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Emerging Applications for a Connected World

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## Business : Profile

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### **Videoconferencing in the Courtroom**

**By Geoff Daily**

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#### **High-quality videoconferencing helps lawyers cut down on travel -- and it's creating a video archive that can educate the next generation of lawyers.**

Trial lawyers rely on face-to-face communication, whether they're taking depositions, prepping witnesses or interviewing law students. That's why, until recently, they had to spend much of their time in travel -- as did their clients, witnesses, and job applicants. But in today's online-enabled world, videoconferencing is helping lawyers break free from the constraints of time and space.

#### **Depositions at a Distance**

Trials often require testimony from expert witnesses in distant cities. Lawyers used to have two options for deposing these witnesses: flying them to the scene of the trial, or hiring other lawyers to depose them locally. Both options were pricey, and the second option could mean losing direct control over questioning.

Today, videoconferencing offers a third and better option: Experts can remain where they live, and lawyers don't have to lose control over the deposition. Even more important, videoconferencing gives lawyers access to a broader range of potential experts.

"So instead of the local guy who's a great eye doctor, you can get the guy from Harvard who wrote the book on eye doctors," says Jack Sheekey, a senior executive with Courtroom Connect, a company that provides advanced



Lawyers take depositions remotely over Courtroom Connect's i2i Legal Network.

gateways, technical and business support, and marketing materials.

communications services to the legal industry.

Courtroom Connect's i2i Legal Network lets court reporting firms offer videoconferencing services from their offices.

The court reporters must first own a videoconferencing unit – when purchased through Courtroom Connect this is most often Polycom's VSX7000S – and then pay a monthly membership fee of \$90. According to Sheekey, the membership benefits of the i2i Legal Network include discounted long distance bridging and

The videoconferencing system must be set up to run over an ISDN connection, but it can call anyone with videoconferencing technology, not just other i2i members. Courtroom Connect also provides the ability to stream video feeds over the open Internet to anyone with a web browser.

### **Reducing the Need for Travel**

Carol Fitzsimmons, owner of Fitzsimmons Reporting Service in Livingston, New Jersey, is a member of the i2i Legal Network who provides videoconferencing services for depositions. She says she was inspired to offer the services by the attacks of September 11, 2001: "I decided there was a great need for people to not have to travel so much." As a side benefit, she says, the videoconferencing services have helped her attract new clients.

The i2i Legal Network includes more than 200 facilities equipped with Courtroom Connect's solution. These facilities often act as a referral network, passing jobs to one another when it makes sense to do so. "It's nice to have a member group. Either I refer to them or they refer to me. We've become a family of sorts," says Fitzsimmons.

"Everybody wins," says Sheekey. "The attorney gets it done faster and cheaper, and the court reporter gets to hold onto the business."

### **A Window into the Action**

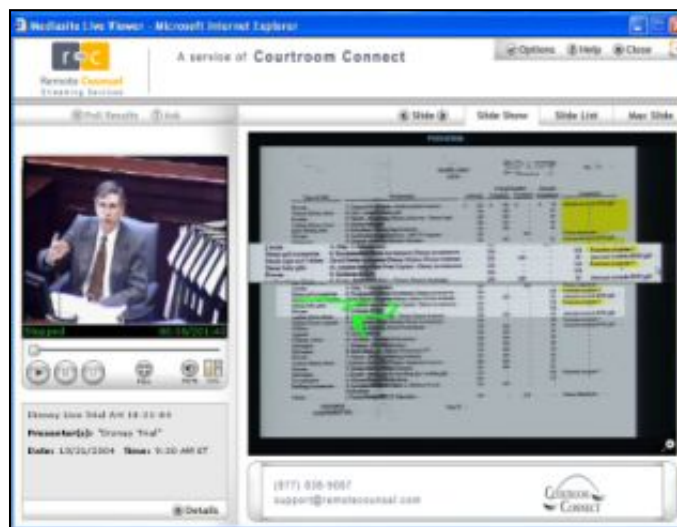
Courtroom Connect also offers courtroom-based services. Richard Herrmann, a partner in Delaware-based law firm Morris, James, Hitchens & Williams and an advocate for the use of technology in the legal profession, introduced Courtroom Connect to the Delaware court system five years ago to set up wireless networks in courtrooms throughout the state. "The goal was to try and make the legal community in Delaware wireless," he says.

This service is provided at no cost to the courts and is paid for by the lawyers who subscribe to it. With this system in place, lawyers can quickly access information mid-trial without having to leave the courtroom.

The uses for video technology in the legal world are limited only by the imagination – and Herrmann is very creative. In 2004, his efforts helped lead to one of the first instances of a trial being streamed live over the Internet, powered by Courtroom Connect.

The trial, which involved a dispute between the Walt Disney Company's board of directors and shareholders, was attracting a great deal of media and public attention, but the courtroom where it was held, in the small and remote town of Georgetown, Delaware, could hold only 50 people. Streaming live coverage provided a window into the action for those who couldn't attend the trial in person.

"I talked with many of the people who participated in the trial," says Herrmann. "They had lawyers and witnesses watching from hotel rooms nearby in order to prepare for their testimony with the latest information." Company executives, investors, journalists and others were also able to watch the trial from afar via online streaming video.



Streaming video provides a window into the courtroom for those who can't attend the trial.

### Training the Next Generation

Herrmann's vision for applications of online video also includes legal education. He hopes to leverage Courtroom Connect's on-demand video capabilities as a teaching tool, using video archives of legal arguments to train his younger associates. He says, "We can take an interesting argument and have a discussion about what the lawyer did well and didn't do well."

In addition to his work as a lawyer, Herrmann directs the Law and Technology Center at the Widener University School of Law in Wilmington, Delaware. He also serves as the senior advisor on law technology for the Courtroom 21 Project, which serves as a world center for education and experimentation on courtroom technologies. (The Courtroom 21 Project is a joint effort between William & Mary School of Law in Williamsburg, Virginia, and the National Center for State Courts, a research center also based in Williamsburg.)

From his work with these organizations, Herrmann sees many more opportunities for Courtroom Connect's technology, such as building a video clearinghouse of arguments from courts around the country and making them available to law schools.

Herrmann also sees a bright future for the use of online video technology as a recruiting tool for law firms. Courtroom Connect has started a new program called Law School Connect, which equips law schools with videoconferencing technology to facilitate remote job interviews.

While private law firms usually foot the bill for the Law School Connect equipment and get first dibs on using the technology, the systems can also be used by others, such as judges, who need to interview law school graduates. Herrmann explains, "Typically, when we interview at law schools, we'll send lawyers out, but that's time-consuming and expensive. Judges don't generally do that, as they aren't in a position to pay for it."

Law School Connect lets judges broaden the scope of their interviews to out-of-state students. Law school graduates, too, can now apply for jobs that might otherwise have been out of reach.

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