

FRIEND OF THE COURTHOUSE:  
A DIGITAL MEDIA PROJECT THAT PROMOTES ACCESS TO JUSTICE THROUGH  
PROCEDURAL LITERACY

by

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## FRIEND OF THE COURTHOUSE

Master of Digital Media, 2017

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### **ABSTRACT**

Friend of the Courthouse is a website application where parties receive accessible and individualized information relating to their pending case's procedure. The objective is to allow parties to understand their procedural steps. The platform promotes access to justice in utilizing digital media. It does so by encouraging an understanding of procedural law. Although its application is best suited to the Quebec legal landscape, it can equally be applied in Ontario provided that a modernization of its court record system takes place. Considering that Friend of the Courthouse exemplifies the use of digital media as a vehicle for the advancement of access to justice, Ontario can in fact be incentivized to undergo such a modernization given the current access to justice issues it faces.

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## **Chapter 1. Introduction**

Over the past year, I have designed a service entitled Friend of the Courthouse. This service is an online platform that will operate within the legal services industry. Friend of the Courthouse is a website application where plaintiffs and defendants receive accessible and individualized information relating to their pending case's procedure. Parties to a pending case filed at a Quebec court provide the platform with their name, upon which their court filed documents are accessed and synthesized in a visually compelling and approachable timeline in accordance with applicable rules of procedure. The objective is to allow parties to understand and track the steps that are involved in their case's procedure.

The following analysis will begin with a discussion relating to Friend of the Courthouse's purpose. In doing so, current access to justice issues will be explored. The nature of procedural law will then be demonstrated so as to conclude that encouraging an understanding of procedure ultimately promotes access to justice. The discussion of the platform's purpose will end by revealing how access to justice problems represent an opportunity in entrepreneurship, and that Friend of the Courthouse can capitalize on these opportunities.

Second, an in-depth explanation of Friend of the Courthouse's functionalities and design considerations will follow. Here, Friend of the Courthouse's user experience and user interface designs will both be defended. The use of digital media in general as a vehicle

for the advancement of access to justice will be explored. The purpose of this chapter is to focus on the platform's execution.

Lastly, a comparative analysis between the Quebec procedural system and the Ontario system will reveal that Friend of the Courthouse can successfully be implemented in Ontario. The purpose of this chapter is to focus on the possible ways in which Friend of the Courthouse can be implemented.

Ultimately, the analysis will conclude that the use of digital media within the legal sphere can be used as a means to encourage the modernization of the judicial system. Such a modernization does indeed benefit all Canadians.

## **Chapter 2. Purpose**

The purpose of Friend of the Courthouse is to promote access to justice through procedural literacy in utilizing digital media. In order to defend Friend of the Courthouse's purpose, the following section will first define the concept of access to justice and will demonstrate that it is currently lacking in Canada. The nature of procedural law will then be explored and related to the advancement of access to justice. Finally, this section will reveal that Friend of the Courthouse exists because it can capitalize on the financial opportunities that are created as a result of inadequate access to justice in Canada.

### **2.1. Access to Justice and its Issues in Canada**

Chief Justice of Canada Beverley McLachlin has stated that access to justice is a basic right, comparable to education and healthcare<sup>1</sup>. Access to justice can be defined broadly as the ability to participate in the judicial system at all levels<sup>2</sup>. That is, there is access to justice when all are granted equal access to the creation of laws, to their debate, to their administration and to their interpretation<sup>3</sup>. This definition however presupposes a key premise, namely that all are equally able to understand the inner-workings of the judicial system. Indeed, it is impossible for citizens to participate effectively in the judicial system if they are unable to understand its foundations.

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<sup>1</sup> Tyler, Tracey. "Access to Justice a Basic Right." *Toronto Star*. August 12, 2007. Accessed October 11, 2016.

<sup>2</sup> *Increasing Access to Family Justice Through Comprehensive Entry Points and Inclusivity*, Final Report. Law Commission of Ontario. Toronto, 2013. 1-120.

<sup>3</sup> Linna, Daniel W., Jr. "What we know and need to know about legal startups." *Michigan State University College of Law Faculty Publications*, 2016.

Given that an understanding of law is a necessary condition to participation within the justice system, it is widely recognized that using plain language in statutes, explaining law via the internet and simplifying procedural rules are all important steps towards the advancement of access to justice<sup>4</sup>. These steps are in fact founded on one commonality: they allow people to understand the judicial system, thereby allowing them access.

Friend of the Courthouse is therefore founded on the premise that access to justice can be advanced when people understand law. Although there are several other challenges and solutions that must also be considered when enabling access to justice<sup>5</sup>, the promotion of legal knowledge is the platform's primary aim.

Despite the importance of justice in a modern society, inadequate access is a pressing issue in North America<sup>6</sup>. In the United States, 80% of the population lacks access to justice<sup>7</sup>. This namely signifies that 80% of the population cannot avail themselves of their rights because they are legally misinformed. Likewise, abundant evidence reveals that Canada lacks the means for providing people with information that is necessary for handling legal matters<sup>8</sup>. For example, approximately 12 million Canadians will be faced with a legal issue within the next 3 years, but only few will be able to access appropriate

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<sup>4</sup> *Increasing Access to Family Justice Through Comprehensive Entry Points and Inclusivity*, Final Report. Law Commission of Ontario. Toronto, 2013. 1-120.

