




Magistrate Video Using Webex

March 16, 2022

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- Network Services Department in the Technology Services Division under NCAOC CTO
 - Made up of two teams, one focused on development, one on operational support
 - Operations and Administration
 - Design and Engineering
 - Business and technology owners of:
 - Statewide data network
 - All voice services and technologies (Unified Communications)
 - Protecting and safeguarding the AOC network and resources from cyber threats
 - Select user applications like eFax, paging,
 - Technology owners of Webex



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- **Operations and Administration**
 - 16 engineers, mostly based in Raleigh at NCIC
 - 24x5 operation Monday through Friday
 - 2022 - Additional staff will enable 24x7x365 operation
 - Network Operations (NOC) Team – 10 engineers
 - Tier 2 team responsible for daily operational support of statewide data network
 - Triage and resolve user reported incidents and requests taken by Help Desk analysts
 - Ensure the highest level of network availability with real time monitoring of infrastructure
 - Configuration of all voice services on the new centralized phone system
 - Support eFax and many other applications, including Webex for all users
 - Implementation of all new network technologies in all judicial offices
 - Handle over 5000 Help Desk tickets annually, responding to 60+ P1 outages monthly



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- **Operations and Administration**
 - Security Operations (SOC) Team – 6 engineers
 - 2nd and 3rd shift operations positions
 - Network security engineering team responsible for firewalls and VPN
 - Operational support for security architecture and user support for VPN access
 - Respond and resolve security intrusion events
 - Actively protecting against ransomware, phishing and cyber attacks
 - Vulnerability management for network devices, routers and switches



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- **Design and Engineering**
 - 9 highly skilled network architects divided by discipline that develop, validate and test new technologies and architectures for deployment
 - Provide crucial Tier 3 operational support to the O&A team
 - 3 Unified Communications Architects – Responsible for feature and technology development in the centralized phone system and Webex capabilities
 - 3 Network Security Architects – Develop and validate firewall and security technologies to protect the internal AOC resources and data from cyber threats, ransomware and hackers
 - 3 Enterprise Network Architects – Continually develop network capacity and capabilities to expand and improve our state of the art network



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- Magistrate Video Project (MVP)
 - Initially piloted in 2012
- Use Cases
 - Initial scope of video use
 - Probable cause determinations, issuance of criminal process and search warrants
 - Initial appearances following arrest, including the setting of conditions of release
- Original Memorandum of Approval for video use (dated 2017)
 - https://juno.nccourts.org/sites/default/files/egal%20Memos/memorandum_audio_visual_approval.pdf
- Provided video communications between LEAs and Magistrates
 - Leveraged technology to reduce risk and expense of transport
 - Facilitated speed and efficiency of processing for Magistrates
- Software (Jabber) provided and supported by NCAOC Technology Services
- Free version of software provided to the LEAs by MCNC, a technology partner
- Many counties installed their own video systems to connect to jails and detention centers
- Average cost of video system installations - \$50,000



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- **Original** procedure to establish approval and use of video
 - Open a Help Desk ticket with a detailed description to begin the approval process
 - Routed to Technology Services and Court Services to begin review
 - Review of equipment compatibility and any suggested procedures
 - Final approval comes from Office of General Counsel (OGC)
 - Senior Resident Superior Court Judge and Chief District Court Judge provide their approval for video system use in these cases and submit to OGC
 - OGC reviewed for legal compliance and send letter of approval
 - Local LEAs, SHP and others would be able to use a free version of software to connect
 - Network Services provided software and support
 - Established an MOA with county staff on statutory requirements and support



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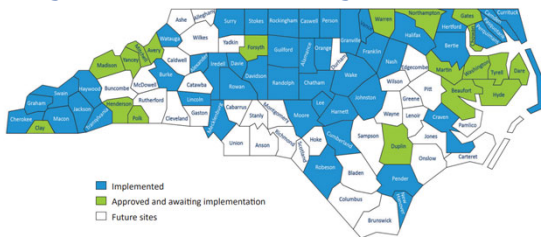
Appendix A: N.C. General Statutes Governing Audio Video Transmission

