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Meeting Saskatchewan's Justice Needs with Technology

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Executive Summary

This report examines how Saskatchewan can meet the justice needs of the public and increase legal empowerment through technology. The concept behind legal empowerment involves the demystification of law and “**strengthening the capacity of all people to exercise their rights**”¹ through making **legal information “available and meaningful to ordinary people.”**²

This topic has developed in response to the changing legal needs and expectations of the public. **Technology has become omnipresent in the daily lives of Canadians** and is increasingly the first place individuals will go to find information, for example, 41% of Ontario Millennials that first sought legal resources online.³ The internet has made information more accessible, and this has altered the expectations of the public.⁴ The internet has allowed individuals to demand “more and better service; more involvement; more transparency; more convenience; faster response times”⁵ and lead to increased confidence in “do-it-yourself” resolutions of justiciable problems.⁶ Technology is changing how individuals expect to access legal resources and is changing how legal professionals are delivering their services.

This report aims to contribute to the **development of a comprehensive technological-legal ecosystem** in Saskatchewan. As part of the research for this report, a range of justice stakeholders across the province were consulted. These consultations were done with the intent to learn from and build on existing technological innovations, such as the **Public Legal Education Association of Saskatchewan (“PLEA”)** and **211 Saskatchewan**, to inform a more complete understanding of the current technological-legal landscape and develop a picture of the legal needs of the Saskatchewan public.

Our research demonstrated Saskatchewan’s technological-legal ecosystem can be improved through integrating existing initiatives and ensuring that legal information is centralized, accessible, and relevant. It is important to remember that **technology will not resolve all the access to justice barriers that exist**. Marginalized and vulnerable members of society must not be left behind as the legal profession evolves with technology. However, there is a significant number of people who cannot afford, or otherwise access, legal services that can be helped through technology.

¹ Open Society Foundations, “What is Legal Empowerment?” (last modified 15 September 2014), online: <<https://www.opensocietyfoundations.org/projects/legal-empowerment>>.

² *Ibid.*

³ The Action Group on Access to Justice, “Millennials, Technology and Access to Justice in Ontario” (2017) at 5, online (pdf): <https://theactiongroup.ca/wp-content/uploads/2015/08/TAG_Millennials_Technology_and_Access_to_Justice_in_Ontario.pdf> [TAG *Millennials*].

⁴ Richard Susskind and Daniel Susskind, *The Future of the Professions: How Technology Will Transform the Work of Human Experts* (New York: Oxford University Press, 2015) at 140.

⁵ Tim Brown QC, “Environmental Scan: Our Past. Future. Present” (2018) Law Society of Saskatchewan at 7 [unpublished].

⁶ *Ibid.*

We hope that this paper will help inform stakeholders on how the diverse justice needs of the public can be met with technology and guide the process of the development of a comprehensive technological-legal ecosystem in Saskatchewan. We would like to thank the individuals who we consulted with for providing us with their perspectives, opinions, and thoughts. As well, we would like to thank our faculty supervisors Brea Lowenberger and Professor Michaela Keet for their invaluable support and guidance throughout the development of this paper.

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Part 1: Meet Iolu

*We invite you to our “choose your own adventure” story
written through the lens of a Saskatchewan resident.*

Part 1: Introduction

MEET IOLU

Iolu is a 34-year-old Canadian permanent resident. They have lived in the snowy city of Saskatoon for their entire adult life, after moving from the South Pacific island nation of Vanuatu at the age of 16. Upon arrival, Iolu was enrolled at Mariam Graham for their final years of high school. Iolu had never struggled with school, but had a tough time assimilating to their new city and couldn't seem to pick up English fast enough to keep up with the courses. Consequently, their grades suffered. The move between countries and difficulties at school was emotionally taxing for Iolu. Upon graduation, they slipped into depression.

Iolu's parents were highly involved in helping them seek help. With a strong support system and a well-trained counselling team, Iolu recovered from depression. Things turned around quickly. Iolu took English classes and got hired at a restaurant. The owner, Kelly, had travelled extensively in the South Pacific and spoke fluent Bislama, Iolu's native tongue. The restaurant proved to be just what Iolu needed; they made friends and developed a sense of community.

Iolu met a fellow server at the restaurant and fell in love. The couple had a child, Jayden, and the relationship became stressed. Iolu's partner left the child with them and moved back to Ontario shortly after the child's second birthday. At the same time, Iolu's parents made the decision to return to Vanuatu to take care of Iolu's ageing grandparents. Iolu could not return to Vanuatu, as they could not convince the child's other parent to sign travel documents. Consequently, Iolu has been living alone in Saskatoon for the past year. It has not been easy.

Things took a turn for the worse when Kelly, the owner of the restaurant where Iolu worked, announced to staff six months ago that they intended to take a step back from their role. Kelly hired Blake to manage the restaurant. Blake and Iolu did not get along from the beginning. Blake constantly criticized Iolu's mastery of the English language, often rolling their eyes and saying things like "I can't understand you with that Island accent." Blake even got intoxicated at the staff holiday party and tried to force Iolu to dance the Haka. Iolu tried to explain that he wasn't Maori, to which Blake retorted "all you Island people are the same to me!"

Last week, Iolu's child fell ill right before their shift at the restaurant. Iolu had to call an ambulance and rush with the child to the hospital. In the turmoil, they forgot to call Blake. Iolu was so focused on their child that they didn't notice when Blake repeatedly called that night. It was only when Iolu woke up the next morning that they saw the voicemails on their phone. When Iolu went into the restaurant, Blake fired Iolu.

Iolu knows that other staff members have missed shifts with little repercussions. The restaurant is always able to cover when someone is missing. It doesn't affect business, and often the other servers are happy, with more tips. Iolu thinks the real reason they were fired is that Blake dislikes them and has racist tendencies.

Iolu's Choices

Iolu does not know if the law can help them deal with their job loss. What does Iolu do?

Select your option:

- OPTION 1: GOOGLE SEARCH (go to page 9)
- OPTION 2: START LOOKING FOR ANOTHER JOB (go to page 12)
- OPTION 3: GO TO LIBRARY FOR INFORMATION (go to page 13)
- OPTION 4: TRY TO FIND A LAWYER (go to page 14)
- OPTION 5: ONLINE JUSTICE PORTAL (go to page 32)

OPTION 1: GOOGLE SEARCH

Iolu doesn't own a laptop but does have a smartphone. After being fired, Iolu thinks about their options. Iolu opens the browser on their phone and types "I was fired because my boss." The phrase "I was fired because my boss doesn't like me" auto-fills. That seems like an accurate description to Iolu, so they hit enter. **Here is what pops up:**

[Can My Boss Fire Me Because She Doesn't Like Me? - Murphy Law ...](https://www.phillyemploymentlawyer.com/can-my-boss-fire-me-because-she-doesnt-li...)

<https://www.phillyemploymentlawyer.com/can-my-boss-fire-me-because-she-doesnt-li...> Jul 29, 2017 - What Pennsylvania law says about why you can and can't be fired ... However, if you suspect your boss doesn't like you because of your race, ...

People also ask	
Can you be fired because your boss doesn't like you?	▼
Can you get fired for talking bad about your boss?	▼
How do I complain about my boss without getting fired?	▼
What do you do when your boss doesn't like you?	▼

[Feedback](#)

[Can my boss fire me just because she doesn't like me? - CBS News](https://www.cbsnews.com/news/can-my-boss-fire-me-just-because-she-doesnt-like-me/)

<https://www.cbsnews.com/news/can-my-boss-fire-me-just-because-she-doesnt-like-me/> Oct 14, 2013 - She comments on my body language, which she tells me she does not ... While legally you can be fired because your boss doesn't like your ...

[Have you ever been fired because your boss simply didn't like you ...](https://www.quora.com/Have-you-ever-been-fired-because-your-boss-simply-didnt-like-you...)

[https://www.quora.com/Have-you-ever-been-fired-because-your-boss-simply-didnt-like-...](https://www.quora.com/Have-you-ever-been-fired-because-your-boss-simply-didnt-like-you...) Jun 18, 2018 - Looking back I think my boss started to have a problem with me because I to 'personality fit' issues, which is a polite way of saying your boss doesn't like you.

Why didn't I get angry when my boss fired me?	Aug. 8, 2018
Why would my boss ask me to quit so he doesn't have to fire me?	Dec. 8, 2017
If my boss asks me to resign because he doesn't believe I'm the ...	Aug. 4, 2017
How to avoid getting fired by my boss who doesn't like me	Dec. 19, 2014

[More results from www.quora.com](#)

[The Real Reason Your Boss Doesn't Like You - Forbes](https://www.forbes.com/sites/lizryan/.../the-real-reason-your-boss-doesnt-like-you/)

<https://www.forbes.com/sites/lizryan/.../the-real-reason-your-boss-doesnt-like-you/> May 7, 2018 - One of my coworkers even asked me, "Why doesn't Ellen like you? ... be happy to have someone with my experience come on board because she has ... now, but unless you are worried about getting fired there's probably no ...

Iolu clicks through the websites. The first one is from a Pennsylvania law firm. Iolu isn't sure, but they don't think Pennsylvania is in Canada.⁷ The second link takes Iolu to a CBS news article, in the form of an advice column.⁸ Someone has written about how they are good at their job, but they are wondering if they can get fired because their boss doesn't like them. Iolu gets excited as this seems like what happened to them. The advice columnist starts their advice by saying "the short answers are, yes, your boss can fire you if she doesn't like you." Iolu can't believe this, it seems so unfair that they can be fired just because Blake does not like them.

