

Washington State Judicial Branch 2025-27 Biennial Budget Sustain Courtroom Technology

Agency: Administrative Office of the Courts

Decision Package Code/Title: AE – Sustain Courtroom Technology

Agency Recommendation Summary Text:

The Administrative Office of the Courts, on behalf of the Board for Judicial Administration (BJA) and the BJA Remote Proceedings Work Group, requests 1.0 FTE and \$2.346 million to establish a grant program to fund courtroom technology upgrades that are necessary to conduct efficient hybrid court proceedings. (General Fund – State)

Fiscal Summary:

	FY 2026	FY 2027	Biennial	FY 2028	FY 2029	Biennial
Staffing						
FTEs	1.0	1.0	1.0	1.0	1.0	1.0
Operating Expenditures						
Fund 001-1	\$1,176,000	\$1,170,000	\$2,346,000	\$1,170,000	\$1,170,000	\$2,340,000
Total Expenditures						
	\$1,176,000	\$1,170,000	\$2,346,000	\$1,170,000	\$1,170,000	\$2,340,000

Package Description:

In early 2020, Washington Courts adopted video technology due to the Covid-19 pandemic. As restrictions began to lift in 2021, courts introduced hybrid court proceedings. Courts in Washington and across the country learned that hybrid proceedings provide greater access to court participants. But, hybrid court proceedings require technology to ensure that all parties in a proceeding can connect, be seen, and be heard.

The Board for Judicial Administration (BJA) convened the Remote Proceedings Work Group (Work Group) in 2022 to assess equipment, policy needs, and practices for efficient hybrid proceedings. The Work Group will also identify emerging best practices and innovations in courts systems throughout the nation.

The Work Group surveyed courts in 2023 and 2024 to learn how Washington Courts are adapting to the challenges and benefits of hybrid proceedings, and to quantify the resources they need to conduct hybrid proceedings efficiently. This request will establish a grant program for courts to develop efficient hybrid courtrooms.

Surveys show increasing numbers of hybrid proceedings in Washington Courts. While courts reported that the number of hybrid proceedings is steadily increasing, they also reported the need for resources to improve the quality of the experience for participants. In the January 2024 survey, nearly half of the courts reported that they continue to conduct hybrid proceedings at the same level as 2023. An additional one-third of the courts reported an increase in the number of hybrid hearings conducted over the last year, from January 2023–24.¹

¹ Larsen, P. *Report of Remote Summary Proceedings Prevalence and Practices in Washington Courts*, October 2023 accessible at https://www.courts.wa.gov/programs_orgs/pos_bja/?fa=pos_bja.courtRemoteTF

Technology solutions have emerged that can greatly improve hybrid courtrooms. The technology available early in the pandemic was good in a pinch, but is largely inadequate for an efficient hybrid courtroom. Courts across the country have begun implementing new, “second generation” technology solutions to address the complexities of hybrid hearings.² New audio and visual technologies are designed to ensure that all parties, in person and remote, can see and hear each other with ease. This improves the flow of hybrid proceedings and the experience of court users.

Proposed Solution

Washington Courts need funding for this next-generation courtroom technology. Technology solutions can now effectively resolve inefficiencies and frustrations common in hybrid proceedings. For instance, installing soundproofing materials in courtrooms improves the sound quality for all participants, provides for a better court record, and reduces the need for communications to be repeated. There are devices that link audio and visual equipment to improve stability and function which reduce glitches that increase wait times during proceedings. Applications are also available for viewing shared documents and displaying evidence.

