



JTC Resource Bulletin

Social Media Marketing for Courts

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Abstract

Social media is one of the most powerful and cost-effective, albeit underutilized, marketing tools for sharing the court's message. Courts, however, have been slow to tap into the unique advantages of popular platforms. More and more Americans look to social media as their primary source of news, information, and entertainment, as well as social connection. Public discourse today happens on social media. Failing to include social media in the court's communication strategy can only widen the gap between what the public expects and what the court delivers.

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To improve the administration of justice through technology

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Introduction

The vast majority of adults throughout the world regularly use one or more forms of social media.¹ More and more Americans look to social media as their primary source of news, information, and entertainment, as well as social connection. Not surprisingly, the vast majority of state courts utilize at least one social media platform.

Still, two in ten state courts have no social media presence at all.² Courts have been slow to tap into the unique advantages of popular platforms. When courts have advertising and communication needs, they may turn first to traditional media including TV, radio, newspapers and other print outlets. Much of their audience, however, has moved on to streaming services, blogs, podcasts, and social networking.

Facebook and other forms of social media today encompass a wide range of technologies and functionality that threaten to make some forms of communication nearly obsolete. For example, the volume of first-class mail in the United States declined by more than 50% between 2005 and 2015³. Email use increased exponentially during that time period, but text messaging has now displaced some kinds of email messages. For some kinds of messages,⁴ social media app-based direct messaging (e.g., SnapChat, Facebook Messenger, Marco Polo, etc.) is now preferred over both email and text messaging.

For a variety of reasons – including and especially to better serve the public -- courts should shift a larger and larger portion of their messaging to social platforms since that is where the public will be found.⁵ By publishing text, image, and video content across multiple social media platforms, courts can better communicate with the public they serve, enhance confidence in the judicial system, and promote justice initiatives as well as court websites and apps. Social media is now one of the most powerful and cost-effective, albeit underutilized, marketing tools for sharing the court's message.

Simply put, in today's hyper-digital world, the time has come for court managers to overcome any reticence to employing social media in their communication efforts.

¹ [Social Media in 2018](#). Pew Research Center: Internet and Technology. pewinternet.org, March 1, 2018.

² As of July 2018, 40 of 50 state courts had at least one social media outlet. See Roesch, Deirdre, and Blake Kavanagh. "[Social Media and the Courts: AOC and High Courts on Social Media](#)." *State Court Web Sites | National Center for State Courts*, 26 July 2018, www.ncsc.org.

³ United States Postal Service. Office of the Inspector General. [What's up with Mail? How Mail Use Is Changing across the United States](#). Report Number RARC-WP-17-006. April 17, 2017. Web.

⁴ See Lufkin, Bryan. BBC. [Why we hate using email but love sending texts](#). August 6, 2018. Web.

⁵ [The State of Social Media in Government](#). Hootsuite, September 2018.

Platforms

Social media facilitates connection. The unique features of each platform enable individuals to create and share a wide variety of content – photos, video, text, favorite websites, etc. While there are dozens of social media platforms, Facebook is currently the most widely utilized by courts today, followed by Twitter and YouTube. Other platforms including Instagram, Pinterest, and LinkedIn are surging in popularity with the public, offering features and audiences that may make them even more attractive to courts going forward.

Messaging can be more effective when it occurs across multiple platforms, providing multiple touchpoints with a target audience. Using automation to cross-post content from one platform (e.g, Instagram or Twitter) to others (e.g., Facebook, LinkedIn, Pinterest) expands the reach of a single message to a wider audience with little additional effort.

Platform features and popularity are important details to understand but should not be the court's first consideration. Business objectives and [search marketing principles](#) should drive social media platform selection and use. The target audience's age, gender, marital status, income, legal needs, etc., and the unique features and user demographics of each platform are important considerations when planning a marketing campaign to include social media. Questions to consider:

- Who is the court trying to reach?
- Where is that audience likely to be found?
- What is the message?
- How can the information be most effectively communicated?

Social media is about creativity. With imagination, the possibilities are virtually endless. Introductory juror training or information about the juvenile or family court process might be shared via YouTube video that is then featured in a Facebook post. A graphic showing the steps required to file a small claims case or apply for an emergency protective order could be posted to Instagram, and then pinned to a Court-sponsored topic-specific resource board on Pinterest. A court's press releases, as well as justice-related news stories from outside organizations, can be shared via the court's LinkedIn, Facebook, and/or Twitter feed.