⁷ Pennsylvania Law firm: <<http://phillylawyer2.wpengine.com/why-choose-us/>>

⁸ CBC article: <<https://www.cbsnews.com/news/can-my-boss-fire-me-just-because-she-doesnt-like-me/>>

lolu thinks back to their time at the restaurant. The more they think, the more they realize that Blake doesn't just not like them, Blake is mean to them. Most of Blake's insults are directed at lolu's background. lolu tries another search: "my boss fired me because they are racist." lolu sees words like "race discrimination" and "sue your boss." However, the links seem to take lolu to law firms in other countries. lolu is getting frustrated and stressed. They recognize the feeling of panic in their stomach that occurred when they first moved to Canada and could not understand their teachers at school. However, lolu knows that giving up in school never helped them. They go back to Google and try the search "my boss fired me because they are racist saskatoon." **They get the following search results:**

The screenshot shows a Google search interface with the following elements:

- Search Bar:** Contains the text "my boss fired me because they are racist saskatoon".
- Navigation:** Includes "All", "Images", "News", "Videos", "Shopping", "More", "Settings", and "Tools".
- Results Summary:** "About 148,000 results (0.47 seconds)".
- Search Results:**
 - Result 1:** "How a racist tirade can ruin your career in the 'new age' of technology ..." with a link to <https://globalnews.ca/news/.../racist-tirade-lethbridge-social-media-career-consequence...>. Snippet: "May 9, 2018 - The woman at the centre of a racist tirade posted on Facebook lost her job ... READ MORE: B.C. woman fired from car dealership after racist tirade ... as an employee, a brand ambassador of your employer," Peacock said. ... An excuse like, "I had no idea that someone would be able to videotape me," is a ..."
 - Result 2:** "B.C. woman fired from car dealership after racist tirade caught on ..." with a link to <https://globalnews.ca/news/4197330/lethbridge-restaurant-racist-facebook-video/>. Snippet: "May 11, 2018 - As the video continues, the woman can be heard saying, 'Go back to your ... WATCH: Cranbrook woman's racist tirade at Lethbridge Denny's goes viral ... 'They did say a few things to me in English that weren't very nice and then I ... adding she later apologized to the restaurant's server and manager and ..."
 - Result 3:** "'I feel like I don't deserve a job': Job-seeking First Nations student says ..." with a link to <https://www.cbc.ca/news/.../saskatoon/first-nations-student-subtle-racism-1.4656278>. Snippet: "May 10, 2018 - 'I called my dad after it happened and he told me, like, 'That's how it is — that's how ... 'I am used to racism': people outside Sask. court appearance ... When Masuskapoe attempted to respond, she said the manager cut her off ... Missing: #red | Must include: fired"
 - Result 4:** "Video of racially charged argument at Lethbridge restaurant sparks ..." with a link to <https://www.cbc.ca/news/canada/calgary/lethbridge-racially-charged-video-1.4655338>. Snippet: "May 10, 2018 - A woman has been fired from her job after a video of a racially charged ... Saskatoon ... LATEST ON THIS STORY: 'It's beautiful support; it's amazing': Victim of racist Denny's rant ... 'Well shut your f-king mouth then, cause you know what, you're Pocha's employer, Cranbrook Dodge, posted on Facebook ... Missing: me | Must include: me"
 - Result 5:** "Employers & Employees « Saskatchewan Human Rights Commission" with a link to saskatchewanhumanrights.ca/learn/employers-employees. Snippet: "As an employer you may think the Code will unnecessarily restrict whom you hire. That's not ..."

Many of the links are about people getting fired after saying racist things on video. lolu knows this is not relevant to their situation. The fifth link takes lolu to the Saskatchewan Human Rights Commission website.⁹ The page is titled "Employers & Employees." The opening paragraph reads "Individuals, private companies, schools, trade unions, professional associations – plus provincial and municipal governments – are subject to human rights law. If you violate the Code you could be liable for the harm caused by discrimination." lolu doesn't understand what

⁹ Saskatchewan Human Rights Council <<http://saskatchewanhumanrights.ca/learn/employers-employees>>.

“Code” the website is talking about or what “liable” means. As they scroll through the website, words, and phrases like “collective agreements,” “qualifications,” and “unnecessarily restrict” confuse them. lolu can’t find anything that answers their question on the page.

lolu is exhausted and frustrated. They hear their child crying and close the phone. It doesn’t seem like anything can be done.

→ Results: Legal issue unresolved – return to page 8 and try again.

OPTION 2: START LOOKING FOR ANOTHER JOB

Iolu finds a job at the Midtown Plaza food court. Unfortunately, this significantly reduces their income. They can no longer afford rent and must move to a less expensive area of the city. The transition to a new daycare causes significant upset to their child. Iolu falls into depression.

Blake faces no repercussions at work. This emboldens them. Over their career as a manager, they discriminate against many other employees and perpetuate a toxic workplace. This affects the mental health of hundreds of employees.

→ Results: Legal issue unresolved – return to page 8 and try again.

OPTION 3: GO TO LIBRARY FOR INFORMATION

Iolu goes to the local library. The librarian, Aiden, has received some basic legal information training through the Saskatchewan Access to Legal Information (“SALI”) program. Aiden wasn’t trained for labour or discrimination issues but understands generally that people can’t be fired for discriminatory reasons. Iolu tries to explain their tumultuous relationship with Blake. However, Aiden has a tough time parsing between relevant information and Iolu’s emotions.

After hearing Iolu’s story, Aiden takes them to a library computer. Together, the pair manage to navigate to the Saskatchewan Human Rights Commission website after trying several different search criteria like “racial discrimination Saskatchewan” and “inappropriate firing Saskatchewan.” Finding the website took quite some time and searches kept bringing up news articles and legislation like *The Saskatchewan Employment Act*.

The website has a section entitled “Filing a Complaint.” Aiden shows Iolu the page and reads it out loud to them. There is an intake questionnaire which Aiden tells Iolu they should fill out. However, Iolu struggles to understand several of the questions. Aiden tries to utilize plain language to explain concepts such as “prior action” and “discrimination,” but they can sense Iolu’s confusion. When the form asks for the “particulars of complaint,” Aiden explains to Iolu that they must write out what happened. Iolu tries several times but struggles to lay out the story in a manner that is understandable.

Iolu continually asks for Aiden’s opinion on the situation. They wonder what they should do next. Aiden becomes increasingly nervous about the amount of support Iolu needs and their questions. When the librarians were provided training through SALI, the distinction between legal advice and legal information was made clear. Aiden knew they were only authorized to provide information, not advice. Aiden is not sure how to help. Aiden recognizes that Iolu needs a significant amount of support and guidance during a possible dispute process. Aiden provides Iolu with contact information for resources that may be able to provide this support – namely, Community Legal Assistance Services for Saskatoon Inner City (“CLASSIC”) and Legal Aid.

Iolu called the services the next day. Legal Aid informed them they were unfortunately unable to assist, as they only dealt with criminal and family law matters. Iolu also did not meet the financial requirements for assistance at CLASSIC.

➔ **Results: Legal issue unresolved – return to page 8 and try again.**

OPTION 4: TRY TO FIND A LAWYER

Iolu uses Google to search “Saskatoon lawyers.” They call multiple law firms, but everyone seems to require significant money up front. Iolu unfortunately does not have enough money in their savings account.

➔ **Results: Legal issue unresolved – return to page 8 and try again.**

Part 2: The Think Tank

We invite you to join the **Think Tank** responsible for online justice technology development.

Part 2: The Think Tank

Step 1: Introduction

Congratulations, you are a participant in a Saskatchewan “Think Tank” team that was formed in response to the Cromwell Report¹⁰ and the Canadian Bar Association’s Reaching Equal Justice Report (“CBA Report”)¹¹. **The Think Tank’s goal is to use technology to build legal empowerment in Saskatchewan for residents such as Iolu.** You note that:

“[l]egal empowerment is about strengthening the capacity of all people to exercise their rights, either as individuals or as members of a community. It’s about grassroots justice—about ensuring that law is not confined to books or courtrooms, but rather is available and meaningful to ordinary people.”¹²

Your task is to use public-facing technology to help streamline access to legal information and resources for Saskatchewan residents who have everyday legal problems. **You are invited to consider how to strengthen the public’s access to credible and centralized legal information online, by themselves or through a trusted intermediary.** You are grounded in the idea that **technology will not solve all access to justice issues but can be a *tool* for positive change.**

The Think Tank is centred around the idea that justice must be available in a way that is meaningful to the public. The Cromwell Report outlines that in Canada “[t]he civil and family justice system is too complex, too slow and too expensive. It is too often incapable of producing just outcomes that are proportional to the problems brought to it.”¹³ **The “why” driving this Think Tank is simple: *there is no way forward without technology.*** It has become omnipresent in our day-to-day lives and it can be a significant tool within the justice system. The Think Tank is also driven by shifts in the public’s preference for self-service technology. A survey of over 3000 Canadians “revealed that mobile devices, social media and other technology innovations are changing

“Even where members of the public can afford to hire a lawyer, they may wish to be better informed about these issues, or may wish to have professional legal representation for a limited question” (*Justice Gap* at 103).

¹⁰ Action Committee on Access to Justice in Civil and Family Matters, “Access to Civil & Family Justice: A Roadmap for Change” (2013), online (pdf): <http://www.cfcj-fcjc.org/sites/default/files/docs/2013/AC_Report_English_Final.pdf>.

¹¹ The Canadian Bar Association, “Reaching equal justice report: an invitation to envision and act” (2013), online (pdf): <https://www.cba.org/CBAMediaLibrary/cba_na/images/Equal%20Justice%20-%20Microsite/PDFs/EqualJusticeFinalReport-eng.pdf>.

¹² Open Society Foundations, “What is Legal Empowerment?” (last modified 15 September 2014), online: <<https://www.opensocietyfoundations.org/projects/legal-empowerment>>.

¹³ *Supra* note 10 at iii. The Cromwell Report highlights the lack of centralization of justice services in Canada as well as the constantly evolving nature of the legal field as considerations. See also Beth Bilson, Brea Lowenberger, Graham Sharp, “Reducing The “Justice Gap” Through Access to Legal Information” (2017), online (pdf): <<https://wyaj.uwindsor.ca/index.php/wyaj/article/view/5020>> [*Justice Gap*].

citizens' expectations and governments must raise their game to match the customer experience of banks and retailers."¹⁴ You also note from this survey that:

"Canadians want better government services and they expect an experience at least equal to what they receive from the private sector. The challenge before the government is to meet the new level of service delivery expectations, but find a cost effective way of doing so."¹⁵

The Think Tank recognizes the important work that has been done in the province and the ecosystem within which the portal must operate. For example, PLEA¹⁶ is a key legal information portal and is something that could be built on to provide further assistance to the end user. The Think Tank also sees the importance of trusted intermediaries in Saskatchewan, for example, SALI.¹⁷ All of these tools are useful, however, there is a lack of centralization. **The question before the Think Tank is how to best ensure online services continue to develop to meet the evolving needs.**

"[T]o improve access to justice we need to improve access not just to legal information resources, but also to intermediaries and spaces (both on and off-line) that can assist the public in navigating these resources" (*Justice Gap* at 103).