G.S.	Hearing Type	AOC Approval
78-1906(h)	Continued Custody	Yes
15A-245(a)(3)	Search Warrant	Yes
15A-304(d)(3)	Arrest Warrant	Yes
15A-511(a1)	Initial Appearance	Yes
15A-532(b)(8)(c)	Release Conditions	Yes
15A-601(a1)(8)(a2)	First Appearance	Yes
15A-941(b)(8)(c)	Arraignment	Yes
122C-268(e)	IVC	No



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- Prior to 2021, all the previous steps also involved complicated video systems
 - Counties, LEAs, and other agencies had to provide complex video systems that were difficult to support and often problematic
- Problems included:
 - Unreliable operation and support
 - Troubleshooting proved difficult and impacted operations
 - Down systems cause Magistrates to use fall back procedures
 - Program efficiencies lost to system issues
 - Relied on [Cisco Jabber](#) client application



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- eCourtNet Project – November 2020 – November 2021
 - Statewide network upgrade
 - Improved network capacity ahead of eCourts
 - Added multiple layers of redundancy for network reliability
 - Paved the way for wireless expansion and enhancements in courthouses
 - Major accomplishments
 - 197 Judicial Offices of all varieties
 - 112 Courthouse or Annex locations
 - 84 Magistrates, GAL offices and department offices
 - **Rollout of eFax and Webex for all users**



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- March 2020 – COVID impact to court functions were significant and wide ranging
- June 24, 2021 – Memorandum from Office of General Counsel
 - Legislation Permitting Court Proceedings by Audio / Video Transmission
 - S.L. 2021-47 (SB 255)1
 - <https://www.ncleg.gov/Sessions/2021/Bills/Senate/PDF/S255v7.pdf>
 - <https://uno.nccourts.org/legal-memos>
- Enacts G.S. 7A-49.6 ("remote proceedings statute"), effective on June 18, 2021
- Grants judicial officials discretion to conduct court proceedings by AVT
- Certain conditions **must** be satisfied



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- The presiding official, the parties, and any other participants must be able to see and hear each other. G.S. 7A-49.6(a)
- The presiding official must safeguard the constitutional rights of persons involved in the proceeding and preserve the integrity of the judicial process. G.S. 7A-49.6(a)
- If represented by an attorney, a party must be able to communicate fully and confidentially with the party's legal counsel. G.S. 7A-49.6(b)
- The proceeding must be conducted with videoconferencing applications approved by the NC Administrative Office of the Courts ("NCAOC"). G.S. 7A-49.6(j)
- When AVT is used to conduct a proceeding that must be open to the public, the presiding official must "facilitate access to the proceeding by the public and the media as nearly as practicable to the access that would be available were the proceeding conducted in person." G.S. 7A-49.6(g)



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- If the proceeding is required by law to be recorded, the AVT must be recorded pursuant to G.S. 7A-95 (Reporting of trials), G.S. 7A-198 (Reporting of civil trials), and any other applicable laws. G.S. 7A-49.6(h)
- The proceeding must comply with any applicable federal or state laws governing the confidentiality and security of confidential information. G.S. 7A-49.6(f)
- Several of these requirements are discussed in more detail in the Memorandum
 - Objections to Civil Proceedings using AVT
 - Civil Proceedings Involving Injuries
 - Criminal/Juvenile Proceedings
- Reference - <https://juno.nccourts.org/sites/default/files/files/21-6-24-Memo-S255-AV-changes.pdf>



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- Approved Videoconferencing Applications
 - The NCAOC has approved Webex for remote proceedings
 - It has also approved Microsoft Teams as a **backup** for Webex in proceedings that do not have to be recorded
 - Judicial officials must use Webex or, if Webex is unavailable and recording is not necessary, Microsoft Teams for remote proceedings unless they obtain NCAOC approval for another application. G.S. 7A-49.6(j)
 - Public Access to Court Proceedings Conducted by AVT
 - Nearly all court proceedings must be open to the public
 - See N.C. CONST. ART. I § 18
 - Refer to Memorandum for specific legal and statutory guidance