When useful resources are pushed out via social media, partner agencies can re-post to their Facebook pages and/or pin the graphic to their boards, ultimately making it easier for their unique audiences to find and utilize official court information. Social media can also be particularly effective at broadening the reach of court RFPs and job postings.

The following is a brief introduction to major social media platforms that are most likely to be useful to courts today.

Facebook

What started as a photo-based online student directory at Harvard University has become the most popular social networking site in the world. More than 2.23 *billion* people are monthly active Facebook users,⁶ the majority of whom access it via mobile devices. Facebook leads all social media in referral traffic,⁷ which is the number of users who view content and then click to follow a link.

With Facebook as the common denominator in a vast and diverse audience, courts can engage various unique sectors of the public to provide information tailored to their specific needs (e.g., potential jurors, parents, landlords, teenage drivers). Courts can draw attention to local court and broader justice community news, as well as drive internet traffic to official court websites and apps, community resources, and partner agency sites. Facebook users themselves magnify the impact of those messages as they “like” and “share” content, seeding it onto their friends’ news feeds, who may then “like” or “share” with their unique circles of association.



Paid advertising is “sponsored” content, while information shared by individuals and organizations is referred to as “organic.” Both sponsored and organic text, image, and video posts will show up in the feeds of those who “like” and/or “follow” a person or page, but sponsored content is featured more prominently. When someone likes or shares sponsored content (an advertisement), it expands the reach of that message for free. This kind of advertising is particularly powerful because it leverages the credibility of known associations: people are more likely to pay attention to information shared by someone they know personally.

To get the most visibility, organizations pay for advertising. Cost is calculated based on impressions (views) and clicks. Using social media, courts can speak to very specific target audiences based on demographics, location, interests, and online behaviors. Paid advertising may be appropriate for some court initiatives.⁸

There are two kinds of Facebook accounts:

Page	The official Facebook presence of a business or organization (including courts).
Profile	An individual’s personal account.

⁶ “Facebook Reports Second Quarter 2018 Results.” *Facebook Investor Relations*, Facebook, 25 July 2018.

⁷ Chen, Jenn. “15 Pinterest Statistics Every Marketer Should Know in 2018.” *Sprout Social*, 26 June 2018, sproutsocial.com/insights/pinterest-statistics/.

⁸ See Appendix A of *Marketing a Court Website – Helping the Public Find the Court Online*, to read more about how the Arizona Supreme Court used Facebook advertising to effectively promote its AZCourtHelp.org website.

An individual with a personal Facebook *Profile* must create and administer the court's Facebook *Page*, however, that individual's role in creating the court's page is not visible to others.⁹ The person who creates a Page is automatically designated as the Page Admin with the power to assign and change the roles others play on the page, at least initially. Two or more individuals (with a Facebook *Profile*) should be designated as a Page Admin as soon as the Page is created. All Page Admins have the power to remove or restrict Editors or other Administrators.

To post and/or advertise on Facebook, a court must have an official Facebook Page. Some courts have a Facebook Page that consists simply of basic location information and hours of operation. Limited content may appear to adequately balance the risks and rewards of utilizing social media. However, that cautious approach carries its own risks. "Abandoned" content can easily become outdated. And the public will not return to a Page that has no useful content and/or is not updated frequently.

The US Department of Health and Human Services provides excellent [Facebook Guidance](#) for government agencies, much of which applies to courts, as well as to a court's use of other forms of social media. Facebook's [The Government's Guide to Using Facebook](#) provides guidelines and best practices for government agency use. The guide also includes content creation recommendations as well as tips to help keep your account secure.

YouTube

Video is a uniquely powerful medium for educating, entertaining, and motivating. Not only do viewers retain a higher percentage of information communicated via video, but they are also significantly more likely to re-post and share video content. Video improves search engine optimization (SEO) page ranking, as well. YouTube is currently the dominant platform in the video-sharing space. More than half of all video content is viewed on mobile devices, a percentage that is expected to continue rising.¹⁰



Figure 1 - Maryland Courts Jury Training Resource

⁹ For more information, see Facebook Help Center – [Page Roles](#).

¹⁰ "Ooyala Finds More People Than Ever Click 'Play' for Mobile Video Reaching 60% of All Views Globally." *BusinessWire*, Business Wire | A Berkshire Hathaway Company, 14 Mar. 2018.