<sup>5</sup> Farrow, Trevor C. W. "What is Access to Justice?." *Osgoode Hall Law Journal* 51.3 (2014) : 957-988. <http://digitalcommons.osgoode.yorku.ca/ohlj/vol51/iss3/10>

<sup>6</sup> Ibid.

<sup>7</sup> Linna, Daniel W., Jr. "What we know and need to know about legal startups." *Michigan State University College of Law Faculty Publications*, 2016.

<sup>8</sup> Farrow, Trevor C. W.. "What is Access to Justice?" *Osgoode Hall Law Journal* 51.3 (2014) : 957-988. <http://digitalcommons.osgoode.yorku.ca/ohlj/vol51/iss3/10>



resources<sup>9</sup>. Indeed, the percentage of Canadians uncertain of their rights when confronted with a legal situation surpasses 55%<sup>10</sup>. The notion that access to justice is limited and thus problematic in Canada is without dispute<sup>11</sup>. Friend of the Courthouse is therefore designed as a way to encourage legal education, particularly in promoting knowledge of procedural law.

## **2.2. Procedural Law and Access to Justice**

In order to demonstrate that an understanding of procedural law in particular can successfully promote access to justice, procedural law must first be defined.

Procedural law distinguishes itself from substantive law. Whereas substantive law enshrines rights and obligations, procedural law defines how the judicial system can be accessed<sup>12</sup>. Procedural law does so by setting forth uniform rules of conduct and instructions for those wishing to gain access to the judicial system.<sup>13</sup> For example, substantive law tells us that one must not trespass on another's property<sup>14</sup>, whereas procedural law forces us to apply for an injunction should we wish for the transgression to be stopped<sup>15</sup>. Procedural law is therefore the corpus of rules that dictate how a case can

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<sup>9</sup> "Action Committee." Canadian Forum on Civil Justice. Accessed June, 2017. <http://www.cfcj-fcjc.org/action-committee>.

<sup>10</sup> *Reaching equal justice report: an invitation to envision and act*. Report. The Canadian Bar Association. Ottawa: Access to Justice Committee, 2013.

<sup>11</sup> Farrow, Trevor C. W.. "What is Access to Justice?." *Osgoode Hall Law Journal* 51.3 (2014) : 957-988. <http://digitalcommons.osgoode.yorku.ca/ohlj/vol51/iss3/10>

<sup>12</sup> Gerdy, Kristin B. *Perspectives: Teaching Legal Research and Writing*. Vol. 9. 2000. <https://info.legalsolutions.thomsonreuters.com/pdf/perspec/2000-fall/2000-fall-3.pdf>.

<sup>13</sup> Ibid.

<sup>14</sup> Trespass to Property Act, R.S.O. 1990, c. T.21

<sup>15</sup> Lerner, Matthew, and Justin Necpal. "Injunctions." *Ontario Bar Association*, January 13, 2014.

be debated, how it can be heard, and how the outcome of a case can ultimately be decided. That is, procedure dictates how we can avail ourselves of our rights. Without procedural law, substantive law is ineffective at best, and unenforceable at worst. In considering its nature, the importance of procedural law is evident.

In Quebec, the rules of civil procedure are enshrined in the Code of Civil Procedure, which came into effect in January 2016<sup>16</sup>. This most recent version was namely adopted with the express intention of modernizing the rules, reducing the costs and delays and, most notably, promoting access to justice<sup>17</sup>. This code demonstrates an effort of the Legislature to promote access to justice, having taken note of the inaccessibility crisis in the province<sup>18</sup>. Similarly, the Rules of Civil Procedure is the body of regulation in Ontario, which outlines procedural law applicable to the province<sup>19</sup>. New procedural rules also came into effect in 2010 in an effort to make justice more accessible<sup>20</sup>. These rules namely simplify procedure<sup>21</sup>.

Stating where originate the rules of procedure in both jurisdictions is in fact relevant given that Friend of the Courthouse has been designed to only serve cases filed in a court

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<sup>16</sup> Code of Civil Procedure, 2016. c.-25.01

<sup>17</sup> Jolin, Bernard. "Quebec's New Code of Civil Procedure." Canadian Lawyer Home. <http://www.canadianlawyermag.com/5944/Quebecs-New-Code-of-Civil-Procedure.html>.

<sup>18</sup> Angenot, Maya. "Quebec's New Code of Civil Procedure." Slaw Canada's Online Legal Magazine. <http://www.slaw.ca/2013/12/03/quebecs-new-code-of-civil-procedure/>.

<sup>19</sup> R.R.O. 1990, Reg. 194: Rules of Civil Procedure

<sup>20</sup> "What's New? Changes to the Rules of Civil Procedure." What's New? Changes to the Rules of Civil Procedure - Ministry of the Attorney General. [https://www.attorneygeneral.jus.gov.on.ca/english/courts/civil/changes\\_to\\_rules\\_of\\_civil\\_procedure.php](https://www.attorneygeneral.jus.gov.on.ca/english/courts/civil/changes_to_rules_of_civil_procedure.php).

