“Agile online court”

Challenge 3: continuous online hearing

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- The content of the slides is licensed under Creative Commons Attribution 4.0 International (CC BY 4.0) https://creativecommons.org/licenses/by/4.0/

- The code referred to in the slides is available at https://github.com/juralio/och and is licensed under the MIT License - https://opensource.org/licenses/MIT

These slides are exactly as prepared overnight and presented on the morning of Sunday 2 July 2017 at the Online Courts Hackathon, with the following exceptions added a few days later.

- Licensing information on the cover slide.

- This slide.

- On the Sunday morning, a live demo was given of the software – the code for which is at https://github.com/juralio/och. To give a flavour of it, we have added screenshots in this deck, after slide 14.

- The final 3 slides (Slack mocked-up discussion and notes) were prepared overnight at the hackathon but not presented, given the time restrictions.

Our basic idea was this:

What if people who are not verbally articulate or legally informed could present their problem in a convenient form (e.g. a short video), stating the problem as they saw it and their desired solution, rather than having to figure out how to express it in terms of a legal claim?

With access to justice in low value cases in mind, our thinking was that putting a focus on problem/solution from the outset would be worth exploring. The traditional approach requires people to articulate their claim in legal terms which, even if they can do it effectively, leads to entrenchment as "claim-defence-response" thinking takes over. At the moment, a risk is that discussion of "what's the real problem, and how can we solve it?" comes only later in the process, if at all.

Lots of implications to think through, clearly, but the idea was raised in an experimental, hackathony spirit.

Team JURALIO

http://agilemanifesto.org/

“People over process”

Some suggested principles

for the HMOC context

1. Emphasise from the outset

problem → solution

over

claim → defence → judgment

2. Empirical not ideological

Example hypothesis

"Allowing judges to mediate could be cheaper and better than requiring separate mediators, and the risks are manageable"

- Rather than speculate,
  seek volunteers, measure outcomes and iterate

3. Respect litigants' time

- "Minimum viable" approach to info gathering
- Capture once then reuse

4. Provide alternative ways to interact

- Not everyone is articulate in writing
  … let alone interested in legal distinctions
- Allow other formats e.g. **video** (+ NLP?)
- Interact with litigants in short chatty bursts

5. Make the most of judicial time

- Partly about automation
- But also about choices of what to do, when

6. Provide early, positive, informal, flexible guidance

- A friendly, problem-solving approach can influence party behaviour
- An informal, chat UI can help set the tone

7. Docs and info: “less is more”

- These are low value cases
- Cost/benefit is really important
- Purpose is to solve the problem
- No docs or info required without good reason

8. Tech can help with human interaction, not just analysis

- The big challenges in low value cases are about behaviour, time, cost and stress
- There's solid, low risk tech which can help here if well used e.g. chat, video, text assembly

9. Transparent info

- All case info visible online to litigants and court
- Anonymised data can be analysed to see what works and discuss how to improve