Video content with subtitles increases both usefulness and traffic, as people watching on mobile devices usually keep the volume off when they're in public. Without subtitles, users in those settings will likely skip the video. Subtitles can also be translated into whatever languages are commonly used in your jurisdiction, increasing access to court information.

Courts around the world are leveraging YouTube to share information about justice topics ranging from court processes and etiquette to jury service.¹¹ YouTube videos can be featured on the court's Facebook or Twitter feed, Pinterest board, or LinkedIn profile to interest users in resources they may never have considered or actively researched.

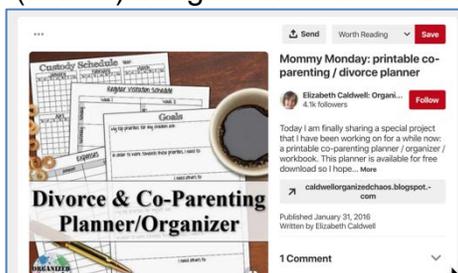
Instagram

For quick photo and video editing and sharing, Instagram has been embraced by professional and amateur photographers, celebrities, advertisers, royals, and official government agencies,¹² including a few US courts. It is the platform of choice for teens and young adults, who share nearly a hundred million photos a day.¹³ From selfies, photo journaling, and images of breakfast to pet photos, inspirational quotes, clever memes, and hashtagged #tell-alls, Instagram is where 13- to 24-year-olds (as well as millennials and baby boomers) connect.

Information shared through Instagram must be in the form of an image file (jpg or png) or video (MOV or MP4). Memes and captioned images can include #hashtags and hyperlinks.

Pinterest

Pinterest is a visual way of collecting and organizing web content. Users “pin” (collect) images and videos directly from websites, or from the boards of friends as well as public and private organizations. When users “follow” a board, they will be notified of new content. Promoted pins¹⁴ are another kind of cost-per-click advertising.



Use of Pinterest has surged in the past few years and it is currently one of the most commonly used form of social media for adults.

¹¹ For examples, see [Juvenile Delinquency Court Orientation](#) (CaliforniaCourts), [Online Dispute Resolution](#) (Franklin County, Ohio Municipal Court), [Jury Orientation](#) (Arlington County, Virginia Circuit Court), and [Preparing for Court](#) (Australian Government Fair Work Ombudsman)

¹² For examples, see [theroyalfamily](#), [tsa](#), [delawarecoohio](#), [massgov](#), [flcourts](#), and [njcourts](#).

¹³ Lister, Mary. “33 Mind-Boggling Instagram Stats & Facts for 2018.” *Online Advertising: Learn About Advertising Online*, 10 July 2018.

¹⁴ For more information, see <https://ads.pinterest.com/>.

Pinterest is poised to match if not overtake Facebook in some demographics.¹⁵ For organizations looking to communicate information relating to women and children, Pinterest may be one of the most powerful social media platforms. Half of millennials use Pinterest; more than 80% of Pinterest users are female. Mobile responsive content is especially important for this audience: 85% of Pinterest searches happen on mobile devices.¹⁶

LinkedIn

A social media network for professional connections, LinkedIn is a powerful tool for sharing information about court resources with lawyers, social workers, librarians, and others who serve target populations. Court personnel can follow justice community influencers to stay current with justice initiatives. Court RFPs can be posted to the LinkedIn RFP database, helping to spread the word about projects and bids.

LinkedIn is also a uniquely effective human resources recruiting tool, as individuals who are both actively and passively seeking new job opportunities are likely to have a LinkedIn presence.¹⁷ Recruiters can use LinkedIn to search for candidates with unique skill sets for targeted outreach (“head hunting”). Through social media, courts can develop a larger pool of potential employees long before a key position is formally posted.

Twitter

With a 280 character-limit for posts and the ephemeral nature of its notifications, Twitter is a platform suitable for short, timely announcements. Word travels fast via Twitter. A single “tweet” on a particularly urgent or controversial topic can generate a sudden spike in activity referred to as a “Twitterstorm.”



Figure 2 - Michigan Supreme Court Twitter feed

Courts can share both urgent and more routine information with their communities and amplify the news of partner agencies and community groups via Twitter. Potential uses include alerting the public to urgent or emergency

¹⁵ Chen, Jenn. “15 Pinterest Statistics Every Marketer Should Know in 2018.” *Sprout Social*, 26 June 2018, sproutsocial.com/insights/pinterest-statistics/.