<sup>21</sup> Ibid.

of the province of Quebec. However, it has also been designed with the intention of ultimately applying the platform to the province of Ontario. Indeed, a comparative analysis of procedure in both provinces will reveal in a later chapter how Friend of the Courthouse can be applied in Ontario.

In sum, because procedural law plays a significant role within the justice system, Friend of the Courthouse does advance access to justice in providing plaintiffs and defendants with information relating to their case's procedure. Friend of the Courthouse makes parties understand the methods and the steps that are involved in order for their case to be heard. So too, these parties are provided with insight on the inner-workings of the judicial system, thereby allowing them access. As previously mentioned, simplifying procedural law is encouraged as a means to increase access to justice<sup>22</sup>. Although Friend of the Courthouse cannot change or simplify the rules of procedure, it does simplify their understanding.

### **2.3. Access to Justice Issues Create Opportunities in Legal Innovation**

Friend of the Courthouse's existence is justified given that it can capitalize on the financial opportunities created by Canada's inadequate access to justice. In other words, there is a financial opportunity for legal innovation projects to benefit from efforts in advancing access to justice.

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<sup>22</sup> Winkler, Warren K., The Honourable Chief Justice of Ontario. Speech, Access to Justice - Remarks, The Canadian Club of London, April 30, 2008.

Over the past few years, a legal startup ecosystem has evolved<sup>23</sup>. Reasons for this trend can namely be explained by inadequate access to justice, which has created an unexploited legal market valued at 45 billion dollars in the United States alone<sup>24</sup>. This market indeed represents a large amount of people that are deprived of appropriate and necessary legal information<sup>25</sup>. An assumption can be made that the Canadian equivalent market size is analogously significant in proportion to its population given that both countries experience parallel access to justice issues. Indeed, as previously explored, the notion that access to justice is problematic in Canada is without dispute<sup>26</sup>. In sum, entrepreneurs, having taken note of the available and sizeable market, are financially incentivized to offer solutions.<sup>27</sup> It is within this context that Friend of the Courthouse confirms its purpose. Friend of the Courthouse can indeed advance access to justice while capitalizing on a market whose needs for legal information are currently not being met.

Furthermore, it is important to recognize that the legal startup ecosystem has also emerged due to the economic recession, which created a demand for lower prices for legal services<sup>28</sup>. Legal work has become commoditized, whereby high quality work is delivered at a reasonable price due to low-cost and effective technology.<sup>29</sup> The

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<sup>23</sup> Linna, Daniel W., Jr. "What we know and need to know about legal startups." *Michigan State University College of Law Faculty Publications*, 2016.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Farrow, Trevor C. W.. "What is Access to Justice?." *Osgoode Hall Law Journal* 51.3 (2014) : 957-988. <http://digitalcommons.osgoode.yorku.ca/ohlj/vol51/iss3/10>

<sup>27</sup> Linna, Daniel W., Jr. "What we know and need to know about legal startups." *Michigan State University College of Law Faculty Publications*, 2016.

<sup>28</sup> Ibid.

<sup>29</sup> Linna, Daniel W., Jr. "What we know and need to know about legal startups." *Michigan State University College of Law Faculty Publications*, 2016.

opportunity to profit from legal innovation therefore exists because low-cost technology is readily available.<sup>30</sup> Consequently, Friend of the Courthouse can successfully profit financially from the current Canadian access to justice epidemic by leveraging digital media, which is a low cost and effective tool. The role of digital media will be explored in the upcoming section.

### **Chapter 3. Execution**

Friend of the Courthouse's purpose has been detailed. Its execution now deserves equal attention. This section will explain how Friend of the Courthouse achieves its objective of promoting access to justice. In order to do so, the platform's functionalities will be described. Thereafter, the role of digital media as it relates to the project will be analyzed. An explanation of Friend of the Courthouse's design considerations will be explored, particularly as they relate to user experience design.

#### **3.1. How Friend of the Courthouse Works**

Before describing how Friend of the Courthouse works, the origins of its name ought to be clarified. The name originates from "amicus curiae", which translates from latin to "friend of the court"<sup>31</sup>. "Amicus curiae" is a designation given to someone who is not party to a case but who helpfully offers information to the court<sup>32</sup>. The "amicus curiae"

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<sup>30</sup> Linna, Daniel W., Jr. "What we know and need to know about legal startups." *Michigan State University College of Law Faculty Publications*, 2016

<sup>31</sup> "Amicus Curiae." LII / Legal Information Institute. August 06, 2007. [https://www.law.cornell.edu/wex/amicus\\_curiae](https://www.law.cornell.edu/wex/amicus_curiae).

<sup>32</sup> "Amicus Curiae." Merriam-Webster. <https://www.merriam-webster.com/dictionary/amicus%20curiae>.

can advise the court on legal matters<sup>33</sup>. Because the platform also helpfully provides legal insight, the name is appropriate. Moreover, the word “court” was replaced by “courthouse” given that the word “house” can be seen as having a friendlier appeal. Indeed, the name was conceived with the idea of being approachable to the average user.

In order to explain how Friend of the Courthouse works, it must first be stated that its functionalities rely on a service called the “Plumitifs”<sup>34</sup>. This online service allows users to access a centralized database of cases that are filed at Quebec courts. Through this database, people are able to access documents relating to cases involving any person or company<sup>35</sup>. No authorization to consult the documents is required<sup>36</sup>. This database is namely used by law firms to help them keep track of their clients’ cases<sup>37</sup>.

