



THE NEW LOGIC of Hybrid Judicial Services

Creating More Accessible, Equitable and Efficient Experiences

The New York State Unified Court System is large and complex, serving one of the most populated and diverse states in the nation. Even before the pandemic, the state courts had implemented audio and videoconferencing technologies to support functions such as criminal court arraignments and family court proceedings, to help ensure the people of New York received timely access to the justice services they expect and deserve. When the pandemic hit, however, dramatic operational changes were needed to ensure the continuity and accessibility of vital judicial services.

By the end of April 2020, the Office of Court Administration quickly transitioned its essential and emergency court proceedings in 62 counties from in-person to virtual to keep cases moving. Some counties installed videoconferencing technology in courtrooms and offices, while others outfitted mobile carts and rolled them into rooms when necessary.

“The technology was not an option,” says Sheng Guo, chief technology officer for the The New York State Unified Court System. “It was a necessity. Without videoconferencing technology, we would not have been able to continue to address essential matters.”

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The shift to virtual operations made it possible for judges, court staff and lawyers to continue proceedings. Kiosks, meanwhile, offered an innovative approach to extending access to court resources while minimizing person-to-person contact. For instance, the New York City Housing Court set up fully equipped kiosks to make it easier for self-represented litigants to appear virtually in court proceedings and speak to legal service providers while maintaining social distance.

Technology investments not only enabled the New York State Unified Court System to support continuity of operations in the most challenging of circumstances, but the 2020 results were remarkable: By the end of that year, the courts had remotely conducted more than 740,000 case conferences; settled or otherwise disposed of more than 230,000 matters; and issued more than 80,000 decisions on motions and undecided matters, according to Guo.

Now that the New York State Unified Court System has reopened for in-person services, it's clear that the use of videoconferencing during the pandemic led to numerous benefits. Rather than returning to the status quo, many courts are developing creative ways to incorporate technology to better serve constituents and guests of the court.

“The ability for videoconferencing to keep courts and correctional facilities safely operating during the pandemic has opened the doors of opportunity to reimagine more efficient and cost-effective ways to deliver judicial services,” says Roseanne Cohen, industry solutions marketing manager for Logitech.

Justice for All

Litigants are now more likely to participate in court matters. According to David Slayton, vice president of court consulting services for the nonprofit National Center for State Courts, high-volume proceedings

such as traffic violations, evictions and child support cases traditionally have seen about an 80% absentee rate. But during the pandemic, thanks to remote solutions like New York's, that figure has flipped to an 80% appearance rate, he says. Without the need to appear in person, defendants don't have to worry about arranging childcare, taking time off from work or finding transportation to and from the courthouse.

"Now people get the opportunity to have their day in court in a meaningful way," Slayton says.

Other parties in court proceedings, including expert witnesses and interpreters, can also easily participate remotely. This is especially beneficial when the court needs an expert witness or translator who may live far away. No longer must a trial be paused while a key participant travels, nor does the court have to pay for transportation services. This improved attendance coupled with less time spent traveling allows courts to process cases more efficiently while also driving down costs.

The ability to attend court proceedings virtually has also led to an increase in attendance for jury duty. Historically, people who may lack options for childcare or transportation, or who may work hourly jobs they cannot afford to leave, have often been absent from jury duty. Being able to attend virtually has contributed to diverse juries that more accurately represent the population, says Slayton.

"Virtual jury duty selection really levels the playing field," he says. "Now trials are more likely to have juries that represent all demographics,

which is more reflective of a true jury of one's peers."

Best Practices for an Equitable Virtual Courtroom

When providing virtual or hybrid services, courts must ensure everyone can easily access the technology they need. Those who might require services from the court system are less likely to have consistent internet access or the audio/visual equipment necessary for a virtual appointment.

Along with providing easy access to technology, courts must also ensure their solutions can be easily utilized by everyone, including people who are deaf or have difficulty hearing. Any technology should have some form of closed captioning. Some courts are using a computer-assisted read-time transcription (CART) provider to create a transcript of all virtual proceedings.

It is also important for courts to provide clear instruction on how to use audio/visual technology.

"While many people are familiar with video technology in 2022, courts should never assume this to be the case," Guo says. Some court systems have published technology guidelines online, while others provide litigants with a brief virtual training session.

Perhaps most importantly, courts should seek out technology that is simple and straightforward, allowing users to understand the tools quickly and providing for a seamless virtual courtroom experience.

"You want users to feel confident when using technology, especially in what can be a high-stress environment," says Logitech's Cohen. "Creating high-quality experiences with easy-to-use technology is important not only for the litigants, but also for your court and IT staff."

A Permanent Hybrid Court System

With so many benefits, videoconferencing solutions will likely be a part of judicial services in the long term. As courts across the country shift their focus from the social-distancing requirements of the pandemic to serving constituents in the years ahead, many are reimagining what it means to appear in court.

"In the future, you might be able to go to court in person if that is best for you, but you can also attend remotely, or utilize a kiosk at a local community center," Slayton says. "The challenge will be working with the technology to provide these options in an effective way."

By working with trusted technology partners and taking advantage of federal grant programs or fiscal recovery funds, courts can find creative ways to offer hybrid services and improve community engagement.

"Traditionally, everyone goes to the courthouse," Slayton says. "But we cannot walk away from all the tremendous benefits we have seen in access to justice during COVID. Courts need to figure out how to not only sustain these innovations but improve them."

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