

# **Paper: The Impact of Video Proceedings on Fairness and Access to Justice in Court (Bannon and Adelstein 2020)**



The Covid-19 pandemic disrupted court operations across the country, prompting judges to postpone nonessential proceedings and conduct others through video or phone. Even as courts have to reopen, many continued or tested new ways to expand the use of remote technology. At the same time, public health concerns were leading some legal services providers and other advocates to oppose the return to in-person proceedings. Beyond that moment, several court leaders also suggested that expanded use of remote technology should be a permanent feature of our justice system.

This paper collected and summarized existing scholarship on the effects of video technology in court proceedings. Federal courts, immigration courts, and state courts have long used video technology for certain kinds of proceedings.

Though video conferencing technology was a valuable tool during the Covid-19 pandemic, existing scholarship suggested reasons to be cautious about the expansion or long-term adoption of remote court proceedings. The paper recommended that as courts developed policies for remote proceedings, they should consult with a broad set of stakeholders, including public defenders and prosecutors, legal services providers, victim and disability advocates, community leaders, and legal scholars.

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