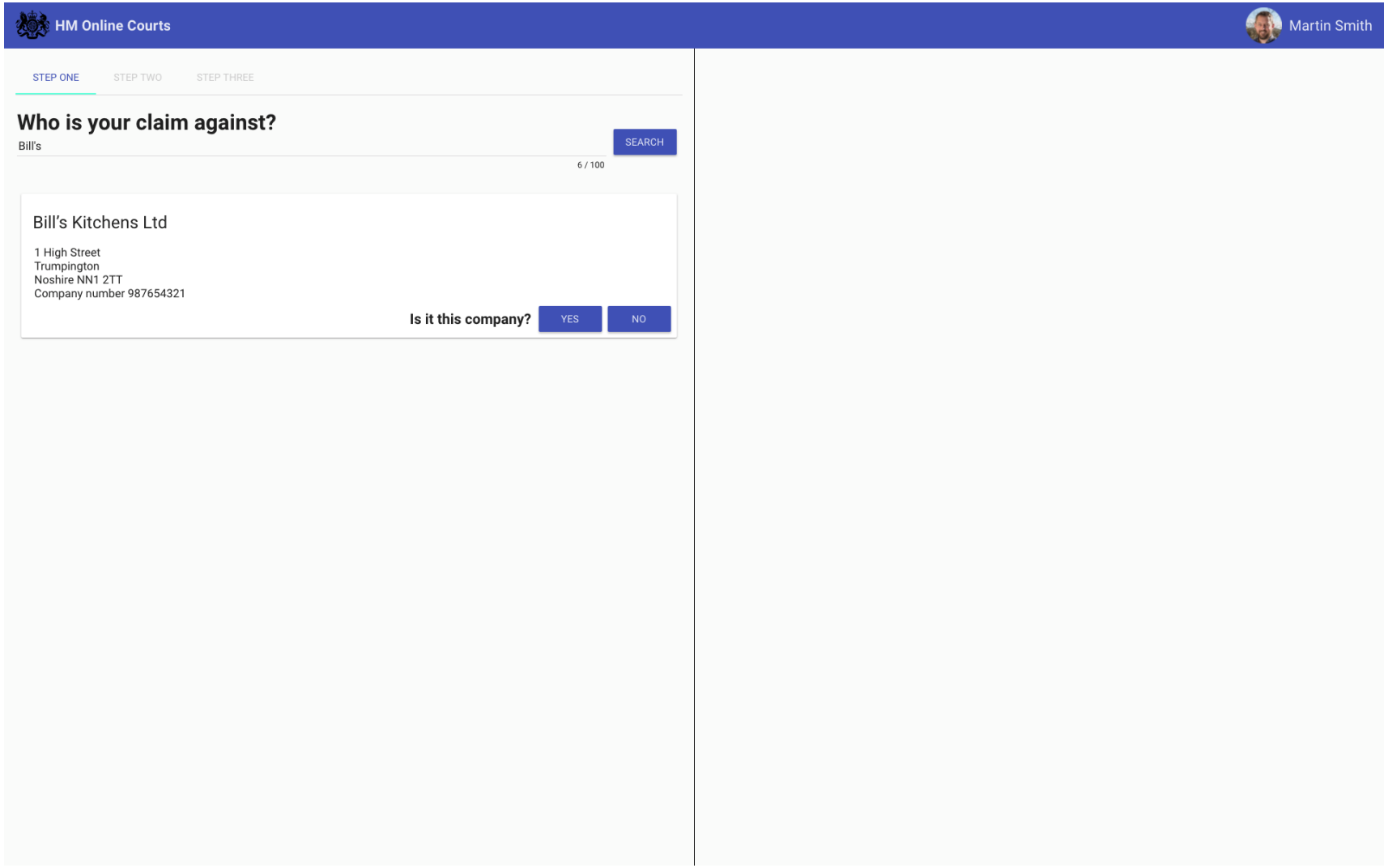
Live demo
applying these principles

The following screenshots are of the software built at the hackathon on the night of 1-2 July 2017.

Code at https://github.com/juralio/och

Please remember that the code was produced overnight in a “let’s get this done” spirit. It’s inevitably quite rough and shouldn’t be used as a model for anything!

Claimant 1/4


HM Online Courts
Martin Smith
STEP ONE
STEP TWO
STEP THREE
Who is your claim against?
Bill's
SEARCH
6 / 100
Bill's Kitchens Ltd
1 High Street
Trumpington
Noshire NN1 2TT
Company number 987654321
Is it this company?
YES
NO

Claimant 2/4

HM Online Courts

Martin Smith

STEP ONE STEP TWO STEP THREE

We're now going to ask you about the problem and how you'd like it resolved.

Please summarise the problem

0 / 500

You may also upload a video describing the problem (time limit: 2 minutes)

UPLOAD VIDEO

File uploaded.

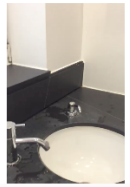
NEXT STEP

You are claiming against:

Bill's Kitchens Ltd

1 High Street
Trumpington
Noshire NN1 2TT
Company number 987654321

Summary of the problem:



0:00

Claimant 3/4

HM Online Courts

Martin Smith

STEP ONE STEP TWO STEP THREE

How do you think the problem should be resolved?

You can cover this in your video or write a summary, or both.
If you want to be paid a certain amount of money, please make that clear.

- [x] I've covered this in my video
- [x] Add written summary

Gold taps not installed as agreed.