Friend of the Courthouse requires members to share their full name when subscribing. This is sufficient information for accessing their cases on the Plumitifs<sup>38</sup>. In consulting the documents that appear in the court records, Friend of the Courthouse can assess at which step members are in their case’s procedure. Likewise, members’ next steps can be anticipated. Given that procedural law sets forth an obligatory timeline, steps are uniform across all cases<sup>39</sup>. The procedural timeline example generated by Friend of the

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<sup>33</sup> “Amicus Curiae.” Merriam-Webster. <https://www.merriam-webster.com/dictionary/amicus%20curiae>.

<sup>34</sup> “Les Plumitifs.” Les Plumitifs | SOQUIJ. <http://lesplumitifs.soquij.qc.ca/>.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> Code of Civil Procedure, 2016. c.-25.01

Courthouse will therefore be repeated with variations for all future members. Exceptions to the uniformity of Friend of the Courthouse's timeline include dates, which are of course particular to each case. Time delays are however uniform<sup>40</sup>. Another variation that is particular to a member's timeline is the description of motions, which are demands made by a party throughout the case's procedural journey<sup>41</sup>. These of course vary according to the case in question. In sum, Friend of the Courthouse simply draws on publicly accessible information and overlays it on a visual timeline, thereby allowing members to situate themselves temporally in their case's procedure. Friend of the Courthouse provides this legal information directly to parties.

Once a member is registered, their court documents accessed and their personalized timeline generated, members can login to view their account unlimitedly. However, three pricing plans exist, which each unlock certain features. All three pricing packages were designed in order to cover our \$15 per month access cost to the Plumitifs.<sup>42</sup> The Basic plan, priced at \$15, provides a member with one timeline that is fixed according to the moment they registered. This means that even though their case will evolve as it moves closer to a hearing, updates won't be reflected in their timeline. Their court documents are therefore accessed only once by the platform. Nonetheless, these members are given a tool that can help them anticipate next steps and, more generally, learn how procedure works and effects their case. A Plus plan, however, will provide updates to the member's

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<sup>40</sup> Code of Civil Procedure, 2016. c.-25.01

<sup>41</sup> Ibid.

<sup>42</sup> "Les Plumitifs." Les Plumitifs | SOQUIJ. <http://lesplumitifs.soquij.qc.ca/>.

timeline. For instance, if a motion was filed on a date following their registration, the motion will be shown once the member logs into their account. This plan is priced at \$25. Included is also the ability to receive text message notifications, which are designed to keep the member on track without them having to log in to their account. The final plan is the Pro plan, priced at \$29. This plan differentiates itself from the Plus plan in that members can allow others to access their account. This plan is namely ideal for lawyers and for clients. Lawyers will no longer need to waste time sharing information that is already readily available on Friend of the Courthouse and clients will be informed independently from their counsel. Lastly, although all three plans have different pricing, none can be reasonably deemed cost-prohibitive. The finality of access to justice is kept in mind when designing the pricing model given that financial barriers are all too often a cause of inadequate access to justice<sup>43</sup>. Nonetheless, this pricing model is financially beneficial to the business given that minimal effort is required to upkeep a member's profile, namely for the reasons described above concerning the uniformity of procedural law. Likewise, only one Basic plan per month, priced at \$15, is sufficient to cover the cost of the Plumitif database.

### **3.2. Digital Media as a Tool**

Digital media can in fact be an effective vehicle for procedural information. Friend of the Courthouse is founded on the premise that digital media enables the democratization of

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<sup>43</sup> Linna, Daniel W., Jr. "What we know and need to know about legal startups." *Michigan State University College of Law Faculty Publications*, 2016.



knowledge.<sup>44</sup> The very nature of digital media is such that knowledge can easily be shared. Considering that the internet is used by over 3 billion people, digital media can also disseminate knowledge with a widespread reach.<sup>45</sup> Relying on digital media as a means to inform people on procedural law is therefore justified.

The digital media tool used by Friend of the Courthouse is its website. In designing the website, the choice was made not to use popular content management systems, such as Wordpress.<sup>46</sup> Although such a tool is cost-effective and relatively simple,<sup>47</sup> its use entails design limitations. Because Friend of the Courthouse relies on the effective communication of a visual timeline, using a content management system's template would limit its configuration. As such, for the time being, interactive mock-ups of the website have been designed without the use of a template.

User experience was taken into consideration when creating Friend of the Courthouse's interactive mock-ups. User experience concerns itself with how a user engages with a platform, rather than the platform's design aesthetic.<sup>48</sup> User experience prioritizes people's needs and therefore creates products that are both usable and useful.<sup>49</sup> A well

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<sup>44</sup> *Digital Media and Society: Implications in a Hyperconnected Era*. Report. January 2016. <http://reports.weforum.org/human-implications-of-digital-media-2016/>.

<sup>45</sup> Ibid.

<sup>46</sup> "Create a website or blog." WordPress.com. <https://wordpress.com/>.

<sup>47</sup> Ibid.

<sup>48</sup> Garrett, Jesse James. *The Elements of User Experience: User-centered Design for the Web and Beyond*. Berkeley: New Riders, 2011.