The Think Tank acknowledges both challenges and possibilities within the technology sphere. The most vulnerable members of society are likely the least able to utilize legal technologies.¹⁸ Up to 48% of Canadians may lack the literacy skills to utilize online help.¹⁹ Some subsets of the population may lack the ability to get online. **The Think Tank must consider how services can be designed to meet the diverse needs of society which may include literacy issues, language barriers, and differing comfort levels with technology.** Despite these obstacles, technology cannot be ignored as a critical layer requiring integration into any justice model. There is an exciting opportunity to build legal education amongst the public and "[i]nformation technology is arguably the most promising avenue for this, now that the poor will increasingly have access to internet connections."²⁰ Further, the

¹⁴ PricewaterhouseCoopers LLP, "Paving the way for the next generation of eservices: How the public sector can meet Canadians' expectations" (2013) at 1, online (pdf): <<https://www.pwc.com/gx/en/psrc/pdf/pwc-paving-the-way-to-next-generation-of-eservices-canada.pdf>>. According to The Action Group on Access to Justice's research, "over two-thirds (69%) of Ontario resident Millennials believe advances in digital justice initiatives are a good thing overall" (*TAG Millennials*, *supra* note 3 at 9).

¹⁵ PricewaterhouseCoopers LLP, "Next generation of eservices" (2012), online: (pdf) <<https://www.pwc.com/gx/en/psrc/pdf/citizen-compass.pdf>>.

¹⁶ Public Legal Education Association of Saskatchewan, "About PLEA" (last visited 17 February 2019), online: *PLEA: Legal Information for Everyone* <<http://www.plea.org/about/>>.

¹⁷ CREATE Justice, "SALI: Saskatchewan Access to Legal Information Project" (last visited March 2, 2019), online: *College of Law* <<https://law.usask.ca/createjustice/projects/Saskatchewan-Access-to%20Legal-Information.php>>.

¹⁸ *Supra* note 11 at 47.

¹⁹ *Ibid.*

²⁰ Commission on Legal Empowerment of the Poor and United Nations Development Programme, "Making the Law Work for Everyone" (2008) at 19, online (pdf): <<http://www.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/legal->

increasing accessibility of mobile devices makes utilizing online resources more viable than ever.

Defining the “what” behind the portal is a more nebulous concept. Those on the frontline of the access to justice arena should consider how technology can best be utilized. Actual platforms exist to help guide this decision. The potential of online dispute resolution and justice portals is demonstrated by systems from other jurisdictions such as British Columbia’s Civil Resolution Tribunal (“CRT”)²¹. The opportunities are limitless and legal empowerment can be achieved if Saskatchewan continues to pursue technological advances.

Assume at this point that you have unlimited funds to develop this portal and your task is now to design the solution. First, you will **assess the landscape** including what exists in Saskatchewan and what has worked well for other jurisdictions. Next, you will **review a summary of the research and consultations completed** including the barriers and challenges that may arise. **Factors for consideration in the development of the portal** will then be outlined. **Next steps** will be sketched out providing ideas on how to move forward. Finally, an **“ideal” future state** will be summarized.

Step 2: Research Gathering

RESEARCH METHODOLOGY

To develop a greater understanding of how technology could be utilized to improve legal empowerment within Saskatchewan **research was completed for the Think Tank to determine what is needed and what already exists**. This research drew on:

1. **Literature** on the topic of access to justice and the role of technology;²²
2. A **jurisdictional scan** of existing practices, initiatives, and innovations;²³ and
3. **Consultations** with justice and technology stakeholders.²⁴

This research was done to discover what techniques have been successful in other jurisdictions on the use of technology to improve legal empowerment and how this could be used to build on what Saskatchewan already has implemented.

Primary Goals of Consultations

The primary goals of the consultation were to gather perspectives from different justice and technology stakeholders on the **value of an online justice portal**, learn what the stakeholders

empowerment/reports-of-the-commission-on-legal-empowerment-of-the-poor/making-the-law-work-for-everyone---vol-ii---english-only/making_the_law_work_II.pdf>.

²¹ “Civil Resolution Tribunal” (last visited 17 February 2019), online: *Civil Resolution Tribunal* <<https://civilresolutionbc.ca/>>.

²² Appendix A.

²³ Appendix B.

²⁴ For a list of Consultees, see Appendix E.

would **want an online portal to accomplish**, and what the **benefits and drawbacks of an online portal** would be.

Major Themes of Research

An important observation from the research conducted was that there were several areas that need to be considered when developing an online portal:

1. The **existing landscape** of technology and justice innovations;
2. The **challenges** to implementing an online portal; and
3. How to determine **who** the online portal should target.

A summary of the key observations from the research for each major theme is provided below. The sections do not capture the entirety of the consultees' feedback, but instead highlight the recurring themes and ideas.

THE CURRENT LANDSCAPE

Broadly speaking, there are two main categories for technological innovation for legal services: **(1) Online Legal Information ("OLI")** and **(2) Online Dispute Resolution ("ODR")**. While the stakeholders expressed an interest in developing ODR portals, **creating a comprehensive OLI portal was viewed as a crucial starting point for Saskatchewan.**

Summary of Initiatives

Common Features of Online Legal Information Websites

- Legislation and Regulations;
- Sample Legal Templates, Documents, and Precedents;
- Checklists and How-To Guides;
- Plain-Language Explanations;
- Referral Services and Information

Online legal information tends to provide untailed legal information to the public so that the inquiring individual can improve their general knowledge of the law as well as become informed about their general legal rights and responsibilities.

There are several common features of OLI websites, and current OLI services vary in comprehensiveness and consistency. Some services are aggregator content websites that draw information from credible websites or refer

individuals to relevant sources, while other initiatives create and carry the content themselves. The type and form of information provided by the services vary and there is often overlap in the type of information provided.

Initiatives Within Saskatchewan

There are several organizations in Saskatchewan that provide access to legal information.²⁵ Additionally, many firm websites have provided plain-language legal information. While this is

²⁵ The intention behind this summary is to provide context to some of the leading initiatives currently in Saskatchewan, not to provide an exhaustive list of current initiatives. See Appendix B for more information.

beneficial to potential clients, there is a lack of collective effort in Saskatchewan for firms to provide this information in a manner that will avoid the duplication of effort and create a comprehensive and reliable catalogue of information.

Organization/Initiative	Features
PLEA ²⁶	<ul style="list-style-type: none"> • Untailored, plain-language, legal information on a variety of different areas of law; • “Form Wizard” for family law actions that guides individuals through a plain-language questionnaire and uses the answers to create relevant forms.
211 Saskatchewan ²⁷	<ul style="list-style-type: none"> • Contact information for community and government resources.
Law Society of Saskatchewan ²⁸	<ul style="list-style-type: none"> • Information on common client concerns; • Referral information for legal resources for the public; • Tool to discover lawyers with relevant expertise.
Courts of Saskatchewan Website ²⁹	<ul style="list-style-type: none"> • General information about different types of legal actions and what needs to be done in response; • Guidebooks for self-represented litigants.
Saskatchewan Provincial Government Website ³⁰	<ul style="list-style-type: none"> • General introductory information for several areas of law including: <ul style="list-style-type: none"> ○ Employment standards and workplace safety; ○ Driving violations; ○ Courts and sentencing; and ○ Housing disputes • Contact information for government and community resources.³¹
Freelaw ³²	<ul style="list-style-type: none"> • Provincial legislation and regulation.

²⁶ *Supra* note 16.

²⁷ “About Us” (last visited 17 February 2019), online: 211 Saskatchewan <https://sk.211.ca/about_us_saskatchewan>.

²⁸ “For the Public” (last visited 17 February 2019), online: *Law Society of Saskatchewan* <<https://www.lawsociety.sk.ca/for-the-public/>> [*Law Society of Saskatchewan*].

²⁹ Saskatchewan Law Courts, “Courts of Saskatchewan” (last visited 17 February 2019), online: *Courts of Saskatchewan* <<https://sasklawcourts.ca/>>.

³⁰ Government of Saskatchewan, “Residents and Visitors” (last visited 17 February 2019), online: *Saskatchewan* <<https://www.saskatchewan.ca/residents>>.

³¹ Government of Saskatchewan, “Services” (last visited 17 February 2019), online: *Saskatchewan* <<https://www.saskatchewan.ca/services>>, under “Law and Justice (Residents).”

³² Publications Saskatchewan, “Freelaw” (last visited 17 February 2019), online: *Saskatchewan* <<http://www.publications.gov.sk.ca/freelaw/>>.

Initiatives Outside Saskatchewan

Outside of Saskatchewan, there are numerous public, private, and non-profit initiatives that aim to increase access to legal information.³³

Organization/Initiative	Features
Steps to Justice ³⁴ (Ontario)	<ul style="list-style-type: none"> • Plain-language legal information; • Access to relevant legal documents; • Referral information for legal and social services; • Live webchat and email support.
Clicklaw ³⁵ (British Columbia)	<ul style="list-style-type: none"> • Plain-language legal information; • How to resolve legal problems and navigate courts and tribunals; • Alternatives to court information; • Information in written text, audio, and video; • Documents in multiple languages; • Referral information for legal and social services.
Citizen’s Advice ³⁶ (United Kingdom)	<ul style="list-style-type: none"> • Plain-language legal information; • Email, phone, webchat and face-to-face support; • Referral information for free or affordable legal services.
E-Justice ³⁷ (European Union)	<ul style="list-style-type: none"> • Plain-language legal information; • Legislation and case law; • Documents in 23 languages; • Referral information for legal services; • How to navigate the courts; • Costs of proceedings.
Singapore Legal Advice ³⁸ (Singapore)	<ul style="list-style-type: none"> • Plain-language legal information; • Access to templates and documents; • Referral information for legal services; • Flat-fee access to phone a lawyer for 15 minutes; • Flat-fee online wills-creation service.

³³ This is not intended to be an exhaustive list of currently existing initiatives but rather a survey of leading online legal information initiatives. More information regarding these initiatives can be found in Appendix B.

³⁴ Community Legal Education Ontario, “About Steps to Justice” (last visited 17 February 2019), online: *Steps to Justice: Your guide to law in Ontario* <<https://stepstojustice.ca/about-steps-justice>>.

