

Supreme Court: System finds new opportunities with remote meeting technology

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Madison, Wisconsin (June 26, 2020) – The online videoconferencing service Zoom has served the Wisconsin court system like a Swiss Army knife since the beginning of the pandemic.

It hasn't been the perfect tool for every job, but it's gotten a lot of work done in difficult times.

Zoom has been used to conduct and provide livestream feeds of proceedings in the circuit

courts and oral arguments before the Wisconsin Supreme Court. It's connected people from

remote locations at all levels of the court system, for both judicial and administrative work.

Judges, lawyers and other participants are able to join a proceeding from almost anywhere, with little more than a phone, tablet or computer and an Internet connection. Administrators, department heads, staff and others use Zoom to connect with each other and others outside the court system.

Overall, Zoom has reduced reliance on in-person proceedings and meetings, and hopefully lessened some of the potential spread of coronavirus. No small feat, but is there more a remote meeting service can do for the courts?

Initially, Zoom was viewed as a short-term, if not emergency, solution. Now, Director of

State Courts Randy R. Koschnick, at the prompting of the Committee of Chief Judges, has assigned a committee to explore all of its possibilities.

“At first, we were forced to use Zoom just to get by. It quickly became a vital tool that has helped keep us functioning to the greatest extent possible during the pandemic. Now, we want to be sure we aren’t missing any of its potential going forward,” Koschnick said.

Like many government agencies and private businesses, the courts began using Zoom in March, after Gov. Evers declared a public health emergency due to COVID-19. Then, the Wisconsin Supreme Court ordered a temporary halt to jury trials and in-person proceedings statewide, advising courts to use video or telephonic means to conduct hearings. Zoom was quickly made available to the circuit courts, with technical support from CCAP and policy and procedure support from the Office of Court Operations.

The pandemic had a profound effect on the court system, and it became clear things weren’t going to return to “normal” anytime soon. In a matter of weeks, in-person circuit court activity dropped by 70 percent statewide. The state’s largest circuit courts in Milwaukee and Dane counties, where the coronavirus struck quickly, all but closed for business. Court administrative offices in Madison were closed to the public on March 18. Beyond that, plans for projects, conferences and educational programming were canceled or put on indefinite hold.

The outlook was not upbeat, but Zoom held at least one unexpected promise for the future.

When COVID-19 struck, Wisconsin Court Interpreter Program Manager Carmel Capati had high hopes for implementing a new Video Remote Interpreting (VRI) pilot program.

Remote interpreting technology enables interpreters to work from an off-site

location via video or audio connection, and VRI looked as if it had the potential to help the courts address a shortage of qualified interpreters in some uncommon languages and parts of the state where interpreters are not readily available.

While many courts throughout the state were already using telephonic interpreting for short hearings, the added video component provides the ability to offer sign language interpreting services.

In fact, CCAP (Consolidated Court Automation Programs) was scheduled to conduct its first site visit to Marathon County Circuit Court Judge Michael K. Moran's courtroom in Wausau just a day after it was announced court administrative offices in Madison would close to the public.

The pandemic essentially ruined the VRI pilot project as initially conceived by Capati and a subcommittee of chief judges chaired by Tenth Judicial Administrative District Chief Judge Maureen Boyle, Barron County Circuit Court. But three months later, Capati's hardly upset, thanks in large part to Zoom.

"We went from what was going to be a VRI pilot program in six courtrooms to a statewide program where every courtroom became a 'pilot' in a matter of weeks," Capati said.

Although judges statewide were issued Zoom accounts shortly after the outbreak, a special interpretation feature added to the software in late 2019 was not initially recognized as a viable option for court interpreting.

Capati worked with CCAP, Boyle and Second Judicial Administrative District Chief Judge Jason A. Rossell, Kenosha County Circuit Court, to evaluate the interpretation feature, which is now available to judges statewide.

"I think this is going to be one of those positive outcomes from COVID-19," said Boyle, who is reporting her subcommittee's findings to the committee of chief judges. The Zoom interpretation feature has already saved time in her court, Boyle said.

Judges are able to designate a participant as the interpreter, who can then access English and non-English audio channels. The individual of limited-English speaking ability can choose the non-English channel to hear the simultaneous interpretation, which is inaudible to the court and the rest of the participants on the English audio channel.

While interpreters can always be used during Zoom hearings without engaging the special interpretation feature, the interpretation has to be done consecutively, which takes longer because the speaker has to pause after each statement to allow the interpreter to interpret. When Zoom's interpretation feature is enabled, the interpreter can interpret simultaneously which is the manner of interpreting used a majority of the time during a proceeding.

"It's not perfect, and we still have some work to do, but it's already made a huge impact,"
Capati said of Zoom.

Zoom has already made it possible for some interpreters to return to work remotely just as other participants in court proceedings, Capati said. Demand for court interpreting dropped with caseload activity, from an average of about 2,000 hours per month in circuit courts statewide during 2019, to nearly zero after the pandemic hit, Capati said.

The rollout of Zoom as a meeting and conference tool was included in CCAP's annual plan for 2020 as a way to save time and travel expenses, but implementation was rapidly accelerated due to COVID-19.

Planning and implementation for such a project would normally take about 18 months, Koschnick said. Instead, Zoom licenses were distributed to judges, court commissioners and some court staff statewide in a short time frame, and another use of remote meeting service was discovered.

"We needed to make sure our courts remained operational and accessible to the public.

We knew Zoom was an option for meetings and to reduce travel. We didn't really have any idea how essential it would become," Koschnick said.