<sup>49</sup> Bowles, Cennydd, and James Box. *Undercover user experience: learn how to do great UX work with tiny budgets, no time, and limited support*. Berkeley, CA: New Riders, 2011.

crafted user experience is one that properly accomplishes the tasks that users wish to fulfill.<sup>50</sup> Although user experience can be a consideration in the design of any product, whether or not it relies on digital media, a website in particular ought to be designed with user experience in mind because their users must discover alone how they can engage with the platform.<sup>51</sup>

As is required by proper user experience design methods, the reasons for why a user would want to engage with Friend of the Courthouse's website were first considered.<sup>52</sup> So too, the needs and the emotions of prospective users were explored.<sup>53</sup> This is indeed a proper starting point for designing how an experience can be facilitated by a website.<sup>54</sup> In the case of Friend of the Courthouse, users may want to engage with the website if they have a pending case that is causing them procedural confusion. For example, people that are drawn to the site may be uncertain as to what happens once they have been sued. Confusion is therefore the emotion, whereas finding help is the need. As a result, the website's user experience was designed to communicate information clearly and quickly, and in the simplest way possible.

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<sup>50</sup> Garrett, Jesse James. *The Elements of User Experience: User-centered Design for the Web and Beyond*. Berkeley: New Riders, 2011.

<sup>51</sup> Ibid.

<sup>52</sup> Hassenzahl, Marc. "User Experience and Experience Design." The Interaction Design Foundation. <https://www.interaction-design.org/literature/book/the-encyclopedia-of-human-computer-interaction-2nd-ed/user-experience-and-experience-design>.

<sup>53</sup> Ibid.

<sup>54</sup> Ibid.

The website only has four pages and each can be accessed with only one click. Users can therefore navigate the entirety of the website easily. For simplicity, each page is designed to communicate only one message. A first page contains information on the offered service (see figure 1 appendix), a second contains a sign-up prompt (see figure 2 appendix), a third contains a login prompt (see figure 3 appendix) and the last is dedicated to the viewing of a user's account (see figure 4 appendix). Each page also contains a call-to-action that drives the user to the next (see figure 5 appendix), thereby ensuring that users easily understand the flow of the website and the interconnectedness of its pages. Moreover, for the simplicity and effectiveness of the website's user experience, standard practices were incorporated so that an impression of familiarity is imparted. An example of this includes the design of a navigational menu that is fixed and situated at the top of the user's screen (see figure 6 annexe). The positioning of such a menu is indeed of course recurring across many websites.

Furthermore, the website was designed to communicate its purpose quickly by using implicit cues that direct a user's attention. A properly designed interface is able to direct the user's attention towards what is essential.<sup>55</sup> According to a study conducted with eye tracking tools, the visual hierarchy of a website can in fact directly effect a user's focus.<sup>56</sup> This is namely important to leverage given that a user experience must allow for a site's purpose to be understood within 10 seconds.<sup>57</sup> The website was therefore constructed

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<sup>55</sup> Bergstrom, Jennifer Romano, and Andrew Jonathan Schall. *Eye tracking in user experience design*. Amsterdam: Morgan Kaufmann, 2014.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

with a particular visual hierarchy in mind.<sup>58</sup> For instance, each page directs the user's gaze towards what is essential by varying font sizes and by contrasting the size of elements.<sup>59</sup> Indeed, relative sizes communicate the importance of page elements, wherein larger elements are understood as more important.<sup>60</sup> Similarly, elements on the left of the screen will be read first and will also be seen as important.<sup>61</sup> An example of how this was implemented in Friend of the Courthouse's user experience can be found in the design of the timeline (see figure 7 appendix). The timeline was designed vertically, given that users are easily inclined to scroll through webpages. On the timeline, the relative size of elements emphasize important dates. Given that users first read the left side of the screen, the procedural steps were positioned on the left in order to ensure that these are read first.<sup>62</sup> This will namely minimize the risk of a user being lost in their timeline. In sum, the website was designed in a way that directs a user's attention towards what is essential on each page.

Lastly, the content was written with the audience in mind. Tailoring the voice of the text to the target audience ultimately allows for it to be easily adopted.<sup>63</sup> Friend of the Courthouse's target audience are those who need procedural information. The content was therefore written in a clear and accessible language. Legal jargon was kept to a

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<sup>58</sup> Fleming, Jennifer. *Web Navigation: Designing the User Experience*. 1998. <http://jepelet.free.fr/studies/MBA/design/s4/lectures/Web%20Navigation%20Designing%20the%20User%20Experience.pdf>.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> "Writing for the Web." Usability.gov. December 07, 2016. <https://www.usability.gov/how-to-and-tools/methods/writing-for-the-web.html>.

minimum and when legal words were employed, they were always accompanied by a definition (see figure 8 appendix). Indeed, the site is user-friendly only insofar as the content is readable and understandable. As previously mentioned, because the emotion of the user is confusion, Friend of the Courthouse's text must cater to that emotion.

User experience is not just a matter of ensuring that a user is not lost within the website, it is also understood as a competitive advantage.<sup>64</sup> Proper user experience is namely reflected in conversion rates, whereby users are more likely to adopt products and services from a website with a good user experience.<sup>65</sup> The considerations previously explored are therefore necessary to Friend of the Courthouse's success. Indeed, it would not be sufficient for the concept or the purpose behind the platform to attract users. Its execution is of course equally important.

