

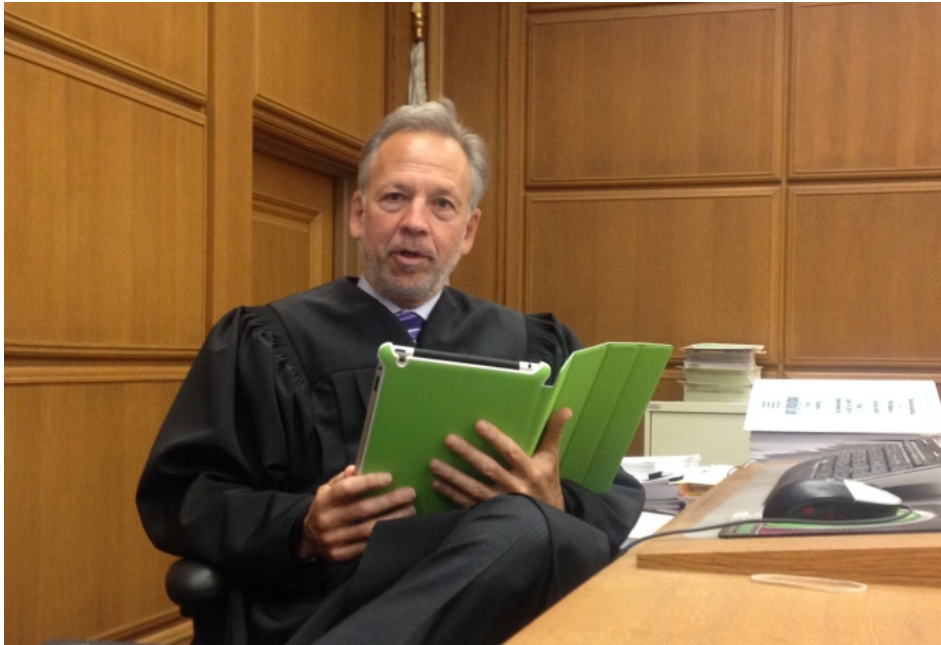
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In a first, jurors allowed to use iPads in an LA Superior Court trial

Erika Aguilar | June 11th, 2014, 5:00am



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Erika Aguilar/KPCC

L.A. Superior Court judge Michael Linfield holds up an iPad that is identical to the ones jurors are using in a case in his courtroom. It's the first time at L.A. Superior Court that jurors have been provided iPads to review evidence in a case.

In an experiment for the Los Angeles Superior Court, jurors in one civil courtroom are using iPads for the first time to evaluate trial evidence, and at least one judge hopes it will get juries more engaged and speed up trials.

That judge is **Michael Linfield** (http://judgepedia.org/Michael_P._Linfield) in Department 34 at the Stanley Mosk civil courthouse, who sees the iPads as part of L.A. Superior Court's effort to catch up with the technology of the times and create a digital court system.

For example, two months ago, a handful of judges at the Stanley Mosk Courthouse began **using video conferencing** (<http://www.lasuperiorcourt.org/courtnews/Uploads/1420144815514114NTACourtCallVideo.pdf>) with webcams for short court calls — motion hearings with case attorneys that sometimes last just three minutes.

Michael **Kelleher**, a **litigation consultant** (<http://cogentlegal.com/blog/author/michael-kelleher/>) who helps attorneys prepare for trial using tech tools like iPads and videos, said a lot of courts shy away from technology, but budget cuts to judicial branches everywhere have helped usher it in.

"If we can make trials go faster and more efficiently, that helps on that front, too," Kelleher said. "It lets other people get into that courtroom and get their issues resolved."

On a recent day in Department 34, **Judge Linfield** (http://judgepedia.org/Michael_P._Linfield) turns toward the jury box and holds up a lime-green iPad. Half of the dozen jurors flip open identical iPads as the judge announces new exhibits that will be introduced during trial that day.

"Exhibit number 6 has been unlocked, which are photographs," Linfield says.

In another first for the court, attorneys have been allowed to bring iPads to the courtroom for jurors to use. Traditionally, attorneys build bulky binders filled with copies of paper documents and photos that would be introduced as exhibits or evidence during the trial.

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Usually each seated juror, two alternates and the judge get their own heavy-duty exhibit binder. But in this case, the iPads are replacing them.

“It’s actually cheaper than using paper exhibits, paying for all the binders,” says Lisa Maki, attorney for the plaintiff in the case in which jurors are using the iPads.

Attorneys are responsible for paying and providing the tablets for jurors. Maki and the defense attorneys are splitting the cost, which is roughly \$1,500 to rent the iPads from **a litigation tech company** (<http://www.motionlit.com/>) for a weeklong trial. There are also document uploading fees and technician services.

Fred Galves — who **teaches courtroom technology** (http://www.mcgeorge.edu/Fred_A_Galves.htm) and presentation to aspiring lawyers at the University of Pacific at Stockton — says if iPads can get juries more engaged in the testimony, that’s worth the cost.

“You can never persuade a jury to believe anything unless they can understand what you’re saying and they can fully remember it during deliberations,” Galves said.

The iPads being used in Department 34 don’t have access to the Internet, and there is only one app that opens up two folders of exhibits: plaintiff documents and defendant documents.

Documents that the judge has not granted admittance in trial are kept locked to jurors on the iPad until the judge gives a passcode.

As the attorneys question witnesses, they direct the person on the stand to a document in the exhibit book – or in this case, the exhibit iPad. Jurors can follow along on the tablet.

Judge Linfield says the iPads have been practical in court because they allow a juror to zoom into a document or photo or rotate a graph to get a better look. Without the tablet, juries rely on a projector screen or a piece of paper.

“If they can’t see the exhibit, if they can’t follow along with the witness,” Linfield says, “then they are a great, grave disadvantage.”

Jurors can click back to a document on the iPad if they want to spend more time on it. This can be seen as a distraction to some attorneys who hope the juror is listening to them question a witness on the stand.

Though attorneys in cities like **San Diego** (https://www.google.com/url?sa=t&ret=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CC8QFjAA&url=http%3A%2F%2Fwww.10news.com%2Fnews%2Fdistrict-attorneys-office-goes-high-tech-in-courtroom-prosecutors-use-ipad-app-to-build-cases-05192013&ei=cbGXU6q3OdegyATfoIHIDA&usg=AFQjCNF48rDE58XUXOoTAnoT-DYBIqoJ5A&sig2=G7k8WZnxtM2GIU1xRA_lxQ&bvm=bv.68693194,d.aWw), Dallas and Chicago are already **using iPads in court** (http://www.americanbar.org/content/dam/aba/publications/young_lawyer/ipadforlawyers.authcheckdam.pdf), few are allowing jurors to use them the way Judge Linfield is. It’s up to individual judges to decide what technologies they will allow in their courtrooms. But Linfield says he expects the iPad experiment to spread to other Los Angeles courtrooms.

“I expect it will become standard,” he says. “We have to move to use what’s becoming basic technology. iPads are not cutting edge technology anymore.”

An earlier version of this story misstated Linfield's courtroom. KPCC regrets the error.



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