34 / 500

NOTIFY CLAIM

You are claiming against:

Bill's Kitchens Ltd

1 High Street
Trumpington
Noshire NN1 2TT
Company number 987654321

Summary of the problem:

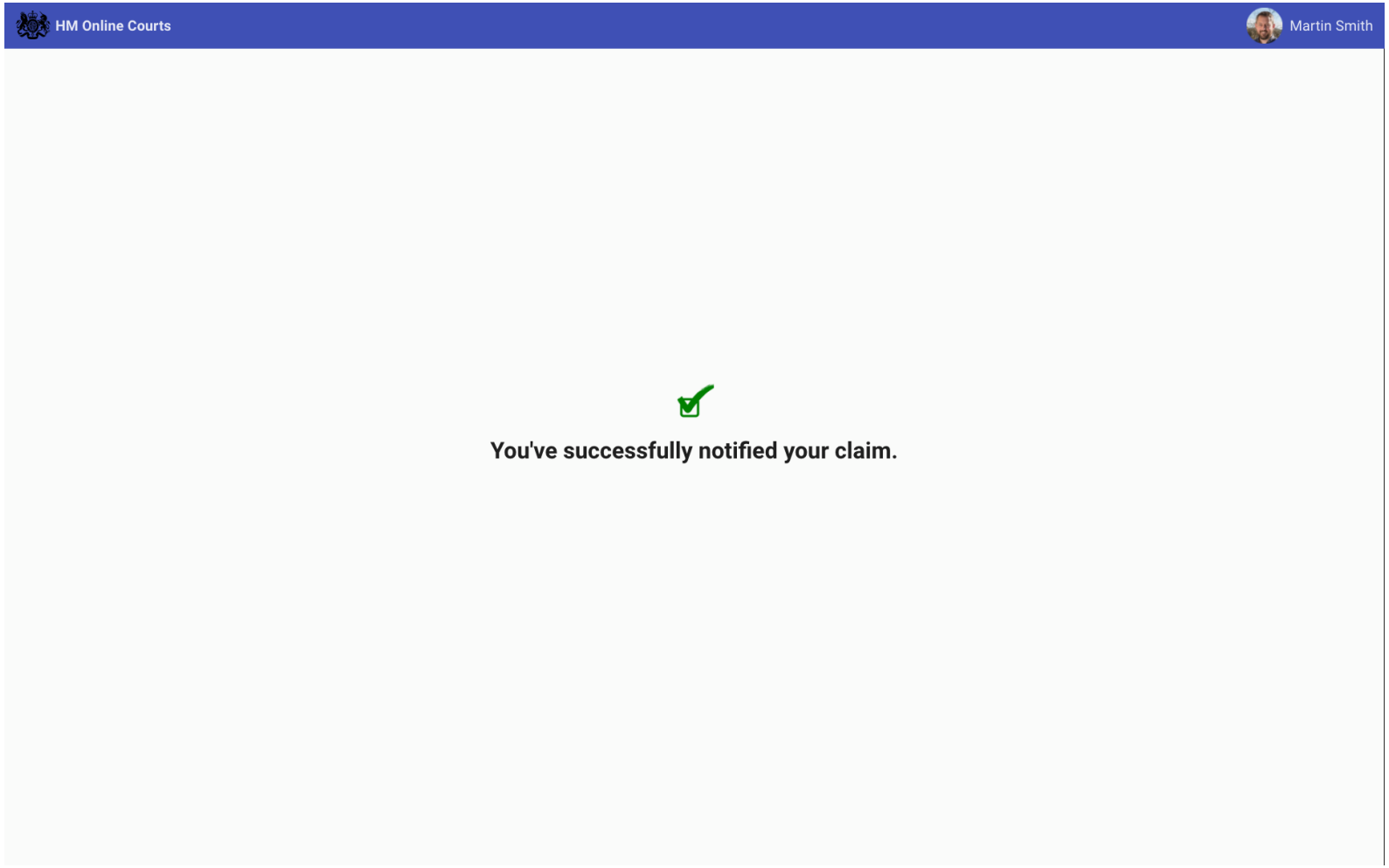
0:00

How do you think the problem should be resolved?

I've covered this in my video

Gold taps not installed as agreed.

Claimant 4/4


HM Online Courts
Martin Smith
You've successfully notified your claim.

Defendant 1/2

Note: the video transcript text is hard coded – it was just to illustrate the concept.

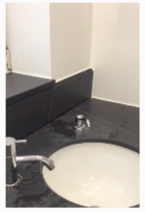
HM Online Courts

Bill's Kitchens Ltd

1. PROBLEM 2. SUGGESTED SOLUTION 3. REVIEW

Problem as summarised by Martin Smith.