## **Chapter 4. Implementation**

Following an explanation of Friend of the Courthouse's purpose and its execution, the ways in which it will be launch must be stated. Friend of the Courthouse will first launch in Quebec. Once its success is demonstrated, Ontario can then be inclined to adopt digital media within their court system. This will ultimately allow for Friend of the Courthouse to be implemented in Ontario.

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<sup>64</sup> Garrett, Jesse James. *The Elements of User Experience: User-Centered Design for the Web and Beyond*. Berkeley: New Riders, 2011.

<sup>65</sup> Ibid.

#### **4.1. Friend of the Courthouse in Quebec**

As previously explained, Friend of the Courthouse is currently designed to cater to an audience with Quebec cases. In order for Friend of the Courthouse to be implemented successfully within the province, several steps must be followed.

First, Friend of the Courthouse will have a soft-launch, in that the website will be released to a small audience<sup>66</sup>. This will allow for the website to go through several iterations based on user feedback. The design of the website, the branding and the pricing plan are all elements that can be modified based on insight gained from user feedback. The soft-launch will target both volunteer participants with no prior knowledge of procedural law and plaintiffs or defendants with pending cases that will be found through legal aid clinics. Indeed, the first way in which client acquisition will take place is by fostering relationships with legal aid clinics.

Considering that legal aid is only available to those who meet a strict set of criteria,<sup>67</sup> clinics must necessarily turn away several plaintiffs and defendants. Friend of the Courthouse will foster relationships with legal aid clinics so that individuals who are turned away can be referred to its website. Likewise, all legal aid recipients can also be clients of Friend of the Courthouse. Indeed, Friend of the Courthouse and legal aid

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<sup>66</sup> "Soft launch - definition of soft launch in English | Oxford Dictionaries." Oxford Dictionaries | English. [https://en.oxforddictionaries.com/definition/soft\\_launch](https://en.oxforddictionaries.com/definition/soft_launch).

<sup>67</sup> "Am I eligible?" Centre communautaire juridique de Montréal. <http://www.aidejuridiquedemontreal.ca/en/how-to-apply/am-i-eligible/>.

clinics can have a mutually beneficial relationship given that their end goals are the same, namely access to justice.

The second way in which client acquisition will take place is by fostering relationships with law firms. As previously explained, Friend of the Courthouse can also benefit firms in alleviating some of their workload. Friend of the Courthouse can therefore become known within the legal community through outreach initiatives with firms.

Furthermore, search engine optimization strategies will be implemented in order to increase the website's organic reach, whereas Google advertisements will be used to increase paid-for traffic and conversions. According to Google Adwords, an advertisement expenditure of \$200 per month will generate 1050 to 1762 views and 121 to 203 novel website clicks<sup>68</sup>. These clicks are significant given that they originate from people searching for legal help, which is the website's target audience. This is therefore a worthy investment. Currently, Friend of the Courthouse does not have a competitor that employs Google advertisement, which is also an advantage for its campaign. This budget will surely increase the company's exposure, in addition to potentially increasing client acquisition.

Lastly, in order to ensure that the service offered by Friend of the Courthouse can satisfy a demand, law students will be recruited. Indeed, law students are sufficiently equipped

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<sup>68</sup> Google PPC Online Advertising | Google AdWords – Google. Accessed August 15, 2017. <https://adwords.google.com/>.

to manage the upkeep of clients' files and timelines given that they have knowledge of procedural law. As previously explained, tailoring the timeline to each client's needs is relatively straightforward considering that procedural law sets forth an obligatory timeline that is uniform across all cases. Also, the employment of law students will be more cost-effective than that of lawyers'. Friend of the Courthouse's success indeed relies on its ability to keep costs at a minimum within its first phases.

#### **4.2. Friend of the Courthouse in Ontario**

Applying Friend of the Courthouse in Ontario is not as straightforward as its application in Quebec. Friend of the Courthouse relies on the Plumitifs in Quebec, whereas no such online database of court records exists in Ontario.<sup>69</sup> In Ontario, a person can only receive information pertaining to a case by telephone or through an in-person consultation.<sup>70</sup> As a result, Friend of the Courthouse can not function in the same efficient manner as it can in Quebec. Friend of the Courthouse can however be used as a case study in promoting access to justice with digital media in Ontario. In first gaining success in Quebec, an argument can then successfully be made for the modernization of the court record keeping system in Ontario. Indeed, if Friend of the Courthouse is able to succeed and ultimately encourage access to justice in Quebec, it can have an analogous effect in Ontario. Ontario can then be incentivized to modernize their court keeping system. In

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<sup>69</sup> "How Do I Access Court Records? | Ontario Court of Justice." Ontario Court of Justice. <http://www.ontariocourts.ca/ocj/how-do-i/access-to-court-records/>.