³⁵ Courthouse Libraries British Columbia, “About Clicklaw” (last visited 17 February 2019), online: *Clicklaw* <<https://www.clicklaw.bc.ca/content/about>>.

³⁶ National Association of Citizens Advice Bureaux, “About citizens Advice” (last visited 17 February 2019), online: *Citizens Advice* <<https://www.citizensadvice.org.uk/about-us/>>.

³⁷ “Home” (last visited 17 February 2019), online: *European e-Justice* <<https://beta.e-justice.europa.eu/home?action=home>>.

³⁸ First World Problems Pte Ltd, “About SingaporeLegalAdvice.com” (last visited 17 February 2019), online: *Singapore Legal Advice* <<https://singaporelegaladvice.com/about/>>.

Learning from these Initiatives

Providing easily accessible legislation and regulations is important; however, this is often only beneficial to individuals who have a legal background. Statutes, on their own, are difficult to navigate and understand.

Pairing legislation and regulations with plain-language explanations can improve the usability of the statutes.

As well, **providing general legal information in plain-language**, at an appropriate reading level for the intended audience, is a valuable resource for individuals who are looking for easy-to-understand legal information.

Information must be:

- Simple to navigate;
- Easy-to-understand;
- Quickly accessible.

The **availability of legal templates and documents to download** can reduce the potential of “referral-fatigue,”³⁹ which occurs when individuals fail to quickly find the necessary information. However, many individuals still need help filling out the required documents. A method that has been used to resolve this issue has been to include examples of correctly filled-out forms, as well as plain-language explanations of what the form requires. Video assistance is also useful to bolster written instructions.

Including **information referral services** is an important aspect of OLI programs. Many individuals will still prefer to speak to a legal professional,⁴⁰ even if it is just for a brief session to go over a form. Providing a pathway to accessing non-automated legal help either through email, a phone conversation, or setting up a face-to-face meeting is often beneficial. This information typically includes how to contact local Pro Bono or Legal Aid services, and an inventory of lawyers organized by geographic location and expertise.

Learning from the Consultations

Most stakeholders saw a need for **more legal information to be available to the public** and there was an overall emphasis on the fact that the **online portal should be user-focused**. While there were reservations over the usefulness of an online portal for some demographics, there was an overall acknowledgement that **the usability of an online portal should be aimed at the general public and not legal professionals**.

When asked what features on an online portal would be most beneficial to increase legal empowerment, **there was broad support for providing information beyond explaining the rights and obligations of the individual**. Stakeholders were interested in:

- Providing contact information on “**close-to-law**” **programs** that are linked to legal issues (such as mental health services and social services programs);
- Providing explanations of various **legal terms and processes**;

³⁹ Pascoe Pleasence & Nigel J Balmer, *How People Resolve ‘Legal’ Problems* (Cambridge: PPSR, 2014) at 99.

⁴⁰ According to The Action Group on Access to Justice’s research, “[a]lmost two-thirds (65%) of Ontario Millennials would prefer looking for legal information in person versus online” (*TAG Millennials*, *supra* note 3 at 4).

- Providing information on the **types of services that lawyers can provide** (such as legal coaching or unbundled services); and
- Providing information on **how to respond to lawyer-correspondence**.

When asked **what features would be beneficial for an online portal to include**, stakeholders generally thought that a mixture of different forms of information is necessary:

Feature	Benefits	Concerns
Legislation and Regulation	<ul style="list-style-type: none"> • Allows individuals to see where their rights and obligations stem from; • The basis of any legal action. 	<ul style="list-style-type: none"> • Often not constructive for the average individual; • Can be confusing and full of legalese.
Sample Legal Templates, Documents, and Precedents	<ul style="list-style-type: none"> • Individuals are often worried about incorrectly filling out forms or writing letters, providing samples can help alleviate this; • Helps prepare individuals before sitting down with a lawyer. 	<ul style="list-style-type: none"> • A lack of uniformity in court forms might make this difficult to implement; • Many individuals who are undergoing a legal crisis do not have the mental fortitude to understand legal documents and precedents without help.
Checklists and How-To Guides	<ul style="list-style-type: none"> • Allows individuals to assess what steps they need to accomplish and gives an overall picture of what needs to be done. 	<ul style="list-style-type: none"> • There is the risk that it will be oversimplified and cause the individual more complications.
Plain-Language Explanations	<ul style="list-style-type: none"> • Effectively communicates the necessary information to the intended audience; • Provides information in a clear and concise fashion. 	<ul style="list-style-type: none"> • If not done well, it can lead to confusion and misunderstandings.
Referral Services and Information	<ul style="list-style-type: none"> • Allows individuals to find resources and lawyers with relevant expertise. 	<ul style="list-style-type: none"> • The individual might not know what type of expertise is needed.
Videos and Podcasts	<ul style="list-style-type: none"> • Offering information through different media can help increase the accessibility of information; • Videos and podcasts allow individuals to learn at their own pace and schedule. 	<ul style="list-style-type: none"> • Typically, more time-consuming and expensive to provide and update than text-documents.

CONSULTATIONS

The stakeholders expressed differing opinions on what types of information should be included on an online portal. Generally, there was consensus that a need exists for online information that is user-focused: **centralized, accessible, and relevant.**

Online Information Should Be:

1. *Centralized;*
2. *Accessible;* and
3. *Relevant*

Centralized

There are many online services in Saskatchewan that provide helpful guidance to legal problems for legal professionals, trusted intermediaries, self-representing litigants, and the general public. **The lack of a centralized location for this information was a problem that many stakeholders identified.** This makes it difficult to quickly find reliable information and is especially problematic for clients, who might be hesitant to trust that the information they found is up-to-date or relevant to their legal situation.

The lack of a centralized portal has led to the duplication of efforts and can make it difficult for individuals to find and trust online information.

Many stakeholders emphasized the importance of creating partnerships when developing the online portal. Integration with existing services will help individuals find the information that they need without duplicating efforts.

There were differing opinions amongst the stakeholders about how the information should be integrated. **Some stakeholders said that there would be value in an online portal that provided links to the already-existing services, while others said it would be more valuable for the online portal to contain all the information that the client would need in one place.** Many stakeholders were worried about **referral-fatigue: the more time it takes to get to the relevant information, the more likely it is the individual will give up.** Stakeholders saw value in a centralized online portal that would reduce the number of steps it takes to get relevant information.

Accessible

Many consultees expressed concerns about the accessibility of an online portal. These concerns included:

- Availability of **internet;**
- Availability of **computers or smartphones;**
- **Technological illiteracy;**
- Accessibility for individuals with **cognitive disabilities;**
- Accessibility for individuals with **visual impairments;** and
- Accessibility for individuals where **English is not their primary language.**

In response to these concerns, many stakeholders said that the value of an online portal would be as an additional resource for legal professionals and trusted intermediaries.

Stakeholders also suggested that:

- **Plain-language should be used.** The information that is provided should be easily understood by an individual with no legal training.
- **Translation services** should be available.⁴¹
- **Videos and podcasts** among other methods of delivering information should be available.
- **Optimized for mobile devices.** While there are many individuals who do not have access to a computer, many individuals have access to a smart-phone or a tablet.
- **Human interaction** should not be lost in the development of the online portal. Many individuals would prefer to deal with a person, even if they cannot afford a lawyer. The online portal should clearly provide information on how to get free or inexpensive legal help.

Of note is the recommendation from the 2017 SALI Conference that a triage system between public library, PLEA, and Law Society/University Library systems should be established.⁴² The system would deal with when to refer patrons to a public library staff member, a Law Society librarian, or a University law librarian. This is currently being worked on by partners of the SALI Project.⁴³

Relevant

It is important that the information that is provided on the online portal is relevant to the end-user. **Many stakeholders expressed the concern that what is often relevant to a legal professional is not what is relevant to an individual.**

Oftentimes legal problems are intertwined with other aspects of an individual's life, and the individual is more interested in the "bigger picture" rather than distilling it down to the legal problem.

Legal problems are often inextricably intertwined with the rest of the individual's life.

Stakeholders stated the need for data on what information is relevant to the public. There was an emphasis on **involving the user throughout the development stage** and in determining what information should be provided.

CHALLENGES TO IMPLEMENTING AN ONLINE PORTAL

Stakeholders noted the following practical challenges to developing a comprehensive online portal:

- **Financial and human resource limitations;**
- Difficulty of coordinating key stakeholders and partners for the **development of the content of the online portal;**

⁴¹ It is important that translation services are culturally competent because some legal concepts do not exist in other cultures and simply translating the words might not be enough to provide competent information.

⁴² See SALI, "Saskatchewan Access to Legal Information Project, Conference Notes On the Role of Legal Information Providers and Public Libraries in Promoting Access to Justice" (2017) at 6, 59.

⁴³ *Ibid.*

- Ensuring that the online portal is **user-friendly**;
- Concerns about data **protection and privacy**;
- Concerns about the blurred **line between legal information and legal advice**.⁴⁴

Many of the technology stakeholders highlighted **the importance of having feedback from justice stakeholders and members of the public throughout the entire process of developing the online portal** so that problems can be fixed throughout the process.

Beyond the challenges involved in developing the online portal, stakeholders were cognizant of the challenges of implementing the online portal.⁴⁵ These challenges include:

- **Concerns from the legal community** on the usefulness of the online portal;⁴⁶
- Creating **awareness of the online portal**; and
- Creating **awareness of unbundled services offered by legal professionals**.

Many **stakeholders were optimistic about the possibility of a comprehensive online portal increasing the legal empowerment of individuals**. Some of the consultees noted that much of their initial correspondence with clients involves explaining preliminary concepts and directing the client to resources; **a comprehensive online portal would allow them to more efficiently serve their clients**.

Step 3: Factors for Decision-Making

CONSIDERATION FACTORS FOR DEVELOPMENT AND TARGETING

The Think Tank must now decide **which target areas of the law that the portal will focus on**. In outlining target areas and criteria of a technology portal, the Think Tank must put the end-user at the forefront.⁴⁷ The following factors can be considered.

Consideration Factors

1. Risk Analysis
2. Complexity
3. Impact
4. Sustainability

Risk Analysis

The Think Tank may want to **consider employing risk analysis techniques borrowed from engineering and design**. Individual's lives could be seriously impacted by the decisions they make after using the portal. Possible consequences should factor in when deciding what information should be given to the public and how it should be delivered.

