minimal way.

Background: Increasing the use of courtroom technology has been a focus of numerous courts throughout the country in the last 10 years. Courts have adopted audio, video, and information technologies intended to make proceedings run more efficiently and effectively, make the presentation of evidence more helpful, and reduce costs. Specific technologies that are becoming commonplace in trial courtrooms include:

Digital recording devices. Courts are becoming increasingly reliant on digital audio and, in some courtrooms, video to record courtroom events. This is done in lieu of using a court reporter to capture the proceedings. Transcription services are used to produce an electronic data file containing the court transcript. This approach involves an initial investment but typically provides cost savings and shorter transcript turnaround times.

On-bench computers. In the courtroom, computers are frequently used by the court clerk (or whoever is assisting the judge) and, increasingly, by the judge. The clerk uses the computer primarily to access case files, enter minutes, generate documentation, print orders, schedule hearings, etc. The judge uses the computer to access case files, enter decisions and issue orders.

Video monitors. Monitors are increasingly common in the courtroom for use by the judge, clerk, attorneys, and jury. These monitors are used primarily for the presentation of evidence and, less frequently, for remote witness testimony.

Video teleconferencing equipment. Video teleconferencing is used frequently between courts and detention facilities for arraignments and other hearings. Video teleconferencing is also used for witnesses to testify remotely, although this is not common.

Wireless network access. Courthouses often provide wireless Internet access in at least part of the courthouse. This service is provided for the convenience of citizens reporting for jury duty and for attorneys that need to access their firms' networks. The wireless access point may be connected to the county/court network or may simply be connected to an Internet service provider. If the wireless access point is connected to the county/court network, it can also be used for authorized individuals (e.g., clerks, judges, prosecutors) to access case files and other accessible data.

Analysis: The feasibility and potential benefits of Polk County District Court implementing each of the courtroom technologies described in the previous section are discussed below.

Digital recording devices. Polk County could install and use digital recording devices to capture courtroom proceedings. This could reduce or eliminate the need for court reporters and the office spaces they occupy within the Polk County courthouse. Further, it would potentially save money over time as the cost to transcribe digital recordings remotely could be significantly less than the cost to buy transcripts from court reporters. However, the acoustics in several courtrooms in the old courthouse are poor and the air conditioning system makes many of the courtrooms fairly loud. The number and placement of microphones will be critical, and use of digital recording in certain courtrooms may not be feasible.

This option has been discussed at length at the state level and is, by and large, not supported by trial court judges. The Iowa AOC is actively studying the feasibility of eliminating or reducing the use of court reporters in Iowa courts and will publish a report in early 2010. Although small in number, a few states are exclusively using digital and video transcript devices in their courts (i.e. Alaska).

On-bench computers. On-bench computers for judges and clerks would make the court proceedings more efficient, as information would be accessed more readily. This option is problematical at this point, as it would require extensive cabling in a difficult environment (old building). Once wireless network access is implemented in the courthouse, as mandated by Iowa AOC, cabling will not be an issue and on-bench computers can be used for file and calendar access, as well as data entry. However, the usefulness of on-bench computers is limited unless the software they are running is designed to be used while court is in session. In-court entry of judge's decisions and production of orders would require major modification of ICIS.

Video monitors. Courtrooms in Polk County already make limited use of video monitors. Expanded use of video monitors in the courtroom would likely have a positive effect on the efficiency of the proceedings, but it would not likely reduce the amount of courtroom space needed. In fact, additional monitors will increase the amount of courtroom space needed a small amount.

Video teleconferencing equipment. Polk County has established video teleconferencing capabilities within the jail (video visitation). Further, it is in the process of establishing video teleconferencing capabilities between the jail and five specific non-court locations (court staging in the old jail, PD's office, men's and women's correctional facilities, and correctional offices) for counsel to meet remotely with inmates.

The primary use of video teleconferencing nationwide is for arraignments. Polk County has a courtroom at the county jail for the purpose of holding arraignments and other hearings, so video teleconferencing between the court and jail would be of limited value and would not save space. Additionally, wiring for video conferencing in the old courthouse would be challenging due to the

construction of the old courthouse (e.g., thick, solid walls). The benefits of additional videoconferencing likely do not outweigh the costs given the present configuration and construction of the courthouse.

Wireless network access. The Polk County Courthouse currently does not have wireless network access (although the courtroom in the Polk County Jail does). Wireless access would provide a service to jurors and attorneys, but would not likely have any material effect on courtroom space requirements. The Iowa AOC plans to mandate the installation of wireless networks in all Iowa county courthouses in conjunction with its Electronic Data Management System (EDMS) project. EDMS is currently scheduled for implementation in Polk County in late 2011.

Advice: Increased use of courtroom technology, while beneficial to the courts and parties in several respects, is not likely to have a significant, direct impact on space within the courthouse. The exception to this statement would be the implementation of digital audio recording equipment in some or all courtrooms. This would allow for reduced or discontinued use of court reporters and free the office space court reporters currently occupy. This solution is not without controversy, however, and Polk County should wait for the state to complete its report and determine its direction with respect to recording court proceedings.