<sup>70</sup> "Court Services Division Policies and Procedures on Public Access to Court Files, Documents and Exhibits." Ministry of the Attorney General. [https://www.attorneygeneral.jus.gov.on.ca/english/courts/policies\\_and\\_procedures/public\\_access/public\\_access\\_to\\_court\\_documents-EN.html](https://www.attorneygeneral.jus.gov.on.ca/english/courts/policies_and_procedures/public_access/public_access_to_court_documents-EN.html).



fact, if Ontario modernizes the way in which plaintiffs and defendants access their records, businesses like Friend of the Courthouse can be introduced within the legal services ecosystem. In such a scenario, firms, plaintiffs, defendants, and ultimately the economy, all benefit.

## **Chapter 5. Conclusion**

To conclude, Friend of the Courthouse is an online platform that will operate within the legal services industry with the goal of increasing access to justice. With the application of user experience principles and design considerations, its website can successfully inform plaintiffs and defendants on cases filed at a Quebec court by following applicable rules of procedure. Indeed, the nature of procedural law is such that its understanding is an important factor in the promotion of access to justice. Access to justice issues in Canada do represent an opportunity in entrepreneurship, which can be financially capitalized by Friend of the Courthouse. Although its implementation in Quebec is straightforward due the use of digital media in court record keeping, applying the website in Ontario is challenging. Efforts must therefore be made in Ontario in creating an online database of court records before Friend of the Courthouse can be introduced.

Exploring the purpose, the execution and the implementation of Friend of the Courthouse demonstrates that the use of digital media within the legal sphere can promote the modernization of the judicial system. For instance, showing that Friend of the Courthouse can succeed in Quebec can encourage Ontario to adopt similar digital media practices as

Quebec. Moreover, should the judicial system continuously adopt novel digital media based technologies, entrepreneurial projects can continue to develop in both provinces. Ultimately, Friend of the Courthouse is a case study in the application of digital media in the legal arena, demonstrating how all can benefit from such an application.

## APPENDIX

Figure 1. Description of Friend of the Courthouse's offered service on the homepage

Figuring out what happens once you have a case can be hard.  
**That's where we come in.**

**1 KNOW YOUR STEPS** Get a personalized timeline that will show you your next steps. Know where you are and where you're headed.  
We'll make it simple. You'll always understand.

**2 NEVER BE LOST** Receive notifications that will keep you updated. Know what you have to do and when you'll have to do it.  
Follow your case. You'll never feel lost.

We believe that legal information should be **accessible & understandable**.


We believe in the power of **legal literacy**.

It's your case. You should be able to **follow it**.

**Why does it matter?**  
Missing important steps can have a big impact on your case's outcome.  
The reasons why you have a case can be overwhelming and complicated, but your case's procedure doesn't have to be.

**Where do these steps come from?**  
From procedural law. Procedure is the roadmap that your case must follow for it to be heard by the court.  
Whether you are suing or being sued, there are rules that have to be followed. It's the law.

Figure 2. Sign up page.



The sign up page features a header with a logo on the left and navigation links for 'home', 'pricing', 'login', and a 'sign up' button on the right. The main heading is 'Sign up'. Below it are four input fields: 'Full Name', 'E-Mail', 'Username or Password', and 'Select a Plan' (with a small note below it: 'Unauthorized? See what's behind'). A large yellow letter 'S' is positioned to the left of a 'Sign up' button. On the right side, there is a vertical image of a person in historical attire holding a staff and a scale.

home pricing login **sign up**

## Sign up

Full Name

E-Mail

Username or Password

Select a Plan  
Unauthorized? See what's behind

**S** Sign up


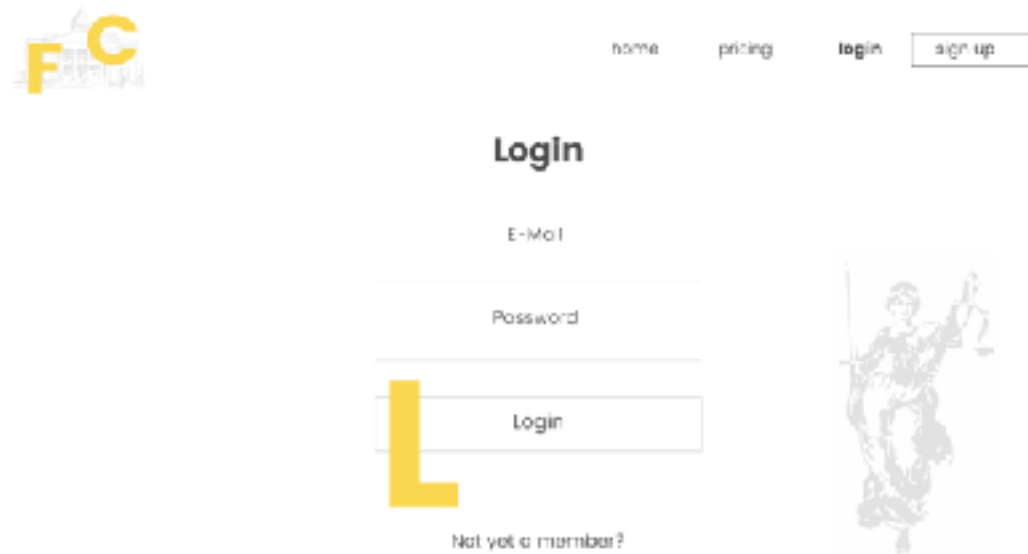


Figure 3. Login page.