¹⁶ Tien, Shannon. “A Long List of Pinterest Statistics That Matter to Marketers.” *Hootsuite Social Media Management*, @Hootsuite, 8 Nov. 2018, blog.hootsuite.com/pinterest-statistics-for-business/.

¹⁷ While social media can be useful for identifying potential candidates, the Society for Human Resource Management strongly discourages the use of social media as an employment screening investigative tool. See Maurer, Roy. “Screening Candidates’ Social Media May Lead to TMI, Discrimination Claims.” *Talent Acquisition*, Society for Human Resource Management, 23 Apr. 2018, www.shrm.org.

situations, announcing important judgments, commemorating historical milestones, expressing appreciation for staff, celebrating community achievements, providing public notification of court closures, and sharing relevant publications.

The court's official seal, links to the court's website, and complete profile information including one or more recognizable images can help users more easily differentiate between the court's official Twitter feed and those of private groups that share news and information about the court. For example, [@TheJusticeDept](#) is the official twitter account of the Department of Justice, while [@USSupremeCourt](#) and [@SCOTUS](#) are both private groups. Any account that mimics a court or intentionally misleads readers violates Twitter's [Impersonation Policy](#).

Flickr

Flickr is a photo sharing platform used by professional as well as amateur photographers to showcase their work. While Instagram is more about recording moments, Flickr is often about creating an archive or catalog. An organization's official presence is a Page, while Groups are made up of individuals sharing images for a common purpose. The official [US Navy page](#) and the [US County Courthouses group](#) demonstrate some of the platform's uses and advantages. Several state courts [have a Flickr presence](#).¹⁸ However, no court has a significant Flickr following.

While Flickr is considered a form of social media, it features useful tools that have value beyond public outreach. Photos from other social media platforms can be automatically copied¹⁹ to Flickr to create a comprehensive record of all images shared by the court on social media. Used in combination with other social media platforms, Flickr can facilitate improved SEO and photo tracking practices. Because of issues surrounding privacy and child protection, Flickr should not be the court's priority social media mechanism.

Governance

Social media governance is the combination of policies, processes, and tools the court uses to minimize the risk of a social media mis-fire and to protect the reputation of the court. Governance includes regular efforts to look for abandoned or outdated content, and counterfeit, spoof, or phishing sites that could confuse or mislead the public, or create a cybersecurity or security issue. A good governance plan will mitigate potential risks from both outside and within the court.

¹⁸ See [Social Media and Courts: AOC and High Courts](#) on NCSC.org.

¹⁹ Using IFTTT (If This Than That) applets. See <https://ifttt.com/flickr> for more information.

External Risks

Like the ugly mythical beings that lurk under bridges in children’s literature, today’s trolls represent a shadowy threat to ordinary civil life. Trolls start digital quarrels by posting inflammatory, provocative, or off-topic messages in an online community. They bully, harass, and threaten from the anonymity and invisibility of cyberspace.

Inflammatory posts can “normalize” uncivil behavior and create a “pile on” effect if not addressed and diffused. Public officials and ordinary citizens alike may find themselves in the crosshairs of a troll attack. Issues of both safety (for the public as well as court personnel) and free speech influence how courts implement any public-facing website.

Courts must be certain that efforts to prevent trolls or counteract their impact do not impinge on free speech and privacy protections. Deleting unfavorable comments or blocking naysayers presents just such a risk. The US Air Force [Social Media directory](#) includes the following decision tree to help assess and respond to trolls and other negative or destructive posts.²⁰

Where possible, avoiding a troll assault is generally more effective than responding to one. Courts should establish clear policies for social media site use and enforce them consistently. Use moderators working via official court accounts (not personal accounts) to monitor and screen comments before they are posted publicly. Some organizations disable public commenting for certain kinds of social media or on certain topic threads. A “Don’t feed the trolls” policy