Gold taps were not fitted as agreed.



0:00

Automated video transcript: "I agreed with Dave the site manager that these taps was going to be gold. They're not gold. I need gold taps."

Do you agree?

- ○ Yes
- ◉ No

Please add a summary of why you disagree

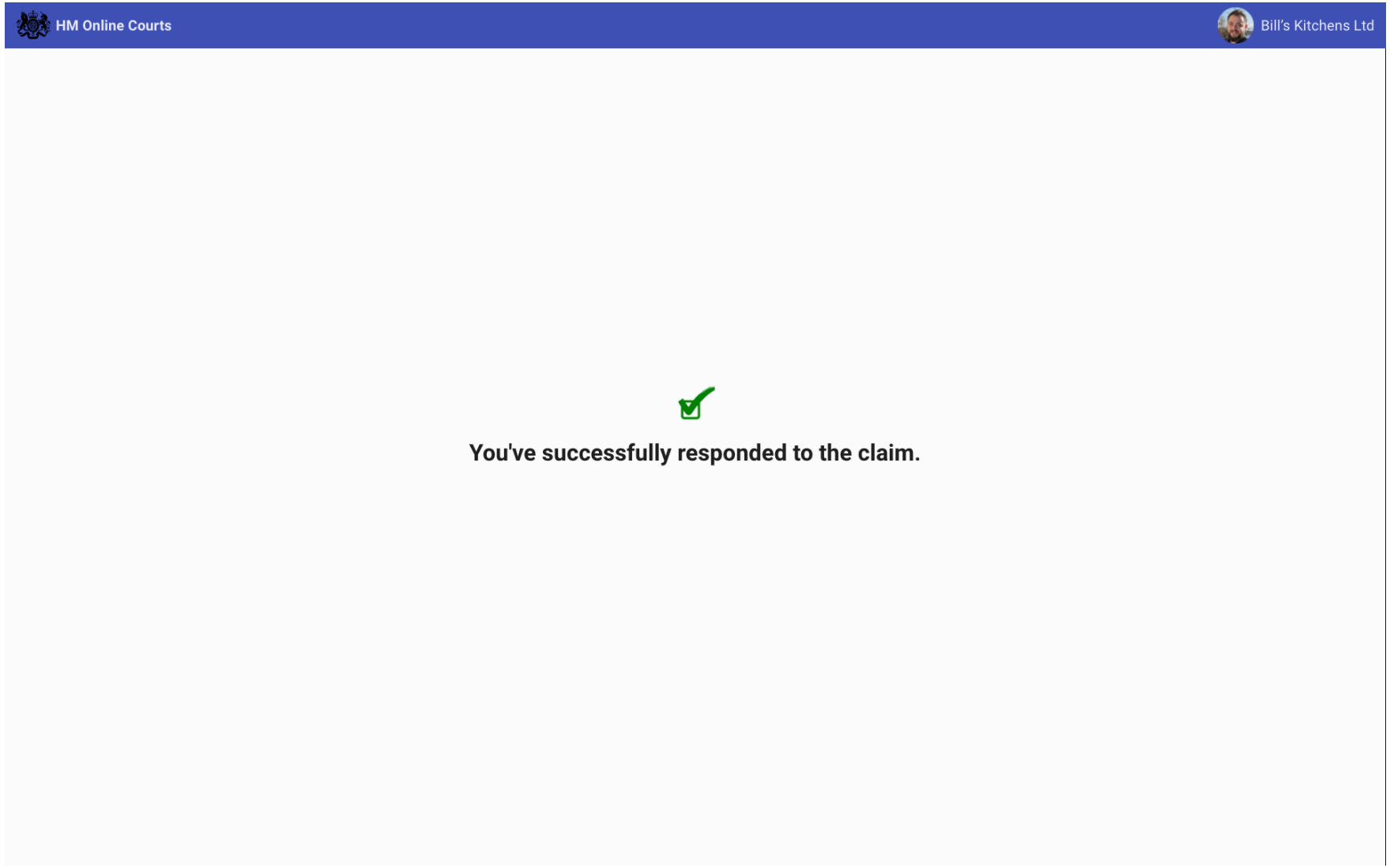
Verbal agreement of silver taps.

