

»»»»»»»»»» Goal 7

Goal 7: Innovate

7.1 KEEP TRACK OF WHAT IS WORKING - Create a culture of innovation in the justice system by focusing on new ideas and learning about successes and failures.

7.2 SHARE GOOD IDEAS - Promote the sharing of new models, ideas and successes to expand the impact of innovation.

Innovate

There are genuine challenges to innovation in the justice sector, including the need to protect the independence of the judiciary and the bar that creates separation between institutions and groups. The culture of *précédent* and tradition has hindered experimentation. Given the extent of the A2J challenge, the sector is changing, adopting new thinking, flexibility, experimentation and user-centered approaches.

The legal system has a history of slow evolution rooted in precedent and case law. Its culture is at odds with the culture of innovation and experimentation. It has maintained a separation between legal institutions and public organizations as one of the ways to protect the independence of the judiciary and the bar. However, the access to justice challenge faced by many Canadians demands new thinking, flexibility, experimentation and user-centered approaches.

Innovation is often associated with technological changes, many of which are transforming how disputes are resolved. It also applies to how people deliver services or approach access to justice issues. These are some of the ways that the legal system innovated over 2018.

New Thinking

Collective Impact frameworks and Developmental Evaluation methodology shaped many of the Provincial Collaboratives, starting with The Action Group on Access to Justice in Ontario, and more recently, Alberta and BC's Collaboratives. A2JBC has committed to four justice system culture shifts that will facilitate innovation: being user-centered, collaborating, experimenting and being evidence-based. Its Leadership Council devoted a day-long meeting to hearing stories of innovation from within and beyond the justice system and then held its November meeting at the Telus Innovation Centre listening to a panel of innovators discussing the use of technology to transform systems. Its Chair, Chief Justice Bauman wrote about these culture shifts in his blog posts asking *Is the Justice System ready to innovate?* and *Facing the Strange*. In Alberta, court modernization efforts included a Blue Sky program that encouraged sharing of innovative ideas across the organization. The Reforming the Family Justice System project identified brain science as critical to understand the impact of family disputes and adverse childhood experiences in dispute resolution.

New Projects

The Alberta branch of the Canadian Bar Association started its *Invisible People Project*, to examine the demographic, cultural and social gaps in who is accessing legal services as well as the reasons behind those gaps. Community Legal Education Ontario launched *Justice pas-à-pas* offering guided pathways to Ontario's francophone community. A Co-Mediation project was piloted at the Northwest Territories Family Law Mediation Program. A new project offered legal information sessions for inmates in the penitentiary in St. John's, delivered by members of the Access to Justice Steering Committee including PLIAN, Legal Aid, the Court of Appeal, Human Rights Commission and the Office of the Citizen's Representative

45
RESEARCHERS

Research centers
Public institutions
Legal professionals
Representatives
from civil society
Private sector actors

42
PARTNERS



working together to
examine access to justice
and artificial intelligence
through the SCHREC
funded Autonomy through
Cyberjustice technology
(ACT) project

New Models

BC's Collaborative Roster Society developed a new fixed fee model, with ancillary templates and tools, and shared it across the country. People's Law School relaunched its web resources based on six priorities: user-centered, engaging, practical, authoritative, sharable and offering a range of services. JP Boyd developed new arbitration rules for the family law context. The BC Provincial Court established its sixth Indigenous Court, working with First Nations to introduce a new approach in Prince George. The Nova Scotia Barristers' Society offered its *Management System for Ethical Legal Practice* emphasizing a complex assessment of ethical practice standards. Quebec's Ministry of Justice announced its five year plan to modernize the Quebec justice system, in partnership with legal actors. The plan outlined \$500 million in investments including a one-stop legal information centre that will combine accessible information with technology and triage services.

New Technology

Newfoundland and Labrador now have access to PLIAN's Form Builder while the Public Legal Education Association of Saskatchewan developed its Interactive Agreement Platform to generate family law agreements. BC's Legal Services Society launched its Dialogue Tool facilitating online separation agreements. Courthouse Libraries of BC developed Lawbster, a new online platform connecting legal professionals.

The Autonomy through Cyberjustice Technologies (ACT) project started its examination of how artificial intelligence can increase access to justice. ACT is a multidisciplinary project with 42 partners including PLE organizations, and public institutions and 45 researchers in Canada and internationally. The Legal Innovation Zone in Ontario incubated legal technologies producing 20 projects, 13 services and 17 process improvements. The BC Ministry of Attorney General added the Employment Assistance Appeals Tribunal and the Labour Relations Board to an online portal. Legal Aid Ontario launched its online client portal, a key part of its Digital Strategy, and saw 5000 clients sign up in the first 20 days to receive documents, complete consents and authorize information through a secure, 24/7 online portal.