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- Impact of S.L. 2021-47 on Preexisting Statutory Authority for AVT Use
 - In Court Proceedings Prior to the enactment of S.L. 2021-47, various statutes expressly **authorized** (Warrants, Arraignments, etc.) or **restricted** (IVC) the use of AVT in certain kinds of court proceedings
 - Session Law 2021-47 **repeals** the AVT-related provisions in the following statutes:
 - G.S. 7B-1906 (continued custody review hearing)
 - G.S. 15A-245 (search warrant)
 - G.S. 15A-304 (arrest warrant)
 - G.S. 15A-511 (initial appearance)
 - G.S. 15A-532 (release conditions)
 - G.S. 15A-601 (first appearance)
 - G.S. 15A-941 (arraignment)
 - G.S. 50B-2 (ex parte domestic violence protective order)
 - G.S. 50C-6 (ex parte civil no-contact order)
 - G.S. 50C-7 (permanent civil no-contact order)
 - G.S. 122C-268 (inpatient commitment)



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- The remote proceedings statute now governs the use of AVT in proceedings listed
- Session Law 2021-47 does leave some preexisting AVT statutory provisions intact
- Expressly confirms the ongoing authority of judicial officials to receive remote testimony under other statutes:
 - G.S. 15A-1225.1(b) (remote testimony by child witness)
 - G.S. 15A-1225.2(b) (remote testimony by witness with intellectual or developmental disability)
 - G.S. 15A1225.3(b) (remote testimony by forensic analyst)
 - G.S. 20-139.1(c5) (remote testimony by chemical analyst testifying in implied-consent offense case)
 - G.S. 8C-1, Rule 616 (remote testimony by witness with intellectual or developmental disability in civil case or special proceeding)
 - G.S. 50A-111(b) (remote testimony by deponents or witnesses in certain multi-jurisdictional family law proceedings)
 - G.S. 52C3-315(f) (same). G.S. 7A-49.6(i)



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What is Webex?

- A scalable solution integrated with our centralized phone system
 - Make and receive calls on your laptop as if you are in the office
 - Enable more features at your fingertips as needed
 - Provide a more reliable video solution for Magistrate use cases
- A replacement for the Jabber application
 - Jabber was subject to a very high number of security vulnerabilities due to design
 - Cisco ended support for Jabber client on July 31, 2021



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- 8,288 Users of Webex statewide
- 62% of those are active, daily users

Status	Percentage
Inactive	2%
Not Verified	1%
Verified	35%
Active	62%

- January statistics:
 - 5,344 individual meetings
 - 392,644 total meeting minutes
 - 4,247 meetings using video
 - 945 unique meeting hosts
 - 39,214 participants
 - 41.5% external

39,214 Participants

External Internal




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- Webex (formerly Webex Teams) should not be confused with Microsoft Teams
 - Similarities:
 - Both Webex and MS Teams provide team collaboration via chat and IM
 - Both applications support calling someone **across the internet**
 - Both applications have mobile phone apps
 - Differences:
 - Webex is integrated with the centralized phone system. Calls come from and into your internal AOC number
 - Webex can chat and IM with users **outside** of the judicial branch
 - Webex is the AOC approved and supported application for video and calling**




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Demo and Walkthrough

- <https://indd.adobe.com/view/345d83d3-9b3c-4195-b9ee-504cb53d0e83>




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Important Links

- Webex Training for Magistrates
 - <https://indd.adobe.com/view/345d83d3-9b3c-4195-b9ee-504cb53d0e83>
- All NCAOC Webex Training Resources
 - [Webex Resources: NCAOC Supported Online Audio / Video Technology | Juno \(nccourts.org\)](#)
- Information regarding the early Magistrate Video Program initiative
 - MVP Home Page <https://juno.nccourts.org/resources/services/magistrate-video-project-mvp>
 - Approval Procedures for Video Program https://juno.nccourts.org/sites/default/files/Legal%20Memos/memorandum_audio_visual_approval.pdf



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Questions

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