Funding Description

The request would fund one staff person to review and manage reimbursements to trial courts for courtroom technology equipment and services to conduct efficient hybrid proceedings. The type of equipment and services includes, but is not limited to:

- **Court-user supports:** Over two-thirds of courts surveyed reported they need funding to purchase laptops/tablets, access booths, and kiosks. These items allow participants to communicate confidentially with attorneys and victim advocates, and to access the documents and instructional materials necessary to fully participate in their court matter.
- **Technology training for staff and judicial officers:** Courts may need to contract with trainers to build proficiency with new technologies so that proceedings run smoothly and efficiently.
- **Digital evidence presentation systems:** This funding will support integrated display monitors and cameras to ensure that all participants can clearly view evidentiary materials and documents.
- **Audio/Visual equipment upgrades:** Courts will need upgraded cameras, wireless microphones, desktop speakers and monitors, display screens, and related items.
- **Software and applications:** Technology requires system integrations, such as connecting court reporting and interpretation devices with video conferencing platforms to improve user experience.
- **Workflow Technology:** Courts may also need applications that integrate and manage electronic content in a hybrid environment.
- **Licensing and subscription fees for digital services:** There are ancillary costs for video conferencing, recording, e-signature platforms, and document management.

Program eligibility:

- Priority would be given to courts that were not awarded funding for audio visual upgrades funded in the 2022 supplemental budget (\$5 million awarded to 54 courts at an average of \$86,000).
- Priority would be given to small and rural courts.

² National Center for State Courts, **Hybrid Hearing Initiative Report 2024**, accessible at [Hybrid%20Hearings%20Initiative%20Report%20March%202024](#)

Fully describe and quantify expected impacts on state residents.

People benefit from the option to appear remotely in their court hearings. Parties can avoid missing work, finding childcare, and arranging for transportation in order to appear for court. This is particularly true when courts can efficiently conduct hybrid proceedings and eliminate long wait times. Hybrid proceedings increase access to justice by alleviating the need to expend time and resources to appear in person.

In two recent surveys conducted by the Work Group, judicial officers and court managers consistently noted that convenience to court participants was the biggest advantage of hybrid proceedings.¹

Surveys of court participants consistently indicate ongoing support for remote hearings. The State of the State Courts 2023 annual public opinion poll noted that a range of 62%–74% of responses indicated a willingness to use videoconferencing tools to interact with courts as part of a jury or case. These numbers have essentially returned to or surpassed levels seen during the pandemic in 2020.³

A research study of remote courts in Illinois noted in their findings that “unrepresented litigants in remote courts had generally positive experiences. They voiced that online civil courts are more convenient than in-person courts and as easy to navigate as in-person courts. Notably, these benefits were especially pronounced for unrepresented defendants, who are more likely than plaintiffs to belong to marginalized groups.”⁴

Explain what alternatives were explored by the agency and why this was the best option chosen.

Many rural jurisdictions do not have budgets to support the cost of these technology upgrades.

What are the consequences of not funding this request?

When courts are unable to conduct hybrid proceedings efficiently, judicial officers and court managers face the difficult decision to require in-person proceedings. Hybrid hearings traditionally take more time than in-person hearings, particularly with older and outdated technology. Without new technology, courts would work with their existing, inefficient processes. Barriers would remain for court participants, making the experiences unlike an in-person hearing, and the benefits of appearing remotely would be diminished.

Remote hearings have increased the ability for attorneys to represent clients in multiple jurisdictions without traveling. This results in increased production for attorneys, and decreased costs for their clients. If the hybrid proceeding experience is not supported, counsel would spend less time working on their cases and more time traveling from court to court. Remote counties that have difficulty with adequate attorney representation would continue to face those challenges. Access to attorneys from more populated areas would not be an option and there would be less available representation for parties in the courts.

While many interpreters prefer to appear remotely for hearings, their work would not be supported without new technology investments. Like attorneys, the lack of technology upgrades would result in interpreters handling fewer cases, in fewer jurisdictions, and in more time. Their preference for remote interpretation is so strong, it is sometimes difficult for courts to find interpreters to appear in person. This situation would continue if this request is not funded.

