

New Technologies Assisting New Zealand Legal Practice

by Gavin Adlam

New Zealand lawyers have the same interests as lawyers elsewhere in using new technologies to improve the effectiveness and timeliness of providing legal services. This brief review includes comments on some particular uses of imaging technologies in litigation, progress in making public registry information available in electronic form and the use of electronic systems for communicating between lawyers and for legal research. These developments represent a small selection of the numerous ways in which new technologies are being used in legal practice.

Imaging in the Equiticorp criminal trial

During late 1992, the Serious Fraud Office brought a criminal action against 6 senior executives and a solicitor connected with the Equiticorp group of companies, alleging fraud and related charges. The documentary evidence exceeded 40,000 A4 pages, which would have been contained in over 140 ring binders. The prospect of reproducing this material for the prosecution, 7 defendants and the Court itself led the Department of Justice to install an imaging system for courtroom use. A full set of the documentary evidence was available in hard copy if required, but the participants rapidly became used to computer screens instead. While some of the parties and the judge had their own document and information management systems, this note is limited to a brief description of the imaging system.

The documents were scanned as images only, without any optical character recognition facility. They were indexed simply by reference to the ring binders from which they were derived - by binder and page reference. The system was based on a local area network (LAN), with the documents stored on magnetic disk (requiring over 1 gigabyte). There were 12 image screens in the courtroom, with the capacity to show a full A4 page on a legible display. A series of simple controls enabled users to key in the folder and page number and then display the page by pressing the enter key. They could browse through the document using 'next' and 'previous' function keys. Counsel and the Court could send a particular document to the witness screen, or display whichever document was on the witness screen without knowing the reference to it. Thus, counsel could be doing preparatory work and easily pick up the thread of proceedings without delay.

The objective of this system was to substitute the need for paper handling, and all reports suggest that it was very successful. Response times were well under 5 seconds, and the amount of paper in the courtroom was considerably reduced. The reduction in sitting time has been estimated at approximately 5 or 6 weeks, for a trial which took 6 months.

Electronic public registries

The New Zealand Department of Justice has recently selected a con-

sortium to computerise more than 50 million government registry records, including Land Transfer Titles and related documents, the Companies Register and the Register of Births, Deaths and Marriages. The consortium members are New Zealand Telecom, Unysis and Azimuth Consulting Group, who will combine their resources and draw on external suppliers for the technology and expertise required for the project.

It is likely that a number of technologies will be combined, including imaging, optical character recognition, magnetic optical storage and communications using cables, fibre optics and radio. The objective is to transfer all existing paper registry data onto electronic database, to permit both searching and registration to be completed through remote terminals. Although the Justice Department will retain ownership of the data and responsibility for the registration process, it seems likely that 'value added' products may be provided by private sector operators. Those may range from providing public search facilities to providing reports based on sorted or matched information (subject of course to the limitations of the *Privacy Act 1993*).

Electronic access to statutes

There has been a rapid growth in recent months of services which provide lawyers with the facility to search by electronic methods the official statutes of New Zealand, and various compilations of them pre-

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pared by individual publishers. GP Print Limited (the former Government Printing Office) has held the annual statutes and formal consolidations on electronic media for some time. However, this service was of limited application without additional software to search and manipulate the material. More recently, commercial publishers have produced annotated consolidations of specific statutes (such as the *Resource Management Act* and the *Employment Contracts Act*), including case note and commentaries, and these are becoming increasingly widely used. Recently there have been additional products developed and proposed for providing a wider range of statutes on database, with increas-

ing focus on user requirements and the integration of these services with other electronic applications.

Lawnet

Another facility which has been available for some time but used only to a limited extent is Lawnet. Lawnet is actually a package of several facilities, including a gateway function to a number of databases. It was established as a joint venture between the New Zealand Law Society and Netway Communications (a subsidiary of New Zealand Telecom). Brooker's was appointed in April 1993 to manage Lawnet and provide support and service for users. This reflects the view of the previous managers, which relied heavily on a group of volunteers within the New Zealand legal profession, that the service had developed to a stage where it needed commercial management.

Facilities available through Lawnet include the Valuation New Zealand database, Lexis and other legal databases. In addition there is an

electronic mail and message facility (including file transfer) between members and a bulletin board currently operating in respect of the Canterbury District Law Society, providing access to a vast amount of information about the Society and forthcoming events.

Conclusion

With all of these services continuing to develop, and others which have not been mentioned, it seems highly likely that the next few years will see an explosion of PCs in legal offices. Many offices are already moving to LAN systems, and the 'fax factor' (few people had a fax machine, until they suddenly became essential and everybody had to have one) is likely to be repeated as PCs are used for internal tasks, internal and external research and worldwide electronic communications between law firms and with clients. ☛

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