



## *From The Editor:*

### *The Impact of Technology on Courts*

**By Professor Anne Wallace**

The impact of technology on the courts is a topic that has been receiving attention in judicial administration circles – both professional and academic – for nearly three decades now. The National Centre for State Courts has run a specialised conference on court technology since the mid-1990s, together with a range of ancillary events on particular aspects of technology in relation to court processes (e.g. eCourts, eFiling). Similar conferences, workshops and symposia have been held in other parts of the world, including Australia and Singapore. From an academic standpoint, researchers have been examining various aspects of the impact of technology on courts for a similar period of time and there is now a substantial repository of published literature in the field.

However, there has been a noticeable shift in the direction of some of the discussions and investigations about the impact of technology on courts over the past few years. In the past, the discussion has largely been dominated by the impact of technology on the way that courts carry out their role. Topics related to courtroom technology, such as the use of technology to create efficiencies in processing and enhance litigant access to the courts. While these are still obviously important applications, greater attention is now being paid to the way that technology may affect the *nature* of the work that the legal profession and the courts undertake in the future, the changes that may result, and their implications.

This development was highlighted at a conference run in Melbourne, Australia between 8-9 November last year, by the Sir Zelman Cowan Centre at Victoria University. The conference, entitled 'Law and Courts in an Online World' was designed to explore the ways in which disruptive change and emerging business models are reshaping law and legal institutions, including courts. It was inspired by an address given by the British legal technology futurist, Dr Richard Susskind to a packed audience in Melbourne earlier in the year, and was designed to examine some of the predictions made by both Richard and Daniel Susskind in their 2015 book *The Future of the Professions: How Technology Will Transform the Work of Human Experts* (2015) Oxford University Press.

This edition of the journal includes two papers delivered at that conference that examined particularly significant developments that have the potential to transform the work of legal professionals and courts in coming years. The first is the continued growth in Online Dispute Resolution (ODR), a topic that is examined by Dutch Judge, judicial reform and technology expert, Dr Dory Reiling (author of *Technology for Justice*). Her article provides a useful introduction to the concept of ODR, discussion of a case study in the Netherlands courts, and identifies a series of important issues related to court use of ODR that would benefit from investigation by socio-legal researchers.

The exponential growth in Artificial Intelligence (AI) was another topic that received significant attention at the conference, in terms of its impact on legal work and dispute resolution. In the second article, John Zeleznikow from Victoria University investigates the use of AI in family law disputes in a particularly interesting discussion that focusses on the potential to incorporate advice and facilitate online communication into AI decision-making systems.

It is hoped to incorporate some further contributions from the conference in future editions of the journal.

