



**AUTONOMY
THROUGH CYBERJUSTICE
TECHNOLOGIES**

AJC présente son workshop
ACT presents its workshop

**« What have we learned
from the accelerated
experience of remote
hearings during the
pandemic? »**

8 Février 2022 | February 8, 2022

9:00 AM - 11:30PM (EST)

En ligne | Online



Introduction

The pandemic had an unprecedented accelerating effect on the transition towards remote hearings within the justice system. In but a few short months, most judicial actors had the opportunity to participate in virtual hearings. Hearings where each participant appeared remotely became common, using technology that was far from mainstream before the crisis. Judicial actors have thus been able to appreciate with greater acuity the effects of incorporating technology into the justice system – what we commonly refer to as cyberjustice. The impact of these new technologies is observable in all facets of a trial: documentary evidence, examination of witnesses, pleadings, logistics, evaluation, etc.

The present workshop intends to take stock of these last two years. In particular, it will mobilize several practitioners from different jurisdictions (court, administrative tribunal, arbitration) who not only have first-hand experience with virtual hearings, but who have also contributed to their deployments as managers or evaluators. Their feedback will provide an opportunity to start a dialogue with ACT. The workshop will be guided by a review of the literature produced in the last 24 months.



Topics

1. Understanding the implications of the transitions to virtual hearings.
2. Identifying best practices to enhance participant engagement in virtual hearings.
3. Discovering the future of information technology in virtual hearings.

Workshop Format

The workshop will be held on **February 8, 2022, between 9 and 11:30 EST**. It will be held entirely online. The four speakers are invited to present for 20 minutes, followed by a discussion of 15 minutes with the participants.

Speakers

Speaker	Institution	Project	Type
Aurore Clément Troussel , Ph.D. candidate	Cyberjustice Laboratory	Literature Review on the Use of Virtual Hearings	Review of literature
Thierry Nadon , Judge	Cour du Québec / The Court of Quebec	Guidelines for the Use of Technology in Hearings	Civil Court - Case study
Joshua Prowse , Director, Program Management	Immigration and Refugee Board of Canada	Virtual hearing evaluation	Administrative Tribunal - Case study
Stéphanie Cohen , Independent arbitrator	International Chamber of Commerce (ICC), Commission on Arbitration and ADR, Working Group on the Use of Information Technology in International Arbitration	Report on Leveraging Technology for Fair, Effective and Efficient International Arbitration Proceedings, led by Stephanie Cohen	Arbitration - Case study

Respondent

Speaker	Institution	Project
Giampiero Lupo , Researcher Ph.D. Political Science - European and Comparative Politics	IGSG-CNR (Legal Informatics and Justice Systems - National Research Council of Italy)	Project: "Evaluating E-Justice. The Design of an Assessment Framework for E-Justice Systems"

Workshop Chair

Speaker	Institution	Project
Pr. Fabien Gélinas , Professor	McGill University	ACT Project Subproject 9 « Decision tools for legal practitioners and adjudicators, judges and arbitrators »



Agenda

9:00 – 9:05	Introduction by Pr. Fabien Gélinas
9:05 – 9:20	Aurore Clément Troussel, Ph.D. candidate
9:20 – 9:30	Q&A
9:30 – 9:45	Thierry Nadon, Judge Cour du Québec
9:45 – 9:55	Q&A
9:55 – 10:10	Joshua Prowse, Director, Program Management, RPD
10:10 – 10:20	Q&A
10:20 – 10:35	Stéphanie Cohen, Independent arbitrator
10:35 – 10:45	Q&A
10:45 – 11:00	Report from Giampiero Lupo
11:00 – 11:30	Open discussion chaired by Pr. Fabien Gélinas

Bibliography

Article and Books

1. PUDDISTER, K. and A. SMALL, T., *Trial by Zoom? The response to COVID-19 by Canada's Courts*, Cambridge University Press, 2020.
2. BANDES, S. and N. FEIGENSON, "Virtual Trials: Necessity, Invention, and the Evolution of the Courtroom", (2020) 68-5 *Buffalo Law Review* 1275.
3. LEDERER, F., "The Evolving Technology-Augmented Courtroom Before, During, and After the Pandemic", (2021) 23 *Vanderbilt Journal of Entertainment and Technology Law* 301
4. LICOPPE, C. and C.-A. VEYRIER, "The Interpreter as a Sequential Coordinator in Courtroom Interaction: 'Chunking' and the Management of Turn Shifts in Extended Answers in Consecutively Interpreted Asylum Hearings with Remote Participants", (2020) 22-1 *INTP* 5686.
5. MULCAHY, L., E. ROWDEN and W. TEEDER, "Exploring the Case for Virtual Jury Trials During the COVID-19 Crisis: An evaluation of a pilot study conducted by JUSTICE", (2020) *Centre for Socio-Legal studies*.
6. ROSSNER, M., D. TAIT and M. McCURDY, "Justice Reimagined: Challenges and Opportunities with Implementing Virtual Courts", (2021) *Current Issues in Criminal Justice*.
7. ROSSNER, M. and D. TAIT, "Presence and Participation in a Virtual Court", (2021) *Criminology and Criminal Justice*.
8. SOURDIN, T. and J. ZELEZNIKOW, "Courts, Mediation and COVID-19", (2020) 138 *Australian Business Law Review* 48.
9. HOPKINS, J. and D. URBAS, "Virtual Practice Makes Virtually Perfect- Practical Considerations for Virtual Hearings Identified through Simulations with Experienced Counsel and Arbitrators", (2020)



AUTONOMY
THROUGH CYBERJUSTICE
TECHNOLOGIES

International Institutions, Government and Courts Reports

1. ARIZONA SUPREME COURT, *Post-Pandemic Recommendations*, Arizona, 2021.
2. CALIFORNIA COMMISSION ON ACCESS TO JUSTICE, *Remote Hearings and Access to Justice During COVID-19 and Beyond*, California, 2020.
3. JUDICIAL COUNCIL OF CALIFORNIA, *Workgroup on Post Pandemic Initiatives. California Interim Report: Remote Access to Courts*, California, 2021
4. ONTARIO COURTS, *Best Practices for Remote Hearings (Second Edition)*, Ontario, 2021.
5. SUPREME COURT OF OHIO, *Ohio Task Force. Improving Court Operations Using Remote Technology*, Ohio, 2021.
6. OECD, *Access to justice and the COVID-19 pandemic: Compendium of Country practices* (2020).
7. UNITAR, *Improving Access to Justice Amid the Pandemic-New Remote Hearings Toolkit* (2020).