³ National Center for State Courts, **State of the State Courts// 2023 Poll**. Accessible at https://www.ncsc.org/_data/assets/pdf_file/0038/96878/SSC_2023_Presentation.pdf

⁴ Victor D. Quintanilla, Kurt Hugenberg, Ryan Hutchings & Nedim Yel, **Accessing Justice with Zoom: Experiences and Outcomes in Online Civil Courts** (2023) p. 24. Accessible at <https://www.repository.law.indiana.edu/facpub/3088/>

If courts can no longer afford to keep up with the demands of remote hearings and new technology, a transition back to in-person hearings would have a detrimental effect on parties, lawyers, interpreters, and the courts. Attorneys and interpreters will be likely to make themselves available in those courts who provide remote opportunities and avoid those courts that do not.

Funding will enhance equity, so that court participants who appear remotely have the same quality of experience.

Is this an expansion or alteration of a current program or service?

There is no current statewide funding. In the 2022 Supplemental Budget Appropriation, court funding requests to the AOC for this funding totaled over \$10 million.

Decision Package expenditure, FTE and revenue assumptions:

Staffing Assumptions

Court Program Analyst. Beginning July 1, 2025 and ongoing, AOC requires salary, benefits, and associated standard costs for 1.0 FTE to coordinate the reimbursement program, develop the reimbursement criteria and application, promote funding, review proposals, and process requests.

Expenditures by Object	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>	<u>FY 2031</u>
A Salaries and Wages	98,000	98,000	98,000	98,000	98,000	98,000
B Employee Benefits	30,000	30,000	30,000	30,000	30,000	30,000
E Goods and Services	6,000	6,000	6,000	6,000	6,000	6,000
G Travel	2,000	2,000	2,000	2,000	2,000	2,000
J Capital Outlays	8,000	2,000	2,000	2,000	2,000	2,000
N Grants, Benefits, and Client Services	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
T Intra-Agency Reimbursements	32,000	32,000	32,000	32,000	32,000	32,000
Total Objects	1,176,000	1,170,000	1,170,000	1,170,000	1,170,000	1,170,000

Staffing

Job Class	Salary	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>	<u>FY 2031</u>
COURT PROGRAM ANALYST	98,000	1.0	1.0	1.0	1.0	1.0	1.0
Total FTEs		1.0	1.0	1.0	1.0	1.0	1.0

Explanation of standard costs by object:

A - Salary estimates are current biennium actual rates at Step L.

B - Benefits are the agency average of 31.10% of salaries.

E - Goods and Services are the agency average of \$5,800 per direct program FTE.

G - Travel is the agency average of \$2,000 per direct program FTE.

J – Ongoing Equipment is the agency average of \$1,900 per direct program FTE.

J – One-time IT Equipment is \$5,900 for the first fiscal year per direct program FTE.

Agency Indirect is calculated at a rate of 24.98% of direct program salaries and benefits.

How does the package relate to the Judicial Branch principal policy objectives?

Fair and Effective Administration of Justice

Participants who choose to appear remotely should have the same quality of proceedings as in-person.

Accessibility

Courts often must employ remote interpreters. There are new technology solutions available to resolve some challenges when remote interpretation is needed.

Remote hearings increase accessibility for those persons who find it difficult to get to court in person for various reasons including: work, childcare, transportation, mobility issues, parking, and financial strain.

Courts may need additional technology and resources to provide accommodations for people with disabilities who choose to appear remotely and need support to fully participate in hybrid proceedings.

Access to Necessary Representation

Hybrid hearings are used now to help ease the attorney shortage crisis. Alleviating wait and travel time, attorneys can serve more efficiently in multiple jurisdictions. This may also result in lower costs to direct clients who no longer have to pay for travel time, and long wait times while attorneys wait for docket call. Attorneys are able to multitask in their offices while awaiting a case to be called. Many court survey respondents reported the convenience and availability of attorneys as a benefit of remote/hybrid proceedings.

Commitment to Effective Court Management

Appropriate technology and resources decrease time and process inefficiencies frequently associated with hybrid proceedings. Courts without appropriate technology, for signatures as an example, struggle with time consuming tasks for staff and attorneys who are charged with gathering signatures from pro se litigants or parties in different locations. Access to subscriptions for signature systems or court programs is just one example of a necessary time saver for remote hearings.