⁴⁴ For a fuller discussion on this topic, see e.g. Ashley Falk, Michelle Korpan & Noah Wernikowski, "Legal Information, Legal Advice & Access to Justice" (2017) University of Saskatchewan College of Law Fifth Annual Dean's Forum, online (pdf): <<https://law.usask.ca/documents/research/deans-forum/Paper%201%20-%20Legal%20Information,%20Legal%20Advice%20Access%20to%20Justice%20.pdf>>.

⁴⁵ See Appendix C for information on how to make a website user-friendly.

⁴⁶ Specifically, members of the legal community expressed concern with the reality of ever providing easy to utilize legal information that would actually be of assistance to the community.

⁴⁷ See Kelsey Corrigan, Lorne Fagnan & Sarah Nordin, "Putting the Public First" (2016) University of Saskatchewan College of Law Fourth Annual Dean's Forum, online (pdf): <https://law.usask.ca/documents/research/deans-forum/12_PuttingthePublicFirst_PolicyDiscussionPaper_2016DeansForum.pdf>.

Risk analysis involves two steps. **First, the Think Tank could identify risks associated with each solution.** Everything from the worst-case scenario to mild inconveniences are brainstormed and likelihoods of the events occurring are estimated. Possible consequences are envisioned. Each possible “risk” is plotted on a chart:

		Likelihood of Occurance				
		<i>Highly Likely</i>	<i>Likely</i>	<i>Possible</i>	<i>Seldom</i>	<i>Unlikely</i>
Severity of Consequence	<i>Catastrophic</i>					
	<i>Critical</i>					
	<i>Serious</i>					
	<i>Moderate</i>					
	<i>Negligible</i>					

This exercise allows the Think Tank to understand the possible pitfalls of a solution. Risks are never completely avoidable but performing a risk analysis allows teams to better understand problems before they occur.

Step two of risk analysis involves brainstorming risk management solutions. Once the Think Tank identifies which solution it hopes to pursue, it can begin designing around the risks associated with that option. Many risks can be designed away.

Complexity

With any technology development, **proportionality must be considered.** Highly nuanced and complex legal problems may be more difficult to assist with relying on technology alone. On the other hand, legal problems that are highly procedural may be well-suited to technology-driven self-help tools. It is helpful to consider the gravity of consequences for the parties involved, the interests at stake, and the discreteness of the legal issues. For example, British Columbia’s CRT⁴⁸ team chose to focus their dispute resolution system on condominium property disputes. This was a discrete area of the law and refining the processes was attainable. Additionally, this target area usually does not involve life-altering consequences for the parties in dispute, demonstrating proportionality.

Impact

As the goal of an access to justice portal is to help as many members of the public as possible, it is **important in the design stage to consider the impact this system could have and the greatest areas of need.**

- (i) **Volume of cases:** A factor for consideration is the **number of cases or parties that the system could assist with.** Some data points to consider include:

⁴⁸ *Supra* note 21.

- A Saskatchewan public survey done revealed that **the most common areas of law where assistance is needed were real estate, wills and estates, and family law matters.**⁴⁹
- Another Saskatchewan public survey revealed that the most frequently occurring problems were consumer, debt, family: relationship breakdown and discrimination problems. The next most frequently occurring problems were housing related.⁵⁰
- At a national level, 48.4% of Canadians adults will experience at least one civil or family justice problem over any given three-year period.⁵¹

(ii) **Who can realistically be aided:** It is important to be realistic about the target audience of any technology solution. Literacy, language, cognitive factors and access to technology may influence a portal's effectiveness. Further, "[m]any people...do not receive help with their legal problems or do not find their way to the legal service providers they need without intervention from a trusted intermediary in a community organization."⁵²

Sustainability

It is important to consider its long-term sustainability and how areas of the law evolve. **Areas that are in high flux may require more resources to maintain the information.** Further, the administration of the portal in an integrated manner must be considered.

Step 4: The Ideal Portal

The ideal portal that the Think Tank creates is one that puts the public first and is user-centric. The following are seven key elements that a successful portal would encompass.⁵³

Plain language

The need for plain language legal information was emphasized throughout the consultations. Stakeholders in Saskatchewan recognize that the public struggles to understand legal information that is written in a lawyer focused manner. It has been suggested that the information should be at a grade six to eight reading level. As noted, some consultees thought

⁴⁹ Legal Service Task Team, *Final Report of the Legal Services Task Team* (August 2018), online <<http://publications.gov.sk.ca/documents/9/107840-FINAL%20REPORT%20OF%20THE%20LEGAL%20SERVICES%20TASK%20TEAM.pdf>> at 34.

⁵⁰ Ab Currie, *Legal Problems of Everyday Life*, online <https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr07_la1-rr07_a1/rr07_la1.pdf?fbclid=IwAROD3bNmlxcshMEnClgiY5cFVH96Q94qrOyrC4DF_kBJFmbZryyofvJv3VQ> at 19.

⁵¹ Trevor C.W. Farrow et al, *Everyday Legal Problems and the Cost of Justice in Canada* (2016), online <<http://www.cfcj-fcjc.org/sites/default/files/Everyday%20Legal%20Problems%20and%20the%20Cost%20of%20Justice%20in%20Canada%20-%20Overview%20Report.pdf>> at 2.

⁵² The Law Foundation of Ontario, *Trusted Help* (Toronto: February 2018), online <http://www.lawfoundation.on.ca/wp-content/uploads/LFO_TrustedHelpReport_Part1_EN.pdf>.

⁵³ For further ideas on website design, please see Appendix C.

it would be helpful for their clients to come to them better educated prior to the first visit – something that the portal could assist with.

Intuitive design

The portal must be **simple and easy to navigate**. The ideal system would prevent referral fatigue by aiming to have a low number of clicks required to find appropriate resources. The portal should provide options, next steps, and recommendations for users to take action in resolving their legal problem.

Accessible

It is important to **recognize the diverse user needs that may arise** in terms of languages, hearing and visual impairments, and cognitive abilities. An ideal system would be available in multiple languages at the click of a button, keeping in mind the need to ensure any translations are accurate. It was suggested throughout the consultations to **utilize videos, webinars, and visuals**. The portal must be **mobile optimized** as some members of the public do not have access to a computer and we want to ensure that users could access the portal anytime, anywhere. The system should consider offering a “chat bot”⁵⁴ to answer questions, having a method to submit questions, and/or offering a telephone line to a real person who could help.

Offer simple tools

It was suggested throughout the consultations that the ideal portal would offer access to easy to understand tools such as: **templates for letter writing, precedents for letters and forms, check-lists and step by step guides**.

Integrated

The ideal portal will be **integrated with the full justice system and trusted intermediaries** in Saskatchewan. A portal system may be a place for trusted intermediaries to assist members of the public in accessing credible and centralized legal information. This can help with the need for the justice system to be more “human.”

Continual improvements and iterative design process

The ideal portal should use iterative process that incorporates user feedback. Iterative design is the process of continual improvement and follows a cyclic approach. Solution designs are improved by prototypes, frequent testing, client feedback, and focus groups until a final refined solution is reached. It differs from a linear approach to design, which follows predefined stages, one at a time,⁵⁵ until a conclusive design is reached.

The Ideal Portal Elements

1. Plain language
2. Intuitive design
3. Accessible
4. Offer simple tools
5. Integrated
6. Continual improvements and iterative design process
7. Be known to the public
8. Search engine optimization

⁵⁴ A chat bot is an online automated system of communication for website users and are designed to simulate conversation. See The Startup, “What is a Chatbot and How to Use It for Your Business” (5 January 2018), online: <<https://medium.com/swlh/what-is-a-chatbot-and-how-to-use-it-for-your-business-976ec2e0a99f>>.

⁵⁵How Iterative Designing Works, online: <http://www.technologystudent.com/despro_flsh/iterative1.html>.

system should be tested by members of the public. **The portal should capture data and feedback to measure success and ensure continued efficiency.** This data collection will also help fill the gap in Saskatchewan in terms of available justice data.

Be known to the public

A successful portal will be known to the public and a **marketing plan** should be considered as part of the roll-out. Ideas for this could entail advertising through various physical and cyber mediums including social media, government websites, libraries, community centres, billboards, malls, coffee shops, medical centres, the food bank and more.

Search engine optimization

The website should be search engine optimized. Search engine optimization involves improving the visibility of a website on a search engine results pages making a website discoverable.⁵⁶

⁵⁶ Interaction Design Foundation, "What is Search Engine Optimization (SEO)?" (last visited 16 February 2019), online: <<https://www.interaction-design.org/literature/topics/search-engine-optimization>>.

Part 3: Iolu's Conclusion

Let's explore how Iolu's reality could look with the help of an online justice portal.

Part 3: Iolu's Conclusion

OPTION 5: ONLINE JUSTICE PORTAL

Iolu searches via Google: "can my boss fire me because of my race." The Saskatchewan Justice Portal is the first link. Iolu is immediately directed to a plain-language, easy-to-understand page. It explains that everyone in Saskatchewan is protected by "employment standards" and this means that you cannot be fired from a job for any reason. The page explains that if you believe you were fired because of race, you can complain and have a hearing.

The page tells Iolu to click on a link if they think they were fired because of their race. Iolu clicks the link and is prompted to answer some questions. All the questions are easy to understand, asking things like "where did you work," "who was your boss," and "tell us about what happened." On every question, there is a button that Iolu can click for help. When they click on this button a video pops up explaining what the question is asking. Iolu can also skip anything they don't understand: there is always an option to click "I don't know" and move on. Additionally, there is a chat bot available to answer any questions. After working through the questions, the website presents Iolu with a completed human rights complaint form. The website tells Iolu that they can submit the paper online and Iolu does.

Two days later, Iolu receives a message inviting them to participate in a mediation with Blake. The message provides a link to an article on the Saskatchewan Justice Portal which explains what mediation is. Iolu reads that they can choose to mediate with Blake online or in-person and that the process is designed to help them address their complaint. Iolu is thankful that the online justice portal was so easy to use and made a difference in their ability to handle their legal problem.

Part 4: Next Steps and Future Recommendations

To facilitate the momentum of the project we have brainstormed some next steps and future recommendations.

