

Access to Justice Commission
Workgroup on Videoconferencing and Access to Justice
Charge
January 2014

The Access to Justice Commission is committed to assessing, developing and supporting projects and programs that expand access for all people.

The Judicial Branch in 2007 received a federal grant of more than \$1 million to install video conferencing equipment in its courthouses and other facilities. The Rules Committee of the Superior Court subsequently approved Practice Book Rules to allow videoconferencing in certain procedures.

On any given day, videoconferencing is used by Judicial Branch probation officers, in conjunction with the state Department of Corrections, to confer with incarcerated individuals; by the Sentence Review Board in their hearings with sentenced inmates; by the Appellate Court in hearings involving incarcerated litigants; and by Judicial Branch staff, in training or conferencing. The technology has allowed the Judicial Branch to save taxpayer money, through cost reductions associated with travel expenses such as fuel and wear and tear on state vehicles, and to decrease the safety risks to the public and staff when transporting inmates.

The flexibility afforded by the use of videoconferencing is also beneficial; hearings, conferences and meetings via internet hookup can be quickly arranged, allowing staff to spend less time traveling, and allowing Judges to hear more cases, more easily.

The Commission's sixth recommendation in its Annual Report to the Chief Justice said, in part, *"The Commission should continue to explore and recommend training avenues, including on-site training and utilization of videoconferencing training, for attorneys interested in providing pro bono services ... This could be accomplished if the Commission conducts an in-depth examination of how the Branch currently uses its videoconferencing capabilities and then study how such technology could be used to facilitate access for justice. The examination and recommendations should consider the bar/pro bono programs, people with disabilities, law libraries, and public libraries..."*

The Commission has reviewed national efforts that use technology to increase access to justice and believes that the Judicial Branch is in a unique position to develop a pilot program, which if successful could be replicated statewide, using videoconferencing to effectuate pro bono work. The idea was inspired in part by remote video pro bono programs in other jurisdictions, including Montana, where the late Judge Gary L. Day wrote about the impact of videoconferencing on serving large and remote areas. That program was assessed by Attorney Richard Zorza [in a 2007 report to the Montana Legal](#)

[Services Association](#) with a grant from the Legal Services Corporation Technology Initiative Grants Program.

The Commission therefore establishes a Workgroup on Videoconferencing and Access to Justice to determine the feasibility of using videoconferencing to provide remote pro bono service. The Workgroup may focus its efforts on developing a pilot program to use Judicial Branch video equipment as the ‘stationary’ site where a person with a legal need confers via video hookup with a volunteer attorney located in his or her office somewhere in Connecticut. However, in order to expand the delivery of pro bono services, the Workgroup should consider creating a program or protocol for remote pro bono services that could be utilized on a larger scale.

Legal aid providers are often in the vanguard of utilizing technology in all its forms to promote access to justice, and private corporations routinely use videoconferencing to confer with clients and colleagues. Therefore, it is essential that the Workgroup include representatives from legal aid providers and from the corporate world. On January 1, 2013, changes to the Practice Book took effect allowing authorized house counsel the ability to participate in pro bono programs in Connecticut under the supervision of an organized legal aid society, state or local bar association or a member of the Connecticut bar working on the same pro bono project. Similarly, a set of rules providing retired attorneys with the ability to participate in pro bono programs becomes effective on January 1, 2014. With a new potential pool of volunteer attorneys, it is essential to develop economically feasible and user-friendly programs to increase access to justice by using existing resources.

The Workgroup shall also include members of the Judicial Branch’s Information Technology Division, whose technological expertise and creativity will be essential to the assessment of existing capabilities and the development of successful protocols that promote the best use of Branch equipment and facilities.

In addition to the Montana program, the Commission has identified a number of potential resources for the Workgroup to consider, including:

- The Pro Bono Project Silicon Valley [Virtual Legal Services Program](#), which combines volunteer attorneys from throughout California and people in need of legal advice. The program allows volunteer attorneys from anywhere in the state to consult virtually and privately with a person in a dedicated room in a Silicon Valley library or the local bar association, and to share and review documents. It also provides training for attorneys, posting PowerPoint and video presentations on specific areas of the law. (probonoproject.org) Contact: Cameron Day, program manager of the project at cday@probonoproject.org or 408-998-5298
- The New York Family Court Remote Volunteer Attorney Program (VAP) , which uses volunteer attorneys, usually in Manhattan, to remotely provide assistance to self-represented litigants with family cases on Staten Island. [Pro Bono Net coordinator Adam Friedl](#) is the contact afriedl@probono.net

- Maine's Justice Action Group's "[LawyersInLibraries](#)" program, which combines pro bono attorney programs with videoconferencing in libraries to deliver programs across the state
- Legal Services Corp.'s [National Technology Assistance Project](#) and [the Self-Represented Litigation Network](#)

The Workgroup will first want to make a determination of whether remote pro bono can be accomplished using Judicial Branch equipment and space, and should therefore consult with the Administrative Judge in a Judicial District that is currently underserved by pro bono volunteers despite local need. The members will work with the program manager of the Judicial Branch's court service centers and public information desks, who also manages five Volunteer Attorney Day programs to determine the availability of pro bono lawyers.

Meetings of the Workgroup will be open to the public and subject to the requirements of the state's Freedom of Information Act. Representatives will report regularly to the Commission and present a formal report by the fall of 2014.