Sufficient Staffing and Support

Court staff serve many customers and often work in a fast paced and highly demanding environment. This funding would support court staff by providing efficiencies to reduce the time spent managing old technology, paper signatures, and outdated processes that don't work well with remote hearings.

How does the package impact equity in the state?

Address any target populations or communities that will benefit from this proposal.

While all persons in Washington will benefit when courts have the resources to conduct efficient hybrid proceedings, those with transportation barriers and employment and caregiving responsibilities benefit by having the option to appear remotely. Many jurisdictions have seen reductions in failures to appear with the ability to appear remotely. Persons who may find court appearances traumatic, stressful, or intimidating benefit by appearing remotely rather than in person. This is especially true for protection order hearings, high stress family law motions, or for victims who wish to appear remotely. In criminal matters, reduced failures to appear results in fewer rescheduled hearings, fewer warrants, and avoids unnecessary jail time.

Remote hearings also benefit counsel, interpreters, witnesses, and victim advocates by saving travel time, parking costs, and various other factors.

Describe the how the agency conducted community outreach and engagement.

The Work Group recruited members from Northwest Justice Project, Office of Civil Legal Aid, Office of Public Defense, Prosecuting Attorneys, and other members of the legal community that represent people from disadvantaged and marginalized groups, in order learn what their clients were experiencing.

In addition, the Work Group was informed by survey responses of Washington Courts that noted the benefits and challenges experienced by court users in their jurisdictions, and the public and academic research findings on court users' preferences, needs, and experiences in remote proceedings.¹³⁴

Consider which target populations or communities would be disproportionately impacted by this proposal. Explain why and how these equity impacts will be mitigated.

This request intends to increase equity by giving courts the resources needed to increase access to justice with efficient hybrid proceedings.

Are there impacts to other governmental entities?

No.

Stakeholder response:

Positive. The Work Group involved many stakeholders to draft rules to allow hybrid appearances, and the Supreme Court has passed these rules. There is generally wide support from attorneys and justice partners for courts to provide options to appear remotely in some circumstances. The Washington State Bar Association Equity and Diversity Work Group submitted the proposal to Board of Judicial Administration to form the Work Group to ensure that remote appearances are available.

Are there legal or administrative mandates that require this package to be funded?

Yes. Legislation for protection orders and unlawful detainer actions in state courts provide for remote participation upon request, unless good cause is found to require in-person appearances, see RCW 7.105.205 and RCW 59.18.412. These statutory changes impact courts by mandating technology use without funding. This funding request would support the legislative intent for these types of hearings and allow for expansion into other types of proceedings.

Does current law need to be changed to successfully implement this package?

The Supreme Court has just passed rule changes allowing remote and hybrid court proceedings, rule changes this Work Group proposed and recommended. Those rules took effect July 9, 2024.

Are there impacts to state facilities?

No.

Are there other supporting materials that strengthen the case for this request?

See materials at: [BJA Remote Proceedings Work Group](#).

<i>81% of courts reported the need for one or more types of upgrades/resources to maintain or improve the ability to conduct efficient hybrid proceedings</i>	
Percent of courts reporting the need for each type of upgrade/resource	
Court-user items (access booths, kiosks, laptops/tablets, etc.)	66%
Adequate IT staff to support	59%
Technology training for staff and judicial officers	56%
Licensing and subscription fees for digital services	55%
Digital evidence presentation systems	52%
Audio/visual equipment upgrades	49%
Software applications to integrate technologies and/or improve user experience	48%
Workflow technology (paper on demand, electronic content management, etc.)	48%

Space reconfiguration and furnishings	38%
<i>Hybrid Proceedings in Washington Courts - 2024 Update Survey (N=91)</i>	

Are there information technology impacts?

There are no information technology impacts for this request.

Agency Contacts:

Christopher Stanley, 360-357-2406, christopher.stanley@courts.wa.gov

Angie Wirkkala, 360-704-5528, angie.wirkkala@courts.wa.gov