Part 4: Next Steps and Future Recommendations

1. **Needs Assessment and User Consultations:** To ensure alignment with the needs of Saskatchewan, it would be helpful to conduct a needs assessment and further public research with a social scientist.
2. **User Consultations and Testing:** It is important to remain focused on the end-user throughout the process. Drawing on best practices from the technology sphere, it is recommended that end-users are consulted, and the portal is tested at multiple stages of development. This will help with course correction along the way, rather than leaving major changes to the end.
3. **Multi-disciplinary task force:** A multi-disciplinary task team will help bring differing perspectives. This could include professionals from areas such as technology, business, and project management. The team should embrace a culture of innovation.
4. **Develop a change management plan:** Please see Appendix D for considerations.
5. **Marketing Plan:** It is recommended that a marketing plan is developed and implemented as the portal is implemented.
6. **Online Referral Services:** A potential feature to consider in the future is the development of a referral or matching service. An individual with a legal problem could enter the basic details of their needs into a system: the problem, a rough budget, and contact information. Lawyers could log into the system and view the list of individuals in need. This could help reduce lawyer search fatigue. However, issues related to data and privacy and competition amongst lawyers would need to be addressed.

Appendices

Appendix A: Literature Review

Creating New Pathways to Justice Using Simple Artificial Intelligence and Online Dispute Resolution, Thompson (2015)

<https://poseidon01.ssrn.com/delivery.php?ID=291017116081000116111019094067024069055063001016012032102066119104008071111020126007027096058007119109030020064118014111120029041042078020060026074066122093001023120007078013094102115015114106068072026119081019004124068000081094126080119122105083020120&EXT=pdf>

This paper discusses how simple artificial intelligence in the context of online dispute resolution systems can be used to increase access to justice. Thompson discusses the opportunity to design multi-disciplinary expert systems that address user needs through simple, non-legalistic user interfaces. Thompson outlines a proposed expert system's functions to include problem diagnosis, delivery of customized information, self-help support, triage and streaming into subsequent online dispute resolution processes. The paper also discusses techniques to engage the social and emotional sides of technology.

Access to Justice for All: Towards an 'Expansive Vision' of Justice and Technology, Bailey, Burkell, & Reynolds (2013)

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2605462

This paper, focused on Canada's access to justice problem, looks at the role of technology in improving access to justice for people across the socioeconomic scale. The authors suggest that "the relationship between access to justice and technology is neither necessary nor necessarily positive" (at 2). Without considering the relationships between what justice can be delivered, what the technological methods of delivery are, who the intended beneficiaries are, and those who would be affected by the intervention, developing technological answers to the access to justice problem risks further inequality or inaccessibility to certain populations. The authors look at the impacts associated with three examples of justice technology: e-filing/smart forms, web-based legal information, and videoconferencing. This paper is useful to consider the limitations and important considerations of technology in the access to justice debate.

Using Technology to Enhance Access to Justice, Cabral, James E., Chavan, Abhijeet, Clarke, Thomas M., Greacen, & John (2012)

<https://heinonline.org/HOL/P?h=hein.journals/hjlt26&i=247>

The paper is divided into several sections. First, it looks at the ability to improve access to justice through technology and various methods that have tried to accomplish this (such as court and legal aid websites, interactive resources and remote assistance, document assembly, e-filing, and online learning tools). Second, it looks at relevant considerations that should be looked at when adopting technologies (such as ensuring fairness for self-represented litigants, rural residents, and persons with disabilities or limited English proficiency). Third, it looks at

different methods of technological delivery and provides recommendations on content, function, and design with a focus on mobile strategies. Fourth, it looks at access to justice integration with emerging court technologies. Fifth, it considers the use of a triage system and how to maximize effectiveness and access. Finally, it looks at how the barriers of adopting an effective technological system can be overcome (addressing the lack of uniformity, standardization, and simplification, among other things).

Public-Centred Civil Justice Redesign: A Case Study of the British Columbia Civil Resolution Tribunal, Salter & Thompson (2017)

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2955796

This paper highlights how our current access to justice crisis serves as a call to reimagine public justice processes for civil disputes, centred on the needs of the public. Salter and Thompson look at the British Columbia Civil Resolution Tribunal as a tool to improve access to justice through early online dispute resolution. The authors consider which facets of the civil justice system are foundational to the rule of law and which ones detract from it. There is little data collection on user satisfaction within current civil justice processes; however, data does show that people want more participation in the outcomes of their cases. In a recent British Columbia survey, 94% of people said they wanted a say in shaping their resolution. Additionally, the current justice system often negatively impacts parties' relationships. The paper focuses on how various dispute resolution phases are often standalone processes but could be optimized with a deliberately constructed "end-to-end" system. The dispute resolution structure discussed in this paper aims to achieve the following goals: the adoption of a user-centric approach which puts the public first, a systemic orientation toward the people who need justice services, rather than those who provide them, and a rebalancing between processes and outcomes. The authors review the Civil Resolution Tribunal in the context of user-centred justice design, including four stages: an initial self-help stage, an opportunity to negotiate, a facilitation stage where parties are assisted to reach an agreement, and failing this, an adjudicative phase where a tribunal member makes a binding decision.

Online Dispute Resolution and Justice System Integration: British Columbia's Civil Resolution Tribunal, Salter (2017)

<https://ojs.uwindsor.ca/index.php/WYAJ/article/view/5008>

This paper looks at British Columbia's Civil Resolution Tribunal and compares private and public online dispute resolution. Salter discusses how the Civil Resolution Tribunal has come to be, its implementation, and the implications for civil justice reform more broadly. Salter focuses on a theory that the transformational potential of online dispute resolution will only be realized when it is fully integrated with public justice processes. Salter also provides an overview of some of the opportunities and challenges offered by online dispute resolution systems and potential steps to meet these demands. The paper concludes by highlighting the need to continually improve the Civil Resolution Tribunal by regularly asking for and incorporating public feedback.

The role of Citizens Advice Bureaux within the access to justice landscape in Scotland, Sarah O'Neill Consulting (2018)

- Executive summary: <https://www.cas.org.uk/system/files/publications/the-role-of-cab-justice-landscape-exec-summary.pdf>
- Full report: <https://www.cas.org.uk/publications/report-role-citizens-advice-bureaux-within-access-justice-landscape-scotland>

Sarah O'Neill Consulting was commissioned by Citizens Advice Scotland to carry out research into the role of the Citizens Advice Bureau service within the legal advice/access to justice landscape in Scotland. The report found that the service plays a key role within the access to justice landscape, at all stages of a client's 'journey'. Hundreds of thousands of people who experience civil justice problems are reliant on its services to obtain access to justice. Bureaux provides vital support to clients who are often vulnerable, and who would find it difficult to access the same level of advice and support elsewhere.

Designing and Implementing e-Justice Systems: Some Lessons Learned from EU and Canadian Examples, Lupo & Bailey (2014)

https://www.researchgate.net/publication/272661563_Designing_and_Implementing_e-Justice_Systems_Some_Lessons_Learned_from_EU_and_Canadian_Examples

This paper looks at how we can ensure quality in the development of e-Justice systems. Lupo and Bailey analyse six European and Canadian e-justice examples to illustrate and elaborate upon the system design and design management principles to assist the reader to develop a better understanding of how these principles might impact upon a system's ability to improve access to justice. The systems analysed include Italian Trial Online, English and Welsh Money Claim Online, the trans-border European Union e-CODEX, Ontario's Integrated Justice Project, Ontario's Court Information Management System, and British Columbia's eCourt project.

A Rule of Persons, Not Machines: The Limits of Legal Automation, Pasquale (2018)

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3135549

A paper by an American law professor on the dangers of automating the legal profession. The paper mostly focuses on the limitations of artificial intelligence to provide legal service, with the assumption that artificial intelligence cannot deviate far from what it was programmed to do, making it difficult to deal with the complexity of a case. The paper mainly focuses on private efforts to automate legal services (through services such as TurboTax) and does not consider government-run services. Pasquale asserts that the rule of law involves a system of social relationships and legitimate governance and automated legal services simply transfer and evaluate information without considering these factors.

Access to Justice and Routine Legal Services: New Technologies Meet Bar Regulators, Barton & Rhode (2018)

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3183738

This paper looks at the available technological legal services for Americans and examines how bar regulators have responded to these innovations. The rise of the online provision of legal services is analysed, focusing on three systems consumer-oriented internet legal services: Avvo Legal Services, LegalZoom, and Rocket Lawyer. Barton and Rhode discuss the resistance of lawyers and bar regulators to these types of technologies. The authors argue that lawyers and bar regulators should embrace technology as the developments are inevitable and can expand access to justice at the same time making lawyers more competitive with machine-driven legal services.

User Protections in Online Dispute Resolution, Van Arsdale (2015)

http://www.hnrlr.org/wp-content/uploads/HNR103_crop-1.pdf

This article examines online dispute resolution and the unique set of benefits and pitfalls that arise with a focus on what safeguards currently exist or could be developed to protect users. First, this paper looks at an overview of online dispute resolution and how it can vary. Second, this paper looks at the challenges of online dispute resolution, with a discussion of values and principles that are important to dispute resolution, interests which may be compromised, and ethical issues that may arise. Lastly, this paper explores the tools and mechanisms that could be used by consumer, industry, and government actors to implement safeguards that would protect values inherent in online dispute resolution. These tools are compared to existing protection mechanisms in other areas, such as consumer protection regulations in the financial sector and judicial assistance and leniency for *pro se* litigants in the courts.

The Future of the Professions: How Technology Will Transform the Work of Human Experts, R. Susskind & D. Susskind (Oxford: Oxford University Press, 2015)

This book covers an introduction to the impact of information technologies and the internet on professions. Due to technological advances, rapid modifications have occurred surrounding how knowledge is accessed. The authors explore how in an internet society, professionals such as doctors, accountants and lawyers will need to rethink how they work. This book explores the considerations that arise when machines can out-perform human beings at certain tasks such as employment, ownership and control online expertise, and tasks that should be held exclusively for humans.

Reducing the 'Justice Gap' Through Access to Legal Information: Establishing Access to Justice Entry Points at Public Libraries, Bilson, Lowenberger & Sharp (2018)

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3127041

The paper discusses the importance of increasing access to comprehensive legal information as a strategy to improve access to justice. The authors explore access to legal information through the lens of two main scenarios: self-represented litigants and parties to a limited scope retainer. The role of libraries and librarians as trusted intermediaries in the access to legal information is highlighted. The authors explore the difference between legal information and legal advice and how this plays into access to justice.