32 / 500

Click here to upload a video (optional)

NEXT STEP

Defendant 2/2



Judge 1/1

HM Online Courts

Judge Khan

Claimant:

Martin Smith

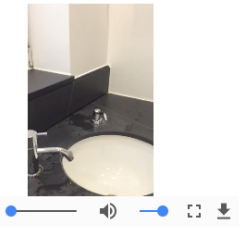
Defendant:

Bill's Kitchens Ltd

Problem:

Gold taps were not fitted as agreed.

Automated video transcript: "I agreed with Dave the site manager that these taps was going to be gold. They're not gold. I need gold taps."



Problem:

It was not agreed to fit gold taps.

Solution:

Replace taps.

Solution:

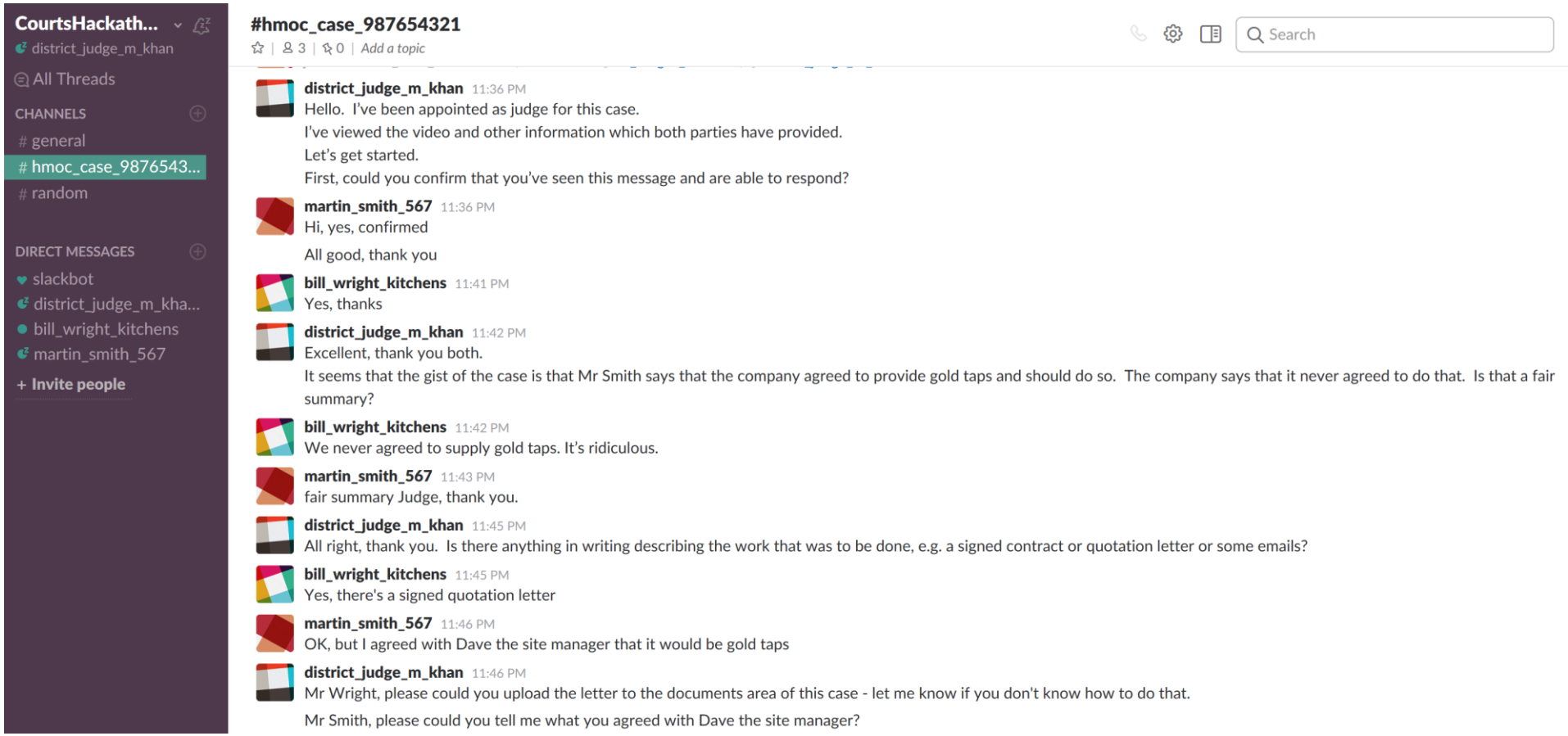
N/A

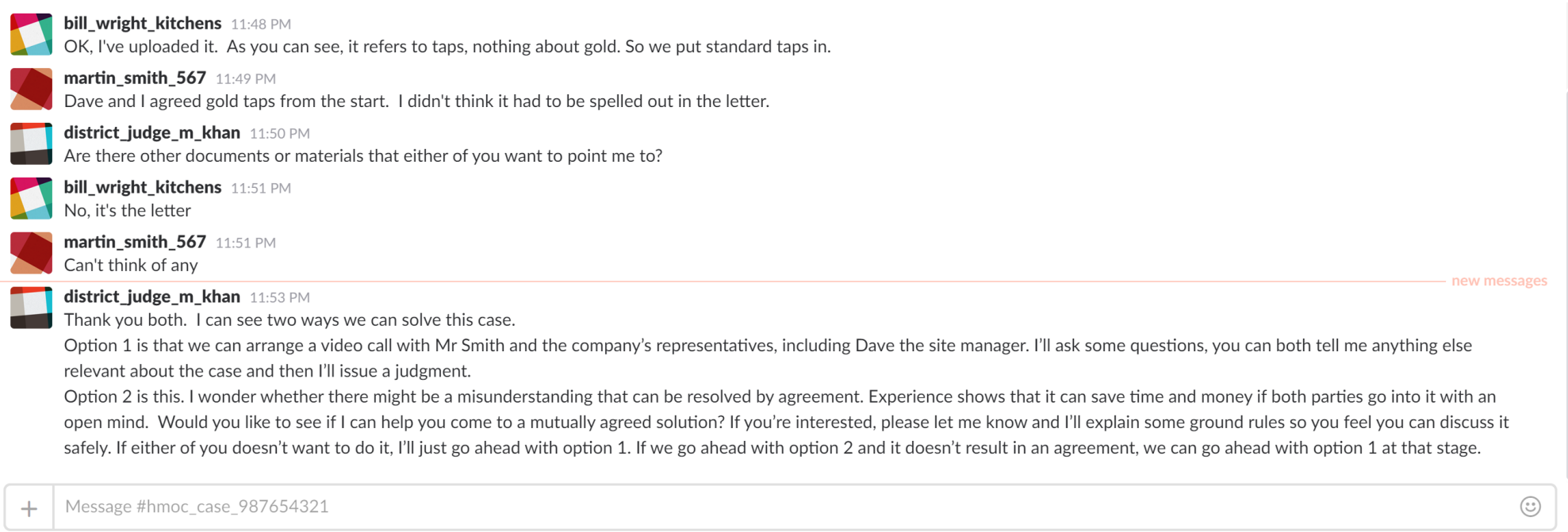
ACCEPT CASE

The following slides were prepared at the hackathon but not presented there.

Illustrative judicial engagement with litigants using a modern chat platform

This was mocked up using Slack - it seems likely to to be less risky/costly to use something like that (other options might include Whatsapp, WeChat, Microsoft Teams and many others) rather than building it in-house. This would also have the benefit of allowing people to deal with cases via a platform they can use for other things as well. The benefits of this to the platform provider might allow an attractive commercial deal to be done by HMCTS.





and so on….

The idea is that this informal approach encourages a quick focus on solving the problem.

Other cases would be more complex than this one, of course, but the principle of early engagement is not necessarily restricted to just the most simple cases. The switch of perspective and objectives is the main thing.

More UI & automation can be added over time, so as to simplify the UX for court and litigants alike, e.g.

- **Text assembly** to help select particular questions & make orders rapidly

- Provide **options** for how to do things, recognising different cognitive preferences -
  - e.g. users can upload document via the messaging platform (Slack or similar) not just via the usual web app “document management” area

- Over time, consider **chatbots** (including voice UIs of the Alexa type) to, in order of challenge -
  - teach people what they need to know (e.g. principles which will be applied)
  - capture info

- Gradually add **natural language processing** for more use cases e.g. in order of challenge -
  - automatic video transcription
  - extracting dates and other info from documents, to help organise them
  - (more challengingly) helping to categorise and triage cases