The login page features a header with a logo on the left and navigation links for 'home', 'pricing', 'login', and a 'sign up' button on the right. The main heading is 'Login'. Below it are two input fields: 'E-Mail' and 'Password'. A large yellow letter 'L' is positioned to the left of a 'Login' button. Below the button is the text 'Not yet a member?'. On the right side, there is a vertical image of a person in historical attire holding a staff and a scale.

home pricing **login** **sign up**

## Login

E-Mail

Password

**L** Login

Not yet a member?




Figure 4. User's account.

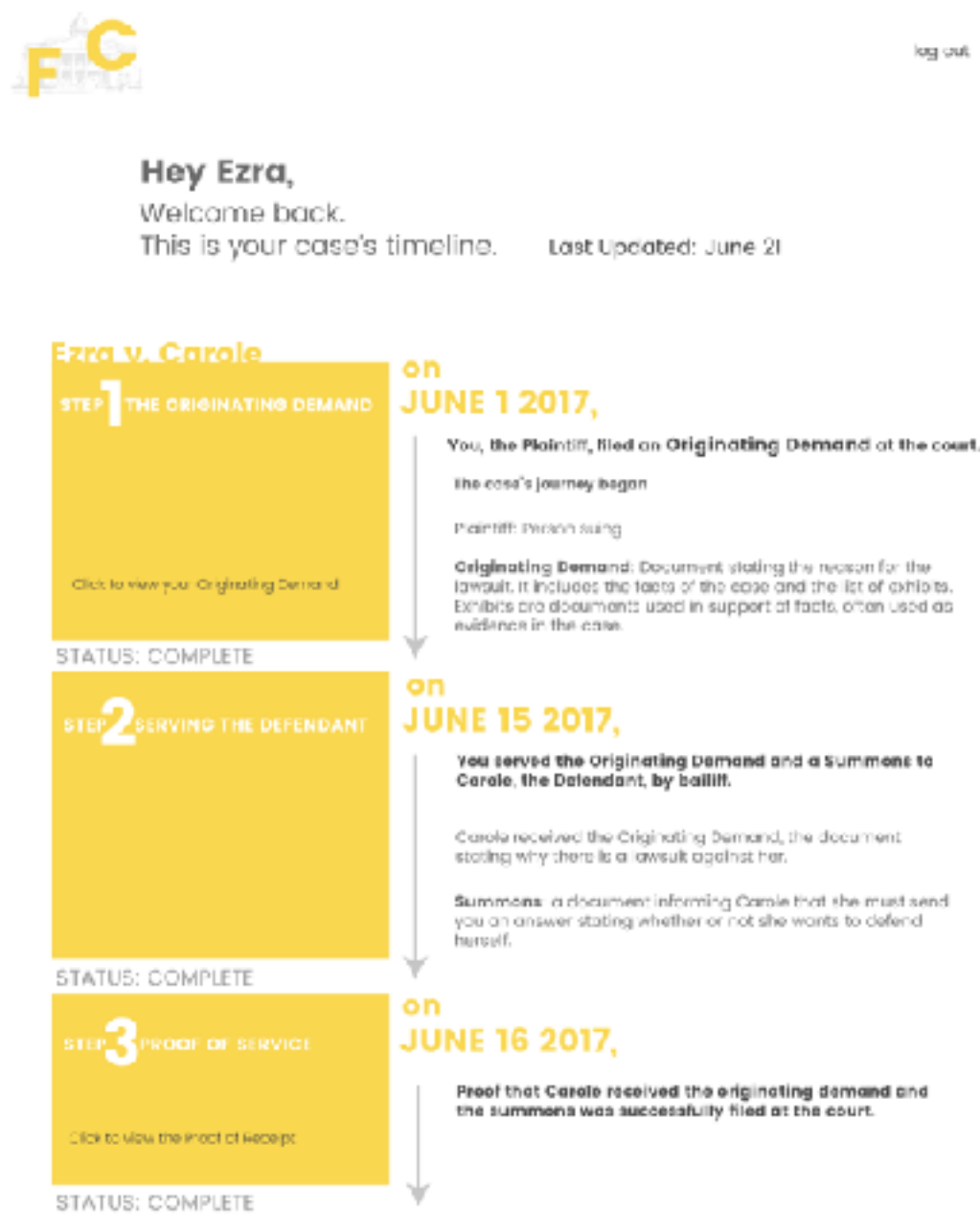


Figure 5. Pricing plan with call to action that leads to Sign Up page.

## Find your Plan

Basic	Plus	Pro
for <b>\$15</b>	for <b>\$25</b>	for <b>\$29</b>
One fixed personalized timeline that begins the moment you become a member.  Unlimited access to your timeline.	Receive updates to your timeline that reflect changes in your case.  Receive text message notifications	Receive updates to your timeline that reflect changes in your case.  Receive text message notifications.  Share your profile with as many people as you'd like
Perfect for an overview of your case's roadmap	Perfect for keeping track of your case	Perfect for lawyers and their clients.
<a href="#">sign up</a>	<a href="#">sign up</a>	<a href="#">sign up</a>

Figure 6. Top navigation menu



[home](#) [pricing](#) [login](#) [sign up](#)

Figure 7. The user's timeline draws attention to the left and to larger elements.



Figure 8. Definition of legal jargon.



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