Environmental Scan: Our Past. Future. Present, Tim Brown QC (2018) [unpublished]

This report examines how the private market is utilizing technology to address the unmet legal needs market and how the regulation of the legal profession will need to adapt to technological innovation and new ways of legal service delivery. The author begins with an explanation of the history of legal information before moving into an analysis of emerging disrupters in the legal services market. Brown addresses the existence of an untapped sector of the population that has legal needs but is not currently being served by the traditional delivery of legal services, and how this sector of the population is growing due to an increase in client empowerment and the demystification of professions. He then examines alternative legal service providers and technological innovations that affect the traditional delivery of legal services. Brown contextualizes the implications of these initiatives for the future of legal regulation in Canada before concluding with an examination of the present regulatory landscape.

Appendix B: Jurisdictional Scan

There are two main categories for technological innovation for legal services: **(1) Online Legal Information initiatives** and **(2) Online Dispute Resolution initiatives**. These two categories can be broken down into several sub-categories.

OLI programs provide access to justice in a more passive method than ODR. OLI tends to provide untailed legal information to the public so that the inquiring individual can improve their general knowledge of the law as well as become informed about their general legal rights and responsibilities while ODR initiatives tend to involve a higher level of activity and are utilized to either start or continue a legal action. Many initiatives involve both legal information and dispute resolution aspects, such as electronic/automated solution explorers that use a series of questions to help individuals determine whether they have a justiciable issue. A comprehensive justice portal would likely include most of the following initiatives.

ONLINE LEGAL INFORMATION INITIATIVES

Current OLI initiatives range in comprehensiveness and consistency. Some initiatives are aggregator content websites that draw information from credible websites, while other initiatives create the content themselves. Additionally, the type of information provided by the website can vary. Commonly, as indicated below, OLI will include a combination of:

- (1) **Access to legislation and regulations;**
- (2) **Legal information presented in plain-language;**
- (3) **Sample legal templates and documents; and**
- (4) **Access to referral services.**

Access to Legislation and Regulations

A lack of knowledge about legal rights and responsibilities is a barrier to the legal system. The Canadian federal government improved accessibility to case law, federal legislation, and federal regulations by providing free online access to the public through the Canadian Legal Information Institute (“CanLII”).⁵⁷ Similarly, the Saskatchewan provincial government provides free online access to the public for provincial legislation and regulations through Freelaw.⁵⁸ While CanLII does include articles and other commentary, both CanLII and Freelaw are targeted towards individuals who have legal training or backgrounds.

Legal Information Presented in Plain Language

A method that has been used to improve legal knowledge is to provide general legal information in plain-language. Many private firms will provide explanations of recent court decisions and important legislative provisions relevant to their area of practice on their firm website; while beneficial to potential clients, there is no collective effort in Saskatchewan for

⁵⁷ Canadian Legal Information Institute, “About CanLII” (last visited March 2, 2019), online: *CanLII* <<https://www.canlii.org/en/info/about.html>>.

⁵⁸ *Supra* note 32.

firms to make a collaborative effort to avoid duplication of efforts or create a comprehensive catalogue of this information.

In Saskatchewan, there have been community efforts to provide introductory legal information about different areas of law specific to Saskatchewan. PLEA⁵⁹ aims to provide untailored legal information to the public and is a valuable resource for individuals who are looking for easy-to-understand legal information.

Sample Legal Templates and Documents

Some OLI services will provide templates and documents that individuals can fill out and use to create simple contracts. PLEA utilizes the “Form Wizard”⁶⁰ to help individuals with family law actions figure out what forms they need. Individuals are guided through a plain-language questionnaire that creates the relevant forms for their action based off of the answers to the questions.

Access to Referral Services

Many OLI will include a pathway to accessing non-automated legal help, whether it is through email, a phone conversation, or setting up a face-to-face meeting. United Way’s Saskatchewan 211⁶¹ is an online aggregator that connects individuals to various available sources. Individuals can access the legal/courts tab and choose from a selection of different areas of law to narrow down applicable community and government resources. The Canadian Bar Association⁶² and the Law Society of Saskatchewan⁶³ also provide a mechanism for the general public to find and compare lawyers based off of geographic location and expertise.

Canadian OLI

In Ontario, **Steps to Justice**⁶⁴ is a collaboration between several justice sector organizations, including the Ministry of the Attorney General, Legal Aid Ontario, community legal clinics, the Law Society of Ontario, and the Ontario Court of Justice to provide an online resource that provides plain-language information on common legal problems. The resource also provides access to relevant legal documents and referral information for legal and social services. The website has live chat and email support to assist individuals in navigating the website.

In British Columbia, **Clicklaw**⁶⁵ is an OLI program that aims to provide equal access to legal help and information through one centralized online portal. It provides legal information in multiple different languages and helps individuals work through the steps necessary to solve their legal problem. It also provides information referral services according to the legal topic or geographic location of the individual. The content is intended to be relevant to the general public or specific communities, and not for legal professionals.

⁵⁹ *Supra* note 16.

⁶⁰ *Supra* note 27.

⁶¹ *Supra* note 17.

⁶² Canadian Bar Association, “Find-A-Lawyer” (last visited March 2, 2019), online: <<http://www.cba.org/For-The-Public/Find-A-Lawyer>>.

⁶³ *Supra* note 28 under “Finding a Lawyer.”

⁶⁴ *Supra* note 34.

⁶⁵ *Supra* note 35.

International OLI

In the United Kingdom, **Citizen's Advice**⁶⁶ aims to provide legal information to the public through online plain-language legal information. Citizen's Advice also provides services face-to-face, over the phone, by email, and by webchat and provides information on how individuals can find free or affordable legal help.

E-Justice⁶⁷ is an OLI service developed by the European Union that provides legal information in over 22 languages. For the general public, it provides information on how to find a lawyer, the process of going to court, the rights of victims and defendants in criminal actions, basic information on family matters, and the cost of proceedings. For legal practitioners, it provides information regarding the law and case law and information on judicial training in the EU.

Singapore Legal Advice⁶⁸ is an OLI that combines access to free legal information, templates and documents, and referral services to provide a comprehensive online legal platform. Singapore Legal Advice also provides a service where, for a flat fee, individuals can phone and speak to a lawyer for 15 minutes. The platform aims to provide legal information for individuals to make informed decisions, connect individuals to relevant lawyers, and provide lawyers with a cost-effective way to reach out to individuals.

ONLINE DISPUTE RESOLUTION INITIATIVES

Online Dispute Resolution services tend to involve more active participation by the user than for OLI. Similar to OLI services, ODR programs vary in comprehensiveness and services provided. Some ODR only provide preliminary web-based services, such as electronic filing, while others allow for electronic negotiation and settlement. Even amongst the online negotiation initiatives there are differences, with some programs essentially just being an email negotiation and other sources utilizing artificial intelligence or computer software programs to automate the negotiation and settlement process. Web-based dispute resolution initiatives will commonly include a combination of:

- (1) **Electronic/automated solution explorers;**
- (2) **Electronic filing;**
- (3) **Electronic complaints, answer, and discovery processes; and**
- (4) **Electronic/automated negotiation and settlement processes.**

Electronic/Automated Solution Explorers

A prerequisite to having adequate legal knowledge to resolve a justiciable problem is the knowledge that a person is suffering from a justiciable problem. Electronic/automated solution explorers can be used to help individuals determine whether their situation has a justiciable aspect to it. Similar to PLEA's Form Wizard questionnaire, these initiatives will usually ask the individual a series of plain-language, interview-style questions in order to narrow down the

⁶⁶ *Supra* note 36.

⁶⁷ *Supra* note 37.

⁶⁸ *Supra* note 38.

problem and determine the potential legal issue. The **Civil Resolution Tribunal**⁶⁹ in British Columbia uses a Solution Explorer to help individuals diagnose their justiciable problem and then provides legal information that is tailored to that justiciable problem.

Electronic Filing

Some courts will allow litigants to electronically file their documents either through a third-party intermediary or directly through a web-portal. In Saskatchewan, the Court of Appeal allows for documents to be filed electronically through their web-based software “**eCourt**.”⁷⁰ Litigants can register, file documents, search Court documents, and pay Court fees electronically. While electronic filing can increase the accessibility of the courts for some individuals, low-income individuals who do not have access to the technology to register and upload documents are excluded from this system.

Electronic Negotiation and Settlement Processes

One of the main advantages of ODR are the possibilities for dispute resolution. Technology can help individuals resolve disputes remotely, which could reduce the time and money necessary to resolve a dispute. The first ODR tribunal in Canada was British Columbia’s **Civil Resolution Tribunal**,⁷¹ which is an electronic negotiation and settlement process. Individuals who are eligible to use the tribunal, small claims disputes under \$5,000 as well as strata property disputes of any amount, can register their complaint and notify the other party. The parties can negotiate by telephone, mail, email, or fax and soon will be able to directly message each other through the CRT website. If a settlement is not reached between the parties, then a Facilitator is assigned to guide the negotiations. If there is still no agreement, a CRT member will make a binding decision on the dispute. This decision can be judicially reviewed.

A similar electronic negotiation and settlement process has been launched in Quebec, the **Platform to Assist in the Resolution of Litigation Electronically**⁷² (“PARLe”). PARLe is an online tribunal for consumer disputes and involves email negotiation between the parties. If the parties are unable to reach a settlement, a mediator is invited to help resolve the issue through the website.

Internationally, the **European Union** has developed an electronic ODR to deal with consumer protection for online purchases.⁷³ Singapore’s **State Courts’ Community Justice and Tribunals System of Singapore’s e-Mediation**⁷⁴ initiative works similarly to British Columbia’s CRT but is only for residential tenancy claims. In the Netherlands, the Ministry of Justice and

⁶⁹ *Supra* note 21.

⁷⁰ The Saskatchewan Court of Appeal, “Welcome to The Court of Appeal for Saskatchewan – eFiling” (last visited March 2, 2019), online: <<https://ecourt.sasklawcourts.ca/>>.

⁷¹ *Supra* note 21.

⁷² Office de la Protection du Consommateur, “À propos de l'Office” (last visited March 2, 2019), online: <<https://www.opc.gouv.qc.ca/a-propos/parle/>>.

⁷³ European Commission, “Online Dispute Resolution” (last visited March 2, 2019), online: <<https://ec.europa.eu/consumers/odr>>.

