

Technology

TABLE OF CONTENTS

9-01	Services Available Through Judicial Information Systems	9-01-01
9-02	Use of Interactive Video Technology	
	A. Child-Protective and Juvenile Delinquency Hearings	9-02-01
	B. Mental Health Treatment	9-02-01
	C. Criminal Proceedings	9-02-01
	D. Verbatim Court Record	9-02-01
	E. Connectivity Options	9-02-01
9-03	Facsimile Communication Equipment	9-03-01
9-04	Digital Audio and Video Recording	9-04-01
9-05	Communications Devices and Systems	9-05-01

Technology

9-01 SERVICES AVAILABLE THROUGH JUDICIAL INFORMATION SYSTEMS

The State Court Administrative Office's Judicial Information Systems (JIS) provides technical assistance to courts in the identification, development, and maintenance of automated information systems, irrespective of the hardware and software the court chooses or is required to use. In addition, JIS provides direct data processing support to the Supreme Court and State Court Administrative Office and to trial courts. Direct services to trial courts include application systems and support for circuit, district, and probate courts. Services provided by JIS to courts include but are not limited to the following.

1. Support of a judicial network that provides access to centralized systems of the judiciary and executive branch.
2. Development, implementation, and support of the Judicial Data Warehouse (JDW), which collects information about pending and closed cases from trial courts.
3. Development, implementation, and support of e-commerce applications such as the electronic payment of traffic tickets and filing documents (e-filing) through the Internet.
4. Procedural evaluation and the development of application specifications to assist JIS and non-JIS in the delivery of improved services through software, coordinated with SCAO's Trial Court Services Division.
5. Development of software for all aspects of case management for trial courts.
6. Training of staff in the use of the application systems.
7. Continued performance evaluation and monitoring of software.
8. Support for system related issues on behalf of the local trial courts with their county, city, or vendor.
9. Assistance in planning and implementation guidelines for automated systems.
10. Support in the determination and selection of data processing services, equipment, and software.

9-02 USE OF INTERACTIVE VIDEO TECHNOLOGY

A. Child-Protective and Juvenile Delinquency Hearings

Effective May 1, 2007 Michigan Court Rule 3.904 allows the family division of circuit court to use two-way interactive video technology (IVT) to conduct specified delinquency proceedings and child-protective proceedings.

Two-way interactive video technology may be used to conduct preliminary hearings pursuant to MCR 3.935(A)(1), postdispositional progress reviews, and dispositional hearings where the court does not order a more restrictive placement or more restrictive treatment. In addition to the use of IVT specifically authorized by MCR 3.904, courts may expand the use of IVT in proceedings and matters to hearings not enumerated in the rule by seeking permission from the State Court Administrative Office pursuant to Administrative Order 2007-1. For the full-text of the Administrative Order, go to <http://coa.courts.mi.gov/rules/documents/3AdministrativeOrders.pdf>.

B. Mental Health Treatment

Effective May 1, 2007 Michigan Court Rule 5.738a allows probate courts to use interactive video technology (IVT) to conduct proceedings concerning initial involuntary treatment, continuing mental health treatment, and petitions for guardianship involving persons receiving treatment in mental health facilities.

C. Criminal Proceedings

Effective January 1, 2006 Michigan Court Rule 6.006 allows circuit and district courts to use interactive video technology (IVT) to conduct a variety of criminal proceedings between a courtroom, a prison or jail, or other locations.

D. Verbatim Court Record

All proceedings using interactive video technology (IVT) must be recorded verbatim by the court.

E. Connectivity Options

Video hearings from off-site locations to the court require a means of transmission. Four principal methods exist: (1) integrated services digital network (ISDN) telephone line(s), (2) T-1 connection, (3) fiber optics, and (4) microwave. Each method has advantages and disadvantages.

A discussion of these options can be found in “Standards for Use of Interactive Video Technology” at http://courts.michigan.gov/scao/resources/standards/ivt_stds.pdf. For more information, see also <http://courts.michigan.gov/scao/resources/other/lao.htm#ivt> and <http://courts.michigan.gov/scao/services/tcs/tech.htm>.

