

Supreme Court, New York County: The Technology-Outfitted Place to Be

By Hon. Saliann Scarpulla

As an integral part of Chief Judge Janet DiFiore's Excellence Initiative, the Office of Court Administration has begun outfitting Supreme Court, New York County courtrooms at 60 Centre Street with state-of-the-art technology. The purpose of this technology is to increase litigation efficiency, expand public participation in the courtroom, and match courtroom capabilities with the everyday experience of a generation of lawyers and litigants who regularly rely on technology.

My courtroom, courtroom 208 at 60 Centre Street, was the first to be outfitted; technological enhancements to other courtrooms are in the works. The most noticeable new technology in my courtroom is an 86-inch screen, which presents a large, clear picture of the evidence to me, the jury, and the person on the witness stand. By touching or using a stylus on the screen, an attorney or

witness can highlight information, add additional information, or mark up the evidence, without affecting the integrity of the original evidence. The marked-up version of the evidence can then be saved as a separate document or discarded after the witness finishes testifying.

The 86-inch screen can play back previously recorded testimony and is equipped with Skype to enable me and the jury to observe in real time the testimony of a witness who is located outside the courthouse. Skype also enables an attorney to "appear" for argument of a motion and to participate in court conferences from a remote location.

New accessibility enhancements are not limited to Skype. Courtroom 208's jury box has been enlarged so that a person in a wheelchair or using a walking aid can comfortably sit on a jury. The courtroom is now also equipped with devices to assist individuals with hearing and/or sight impairments. These technological enhancements aim to ensure maximum participation in the litigation process.

Documents and previously recorded testimony are uploaded to the display monitor via a flash drive, a CD-ROM, or a laptop. And, if an attorney forgets to include a document on the flash drive, CD-ROM or laptop, the



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attorney may still display the document by placing it under a document viewer, which projects the document onto the 86-inch screen.

The document viewer is located on a new attorney podium, which also contains separate USB ports and space for the attorney's laptop and paper notes. An attorney who is concerned about the security of the courthouse Wi-Fi system can bring a portable Wi-Fi router, connect it through the attorney podium, and use the private Wi-Fi in court.

The attorney table, witness box, and judge's bench have been supplied with smaller display screens, which show the same images that are displayed on the 86-inch screen. There are also smaller screens on the back of the 86-inch screen, which allow persons sitting in the audience section of courtroom 208 to view the evidence on the larger screen and fully to see any testifying witness. There is a wireless keyboard on my bench that enables me to determine which of the screens display the evidence presented.

By using this innovative courtroom technology, there is no longer any need for attorneys to lug boxes of paper documents into my courtroom. Paperless presentation of evidence to me and the jury saves time in so many ways – including elimination of the wait time to screen

document boxes through courthouse security and the time needed to publish a paper document to six or more individual jurors during a trial. The reduction in paper costs is also an obvious money saver.

Similarly, my and the jury's ability to hear attorney argument and witness testimony from persons at remote locations saves time and money. The availability of Skype in courtroom 208 assures litigants that the Supreme Court, New York County, will be accessible to them and their chosen counsel, even if they are not physically located in New York County.

I have been using the new technology in courtroom 208 for many months and have found that the attorneys, witnesses, and litigants who appear before me appreciate the technology and have no difficulty using it because it is very straightforward. To help attorneys become familiar with the technology in courtroom 208, the Office of Court Administration has put together a short demonstration manual that is readily available to attorneys and litigants. Additionally, the Commercial and Federal Litigation Section of NYSBA, the Committee on Technology and the Legal Profession of NYSBA, and the New York State Court System's Committee on Continuing

Legal Education jointly held a live CLE demonstration on the use of the technology in courtroom 208. A video of the CLE presentation will soon be available.

At bottom, the new courtroom technology at the Supreme Court, New York County helps safeguard New York's worldwide status as a leading center for domestic and international dispute resolution. An informal survey of the technology available in other state and international courts shows that our courtroom technology is state-of-the-art and not available in many other fora.

The new courtroom technology also assists in providing litigants with timely and cost-efficient dispute resolution. In her 2019 State of Our Judiciary report Chief Judge DiFiore stated that "[e]quipping our courtrooms with the latest technology so that judges, lawyers, litigants, jurors and members of the public can fully engage in courtroom proceedings is one of the most visible ways in which the court system can demonstrate its commitment to excellence in the delivery of justice." I have found that the technology in courtroom 208 is a powerful tool to speed up litigation time and free me and the jury to focus more fully on the facts, the law, and the delivery of justice.



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