⁷⁴ State Courts Singapore, “Community Justice and Tribunals System” (last visited March 2, 2019), online: <<https://www.statecourts.gov.sg/CJTS/#!/index1>>.

Security has provided an **electronic ODR** similar to British Columbia’s CRT but for a wider range of disputes.⁷⁵

Automated Negotiation and Settlement Processes

Automated negotiation and settlement processes differ from electronic processes in that technology is not just used to facilitate the negotiation but additionally used to guide the negotiation. **Smartsettle**⁷⁶ is a Vancouver-based software program that can be used for a variety of dispute claims to quickly provide optimized solutions in a dispute. Working alone or with a Facilitator, individuals identify their issues and interests. Smartsettle can then generate suggestions for a settlement based on the preferences of each party. This program is limited by the users’ understanding of their own legal issue and interests, as well as the information that either party discloses. Smartsettle is primarily used by private practitioners as a legal tool but could be utilized with other forms of ODR to help the negotiation process for individuals.

TRUSTED INTERMEDIARY AND ALTERNATIVE LEGAL SERVICE PROVIDER INITIATIVES

Existing legal services and resources can be complemented by OLI and ODR technologies in order to improve access to justice by narrowing the digital divide between different sectors of the public. A comprehensive justice portal would likely assist trusted intermediaries and alternative legal service providers in detecting justiciable issues and providing effective support. These existing legal services and resources are especially indispensable for vulnerable or marginalized members of the public who might otherwise be unable to access the justice portal.

Saskatchewan Trusted Intermediary Initiatives

The **Saskatchewan Access to Legal Information Project**⁷⁷ is an initiative that aims to improve access to legal information by creating access to justice entry points in the community. The first step of SALI identified public libraries, a credible information provider, as a trusted intermediary to provide accessible legal information for the public. Other interdisciplinary initiatives include the Justice and Health Partnership Community of Interest⁷⁸ and medical-legal partnerships, which utilize health-care professionals as a trusted legal intermediary.

Saskatchewan Alternative Legal Service Provider Initiatives

The **Legal Service Task Team**,⁷⁹ a collaboration between the Law Society of Saskatchewan and the Saskatchewan Ministry of Justice, has recommended expanding the class of individuals that

⁷⁵ Council for Legal Aid, “Vind uw route door het recht” (last visited March 2, 2019), online: *Rechtwijzer* <<https://rechtwijzer.nl/>>.

⁷⁶ “About Us” (last visited March 2, 2019), online: *Smartsettle* <<https://smartsettle.com/about-us/>>.

⁷⁷ *Supra* note 27.

⁷⁸ CREATE Justice, “Justice and Health Partnership Community of Interest” (last visited March 2, 2019), online: *College of Law* <<https://law.usask.ca/createjustice/projects/justice-and-health-partnership-community-of-interest-.php>>.

⁷⁹ “Final Report of the Legal Services Task Team” (Saskatchewan: Publications Saskatchewan, 2018), online (pdf): <<http://publications.gov.sk.ca/documents/9/107840-Legal>>.

are excepted from the prohibition against the unauthorized practice of law. Additionally, the Task Team recommended that new categories of membership in the Law Society should be created in order to provide specific legal services independent of a lawyer and allow for the creation of limited licenses to practice law on a case-by-case basis. Though many of these recommendations are not yet in development, a comprehensive justice portal could be utilized by alternative legal service providers to provide efficient and competent legal services at a lower cost than a traditional lawyer.

Appendix C: Resources for Creating a User-Friendly Legal Website

A team from Stanford Law School's Legal Design Lab⁸⁰ created a "critical design issue" review to evaluate the usability of legal websites.

SUMMARY OF STANFORD LEGAL DESIGN PRINCIPLES

Focus on the User

- Who will be using the site?
- Know the user: their motivations, queries, interests; and
- Design for the most unsophisticated user.

Compose with Simplicity & Guidance

- Orient the user through roadmaps;
- Anticipate what they will likely need and the pathway to get that information;
- Present resources based on how the user understands the problem and categorizes the problem;
- Be consistent in how information is provided; and
- Use white space and do not overload pages with information.

Provide Rich, Clear Interactions

- Allow for different modes of interaction;
- Give clear tips for each possible action;
- Do not offer too many functions or tasks - make the goal clear; and
- Reduce the number of clicks.

Make the Content User-Friendly

- Integrate information into a coherent flow of content;
- Present materials as part of the website, not buried in pdf downloads;
- Use plain-language;
- Make information visual and graphic; and
- Keep content up-to-date and correct.

SUMMARY OF STANFORD LEGAL DESIGN TEAM'S REVIEW

Ease of Navigation

- Optimized for mobile devices;
- Clean composition;
- Prioritization of relevant information; and
- Condense the amount of information shown to what is necessary.

⁸⁰ Stanford Legal Design Lab, "The Legal Help Design Review" (last visited February 4, 2019), online: *Better Internet Law* <<http://betterinternet.law.stanford.edu/design-review/>>.

Accessibility

- Appropriate reading level;
- Disability-friendly;
- Quick speed to load information; and
- Multiple languages.

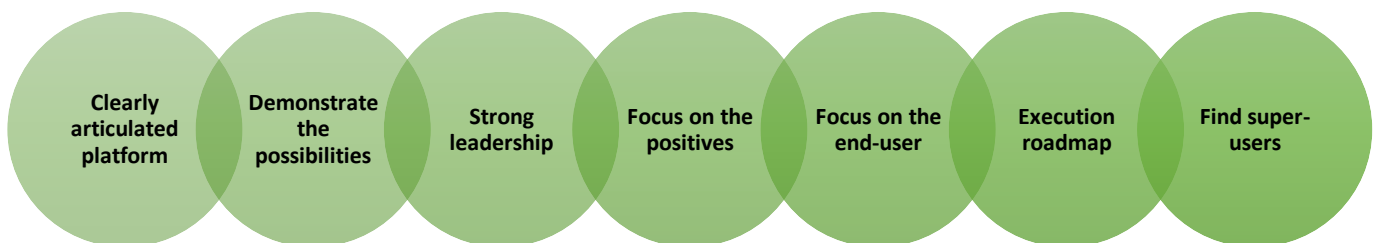
Content

- Unburied materials;
- No resource dumps; and
- Good use of visuals.

Appendix D: Technology Change Management Considerations

Change management is critical to the success of any technology implementation. Before implementing new technology, it is important to consider the effects it will have on the various stakeholders involved and devise strategies to effectively manage the change. The following change management considerations can assist in thinking through technology initiatives.⁸¹

1. **A clearly articulated platform and value statement:** Outlining a clear need and justification for why change is needed is fundamental.⁸² This helps create a common understanding and cohesiveness amongst stakeholders.
2. **Strong leadership:** It is important to identify early on key leadership sponsors.
3. **Demonstrate the possibilities:** By having various stakeholders see and imagine the possibilities of the technology, this can build excitement and creativity.⁸³
4. **Focus on the positives:** Highlight what the new technology could bring.
5. **Identify and empathize with your end-user throughout the process:** As a starting point, a needs assessment will help ensure alignment with the end-users. Continuous user testing throughout the project will help to maintain this alignment.
6. **An execution roadmap:** An effective roadmap will outline the phases of change, incremental goals, and a plan for cross-functional integration. It will allow all parties involved to have a clear view on how to move forward.⁸⁴
7. **Find champions/super-users:** It can be helpful for end-users to see individuals that they can relate to having success with the technology.⁸⁵ Case studies could be presented, and these super-users could help champion the system's adoption.



⁸¹ For additional resources see e.g., Frank Ostroff, “Change Management in Government” (May 2006), online: *Harvard Business Review* <<https://hbr.org/2006/05/change-management-in-government>>; Alasdair Johnston, Frédéric Lefort & Joseph Tesvic, “Secrets of successful change implementation” (October 2017), online: *McKinsey&Company* <<https://www.mckinsey.com/business-functions/operations/our-insights/secrets-of-successful-change-implementation>>; Tessa Basford and Bill Schaninger, “The four building blocks of change” (April 2016), online: *McKinsey&Company* <<https://www.mckinsey.com/business-functions/organization/our-insights/the-four-building-blocks--of-change>>.

⁸² Andrew McCune, “A Change Management Challenge: Technology is Fast, and Change is Slow” (4 August 2017), online: *BTOES* <<http://insights.btoes.com/challenge-to-change-management-technology-is-fast-change-is-slow>>.

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ “Technology change management: 5 steps to success” (last visited 16 February 2019), online *Salesforce* <<https://www.salesforce.com/au/blog/2018/10/technology-change-management--5-steps-to-success.html>>.

Appendix E: List of Consultees

Thank you to the consultees who took the time to speak with us.

Name	Role	Organization
Lorne R. Fagnan	Lawyer	
Blaine Korte	Designer, Developer	BK Software Inc
Thomas Schonhoffer	Board Member	CanLII
Shannon Salter	Chair	Civil Resolution Tribunal
Chantelle Johnson	Executive Director	CLASSIC Inc.
Simon Boehme	Co-Founder	Disputly
Sue Delanoy	Executive Director	Elizabeth Fry Society
Lana Wickstrom	Separation Specialist	Lana Wickstrom
Tim Brown, Q.C.	Executive Director	Law Society
Craig Zawada, Q.C.	Past-President	Law Society
Kyla Shea	Director, Planning and Administration	Legal Aid Saskatchewan
Martin Phillipson	Dean, Lead Investigator	University of Saskatchewan College of Law, Medical-Legal Partnerships Project
Stacy Muller	Director of the Dispute Resolution Office, Lead of Online Dispute Resolution Working Group	Ministry of Justice and Attorney General
Samer Awadh	Lawyer	MLT Aikins LLP
Anne-Marie Cotter	Director	Office of Residential Tenancies
Carly Romanow	Executive Director & Staff Lawyer	Pro Bono Law Saskatchewan

Joel Janow	Executor Director	Public Legal Education Association of Saskatchewan (PLEA)
Jocelyn Gagne	Legal Writer	Public Legal Education Association of Saskatchewan (PLEA)
Kelly Shaw	Lawyer	Riverside Family Law and Arbitration
Andrew Arruda	CEO	ROSS Intelligence
Beth Bilson, Q.C.	Lead Investigator	SALI Project