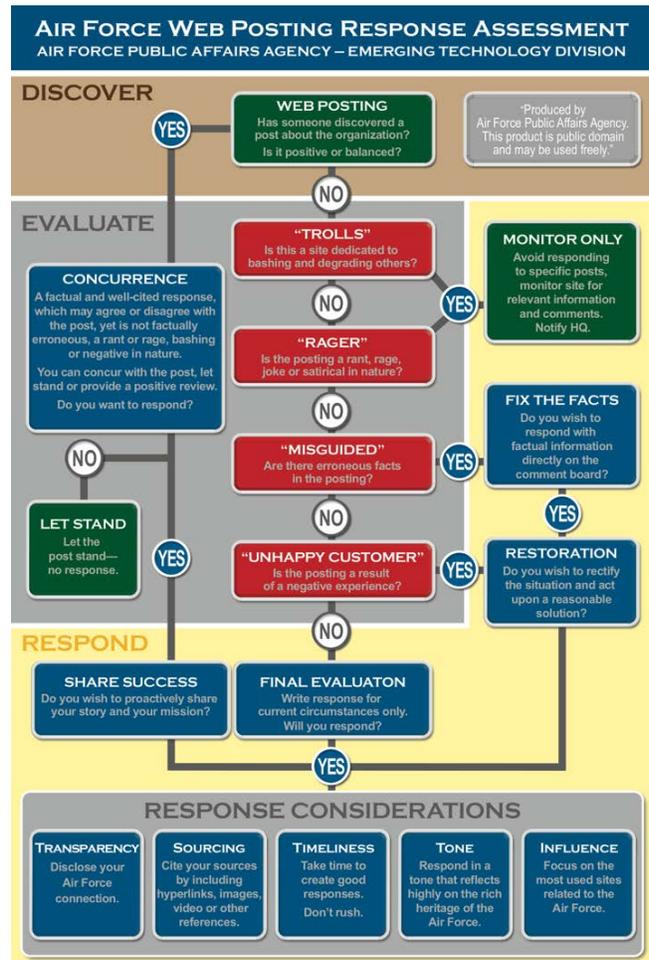


Figure 3 - Air Force Web Posting Response Assessment

²⁰ For more helpful guidelines and information, see the [US Air Force Social Media Guide](#) (2013).

can diffuse some trolls.²¹ Fear of trolls should not prevent a court's progress in reaching out through social media.

Internal Risks

Some risks may come from within the court. A good governance plan includes understanding who has access to and control of the court's social media accounts and implementing a system to track and manage the credentials for each account. To prevent a scenario where a disgruntled employee could take control of the court's social media presence, court administration should ensure each account always has two or more individuals designated as an Administrator. Each platform has mechanisms for managing account posting privileges. Individual(s) assigned to post to and monitor accounts can usually be assigned an "Editor" role, which would not include the power to add or remove page administrators.

HR policies should address social media use by court personnel for both personal and official purposes. The policy should give guidance on the appropriate use of social media,²² instructions on avoiding inappropriate content, rules to prevent abuse, and consequences for failing to adhere to policy. Court personnel should also be warned against using official court email addresses to register for personal social media accounts, blogs, and other online resources.

Social Listening

Social media is a powerful tool that can do more than just relay information from the court to the public. Digital engagement can provide opportunities for "social listening," where courts can gather feedback to help better meet public needs. Courts can glean important insights as the public likes and follows official social media accounts.

However, listening without responding is akin to stalking. Conversational reciprocity – the "back and forth" of speaking and listening – is important for building and maintaining rapport.

Appropriate Response Times

Comments, likes, and re-posts on social media often occur within seconds of something being posted. To have a legitimate social media presence, courts must commit sufficient resources to ensure social media accounts are monitored frequently throughout the day, and to provide some level of coverage on evenings, weekends, and holidays. Social media platforms provide many

²¹ Rampton, John. *10 Tips to Dealing With Trolls*. *Forbes Tech*. Web. April 9, 2015.

²² Sample text from *New Media and the Air Force*: "Airmen should note that any time they engage in social media, they are representing the Air Force, and therefore should not do anything that will discredit themselves or the Air Force... Airmen, by nature of the business, are always on the record and must always represent the core values, even on the web: integrity first, service before self and excellence in all that is done."

notification options that can be tailored to ensure court personnel are always aware of activity on the court's accounts.

Social Media Monitoring

Social media monitoring for surveillance is another form of social listening. However, monitoring for surveillance can violate principles of free speech and undermine public trust. Transparency is key. Courts must ensure the public knows what information is being collected from social media interactions and how that information will be used. The court must listen with the intent to be responsive, not simply to gather data.

Finessing Social Media

Establishing official social media accounts is the first step, but more is required. Treating social media like a static webpage or failing to comprehend the nuanced messaging of online interactions will undermine the court's social media presence. A poor-quality profile photo, for example, projects lack of professionalism and an overall disinterest in quality, whether or not that is an accurate assessment of the court. Impressions – both positive and negative – are gleaned and shared virtually instantaneously.

