



Technology FACTs

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Considerations When Adopting Digital Court Recording

Courts globally are adopting digital court recording (DCR) as a method of capturing an accurate, accessible, and reliable verbatim record of court proceedings. These include courts moving from no verbatim record, those using antiquated analog recording equipment, and others looking to complement stenographic reporting. Over the last 15 years, thousands of courtrooms have been outfitted with digital audio and, in some cases, video recording technology to preserve the verbatim record and to help streamline court management.

Choosing to implement DCR in a courtroom is just the first in a series of decisions that must be made. The obvious initial questions are: What equipment best fits your court's needs, and what will it cost? How will the solution support the transcription needs? Are there equipment solutions that will be able to accommodate the court's changing needs? What are other courts using? What will be the reaction of users, and how will you earn their buy-in?

Over the years, DCR has evolved from being a “new” technology to becoming a mainstream one. The characteristics of the solution you choose to deploy depend on several factors, such as:

- The number of courtrooms your courthouse has and how you are capturing the verbatim record currently
 - Whether DCR will replace analog recorders and/or augment existing stenographic reporting
 - Whether a dedicated hardware appliance or a software-based solution (for example, running on a clerk's workstation with other applications) will be used for recording
 - The intended use of the resulting recordings
 - The current transcription protocol — how a request for transcript is made, whether it is done in-house or via third parties, how frequently transcripts are created and the process, how transcribers receive the relevant recorded proceedings and how completed transcripts are returned, etc.
- The manner in which recordings will be backed up/stored — on CDs/DVDs or on the network (or both), and how staff will access it
 - Obtaining the necessary buy-in from your IT department and from users
 - The court's current technology infrastructure and what, if any, modifications will be required to support a DCR system

In turn, the success of a DCR system is dependent on:

- Obtaining a system that meets your specific needs, both now and in the future** — There are a variety of recording solutions available, from stand-alone recording units to an enterprise-wide solution that offers multiple levels of redundancy and may interface with your case management system. Best practice is to implement a solution that matches your current processes, technology infrastructure, and operating environment, but that can be easily expanded to meet future needs. By not overbuying your initial solution, costs are minimized at the outset and future needs can be addressed with the state of technology at the time. To this end, it is best to choose a vendor solution that can be deployed in a variety of ways to ensure scalability, reduce issues of interoperability, and evolve easily over time.
- Ease of use of the system** — The simpler and more intuitive a system is to use, the less resistance it meets. This will reduce the time spent on training and allow you to more easily obtain the buy-in of users, which is important for the solution to proliferate across the organization as well as speed up the return on your investment.
- Experience of the vendor** — DCR is a market segment with unique requirements. Not all vendors are created equal when it comes to selling and supporting such a system. The level of experience of the vendor and their understanding of your needs will go a long way to ensure a smooth implementation and transition period. Choosing a vendor with a large install base of customers is a reflection not only of their experience, but also of the reliability and usability of their products.

- d. **Availability of local technical and product support** — The ability to receive assistance from a local entity is especially important when dealing with something as important as capturing the verbatim record of proceedings. Choosing a vendor with a large base of channel partners will ensure you receive crucial, on-the-ground, pre- and post-sales support, especially during the first few weeks of installation. There is comfort in knowing your system will be supported by a local company who is responsive and can be available on-site to resolve any urgent technical and user issues, should they arise.
- e. **Experience and proficiency of DCR staff** — The effectiveness of a DCR system is directly dependent on the staff that will manage and operate it. They must be familiar with courtroom and record making rules and procedures. It is advantageous to be able to leverage existing court staff that already holds this knowledge.

As with the implementation of any new system, DCR will introduce some changes within your organization. Any change, by its very nature and regardless of how small it is, can be disruptive. The extent of disruption depends on the level of the preparatory work performed and the approach taken to implement the change. The more you minimize this disruption, the less resistance you will encounter and the smoother the transition will be.

Here are some key pointers about what to look for in a DCR solution:

- Find a system that is intuitive and whose controls will be familiar to the user. This will reduce training time on the new system.
- Seek simplicity. If it is a software solution, you don't want too much clutter on the screen. If it is a hardware appliance, choose one with fewer controls that get the job done. When installing a new system, especially for something as important as capturing court proceedings, less is more.
- Look for a solution that is easily scalable and adaptable to various types of deployment (for example, standalone unit, operating as part of a network, or capable of being centrally monitored/controlled). This provides flexibility as your usage model evolves.

- Ask vendors lots of questions so you can really learn about their offerings and evaluate whether it would be a good fit for your environment.
- Request a pilot unit to be temporarily installed so that you and others can use it and gain an understanding of how it works.
- Ask for references, especially local ones, so you can visit them and see how they've deployed a given solution. You can also talk to them about the extent of any challenges they may have faced.
- Find out how the DCR solution will facilitate transcription (for example, what tools/services are provided and how they can assist with this aspect). Understanding how you can leverage digital recordings to better manage the transcript production process will enable you to enjoy significant benefits such as improved efficiencies, greater productivity, and faster transcript availability.
- Identify which aspects of your current operations may be affected by the transition to DCR and outline how to address them.

Thousands of courts have been employing DCR successfully for many years. The key is to fully understand its merits as well as the initial challenges it could present. By doing so, you can develop a phased execution plan that allows you to overcome any potential issues and to aid in the successful adoption of the technology across your organization.

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