9-03 FACSIMILE COMMUNICATION EQUIPMENT

Effective January 1, 2004 the use of facsimile communication equipment is regulated by MCR 2.406. Pursuant to this rule, "facsimile communication equipment" means a machine that transmits and reproduces graphic matter (as printing or still pictures) by means of signals sent over telephone lines.

Facsimile communication equipment and voice communication equipment may be used for warrants as provided for in 1990 PA 41, 43, 44, and 45.

Effective January 1, 2007 MCR 3.929 governs the use of facsimile equipment in juvenile proceedings.

For additional information, go to <http://courts.michigan.gov/scao/resources/other/lao.htm>, <http://courts.michigan.gov/supremecourt/Resources/Administrative/2005-43-10-03-06.pdf> and <http://courts.michigan.gov/scao/resources/other/scaoadm/2003/2003-13.pdf>

See also Section 1-06.

9-04 DIGITAL AUDIO AND VIDEO RECORDING

Effective May 1, 2007 the state court administrator no longer certifies the adequacy of recording equipment used in the trial courts. Instead, the trial courts' recording systems must meet the standards published by the State Court Administrative Office. *Standards for Digital Audio Recording Systems* are at http://courts.michigan.gov/scao/resources/standards/da_stds.pdf, while *Standards for Digital Video Recording Systems* can be accessed at http://courts.michigan.gov/scao/resources/standards/dv_stds.pdf.

Courts are encouraged to work with system vendors to ensure their recording equipment complies with the standards. A checklist is provided within the standards as a tool for courts and vendors to use in assessing a recording system's compliance.

Courts should develop appropriate policies and procedures governing the use of the systems they purchase. Procedures should be developed for backing up the files created by the system and periodically assessing the quality of the storage medium by testing archived files. A contingency process should also be established for backup or duplication of files in the event of obsolescence. Courts should rely on their vendor for support in developing these policies and should follow the vendor's recommended procedures designed for their specific system.

Court may also refer to Component 24 of the *Michigan Trial Court Case File Management Standards* at http://courts.michigan.gov/scao/resources/standards/cf_stds.pdf.

9-05 COMMUNICATIONS DEVICES AND SYSTEMS

In June 2000, the state court administrator issued SCAO Administrative Memorandum 2000-07, which set forth the guidelines for establishing policies and procedures governing internal court use of all communication devices and systems. The memorandum, model policy, and standards can be accessed at <http://courts.michigan.gov/scao/resources/other/proc.htm#2000>.

When the court is provided any of its systems through its funding unit, the court should establish procedures, written in collaboration with the funding unit, for the control and monitoring of court information to assure that the information is maintained in a protected and confidential manner. Access to the data and its availability to the public should be covered through these rules.

The rules or controls can be established through the following three alternatives or combination of alternatives.

(1) Joint policies and procedures agreed upon with the funding unit. See the *Model Policy for the Operation of Computer Network, Internet Access, E-Mail, Phone Service and Other Communication Equipment and Programs Utilized by the Court* at <http://courts.michigan.gov/scao/resources/other/scaoadm/2000/2000-07Policy.pdf>.

(2) A contract for services between the court and the funding unit.

(3) Hardware and software solutions for certain services, such as e-mail and Internet access. See SCAO Administrative Memorandum 2000-07, Section B, *Computer Hardware and Software Options for Judicial E-mail and Internet Autonomy* (with necessary internal operating procedures) at <http://courts.michigan.gov/scao/resources/other/scaoadm/2000/2000-07.pdf>.

The court is encouraged to adopt standards of operation that conform with those adopted by the funding unit, so long as those standards do not interfere with the orderly operation of the court. If the funding unit has no standards, the court should adopt standards consistent with recommendations provided by the State Court Administrative Office. For more information, see *Standards for Court Operations of Communication Equipment and Programs* at http://courts.michigan.gov/scao/resources/standards/cm_stds.pdf.