Where possible, the court's social media administrators should be seasoned social media users who are familiar with the capabilities and outreach potential of more than one platform. Ideally, decision-makers would participate directly in social media engagement. If not, social media administrators must have access to court leadership to keep them up to date on interactions with the public and to receive official direction for initiatives and responses.

One US Air Force anecdote demonstrates how a government organization significantly increased their social media presence. Several years ago, then Lt. General James Cartwright at US Strategic Command noticed that very few airmen were blogging. When he discovered that commanders had ordered their people not to blog, he is quoted as saying, "Well, your choice is to be fired, or get them to blog."²³ To help social media-averse court leaders become more familiar with the features and benefits, court clerks, administrators, and judges might be encouraged to adopt at least one social media platform for private, personal use.

The pace of change in social media is both challenging and exhilarating. Platforms are released, embraced, and then superseded by the new "next" thing. Staying current will require intentional effort. Social media missteps may not just miss the market, they could backfire and create credibility issues with the intended audience. A court official's first posts, likes, tweets, etc. should generally not happen from an official court account

²³ See "Guidelines Assist Airmen in Engaging in Online Conversations," in *New Media and the Air Force*, p. 8.

so that any newbie missteps happen away from the public eye. Both competence and confidence will increase as courts implement, evaluate, and adjust efforts to actively engage the public through social media.

Conclusion

As Americans embrace social media for news, information, entertainment, and social connection, courts must, as well. Government entities including NASA, TSA, and the CDC are leveraging social media with noteworthy benefits²⁴ that courts can learn from and apply. Courts may look to the US Department of Justice for both reassurance and motivation: the DOJ actively and intentionally uses social media to “share news, make information and services more widely available, and increase government transparency.”²⁵ The [DOJ Social Media](#) site lists the official social media channels of various DOJ agencies.

The National Center for State Courts maintains a list of [AOC and High Courts on Social Media](#) and provides links to court-specific resources that speak to the uses and implications of social media. Examining the social media presence of other courts can help court managers identify exemplary content and evaluate options.

Public discourse today happens on social media. If the court does not have a presence, the court cannot be part of the conversation. In the absence of an official court voice on social media, others define the court. Failing to include social media in the court’s communication strategy can only widen the gap between what the public expects and what the court delivers.

#itstime

For more information, contact NCSC at technology@ncsc.org.

²⁴ Waldron, Ben. “3 Government Agencies Doing Innovative Things on Social.” *Sprinklr*, 17 Apr. 2017, blog.sprinklr.com/government-agencies-social-media-engagement/#.

²⁵ “[Social Media](#).” United States Department of Justice, 30 May 2018, www.justice.gov/social.

Appendix A: Taking Action

Ready to dive into social media marketing in your court? Use the following possible actions as a checklist to guide discussion.

Suggested Court Actions	Action Level
<input type="checkbox"/> Discuss how you want the public to find and experience your court through social media.	Basic
<input type="checkbox"/> Identify audiences and business objectives, then discuss social media platform options that best fit those audiences and objectives.	Basic
<input type="checkbox"/> Review your court's existing social media use policies. Update or establish clear policies for social media site use and enforce them consistently.	Basic
<input type="checkbox"/> Ensure social media account profiles are up to date, associated with role-specific (not personal) email accounts, and include at least two Administrators.	Basic
<input type="checkbox"/> Visit NCSC's list of AOC and High Courts on Social Media .	Basic
<input type="checkbox"/> Explore the DOJ Social Media site.	Basic
<input type="checkbox"/> Review Facebook's <i>The Government's Guide to Using Facebook</i> .	Basic
<input type="checkbox"/> If key court personnel are not currently using social media, encourage and/or assist with establishing profiles. Encourage relevant personnel to regularly use at least one form of social media.	Basic
<input type="checkbox"/> Evaluate existing social media pages and posts. Note the likes, shares, and ratings. Ensure like/share/ratings are not artificially inflated by court personnel.	Intermediate
<input type="checkbox"/> Evaluate photos on existing court websites and apps. Look for ways to improve photo quality.	Intermediate
<input type="checkbox"/> Review video content to evaluate the potential for subtitle translation to increase access for non-English speakers in your jurisdiction.	Advanced
<input type="checkbox"/> Review printed court information (including downloadable PDFs on the court's website) for conversion to image-based or video delivery.	Advanced
<input type="checkbox"/> Investigate grant funding and/or partner relationships to support targeted advertising.	Advanced