

Summary of ATJ-TBoR Planned Second Year Activities and Accomplishments

May 2002 -May 2003

The Second Year of the Access to Justice Technology Bill of Rights initiative will focus on:

Completing our tasks

Informing and educating the public

Beginning to institutionalize the products and procedures we have generated and the process we have developed

1. We will continue to reach out, bring in, broaden and deepen our participants, collaborators, partners and constituencies. Educational, informational and motivational workshops and presentations will continue to be held to recognize and demonstrate how the ATJ-TBoR principles may be made to work effectively, and to continue to build knowledge, public information, collaborations and supportive constituencies.

2. The Judiciary and Court Administration Committee will receive, analyze and provide to other appropriate project committees for use in developing the ATJ-TBoR and its accompanying documents the results of its statewide surveys to the various levels of the state judicial system, the Native American Tribal Courts as well as Alternative Dispute Resolution agencies statewide, which results will have formed a realistic basis on which to develop such documents. The Committee will also generate recommendations for institutionalizing incorporation of access considerations from the beginning in the design, development and use of court rules, codes, procedures and practices.

3. The Outreach and Information Gathering Committee will conduct and analyze surveys, focus groups and other informational meetings and methods involving a broad spectrum of people, groups and communities to identify barriers and opportunities and how best to use technology to make it easier to access justice services. This material provided to other appropriate project committees for use in developing the ATJ-TBoR and its accompanying documents will enable the ATJ-TBoR project to meet its essential task of assuring the legitimacy, credibility and quality of the process and its products.

4. The Opportunities, Barriers and Technology Committee will complete a design of its version of an "ideal" justice system that taps into technology that creates or optimizes opportunities and avoids or breaks down barriers. It will propose ways for this to be used to modify current realities so as to effectuate and make real the values and principles of the ATJ-TBoR.

5. A draft for external circulation of the potential Access to Justice Technology Bill of Rights principles themselves will be provided for comment, criticism and suggestion to a broad and multi-disciplinary group of people and organizations, the comments received, considered and changes

made, and a final version prepared for submission to appropriate authoritative bodies (including the Access to Justice Board and the State Supreme Court) for proposed endorsement and adoption.

6. A draft of annotations and commentary to accompany the ATJ-TBoR will similarly be circulated, modified and finalized. The commentary will, among other areas, focus on practical effectuation of the principles expressed in the Bill of Rights, including among other areas: (a) privacy issues and how they may affect people's willingness to exercise access rights and opportunities; (b) high speed access, streaming technologies, broadband and wireless and their considerable promise to increase access substantially, make such access meaningful and understandable to very broad ranges of people and ameliorate barriers, past and potential.

7. The impact statement identifying and documenting the consequences that adoption, implementation and enforcement of the ATJ-TBoR will likely have on both the justice system and the broader society, its systems, personnel and infrastructure, will be prepared and readied for use for both short and long term planning, priority-setting and implementation.

8. The Access to Justice Best Practices template designed to assure that all relevant access to justice considerations are taken into account and addressed whenever technology is being planned, designed, developed or implemented for the justice system will be completed, tested, in use, and a plan developed for its regularization and institutionalization in the system.

9. The centerpiece of the Jurisprudence Committee's work will be a major national symposium in the autumn of 2003 to be the first major such event at the new home of the University of Washington Law School, followed by a full edition of the Washington Law Review dedicated to the many legal and multidisciplinary issues raised by the Access to Justice Technology Bill of Rights, its underlying values, goals, process and products, along with an exploration of its consequences and ramifications. In addition, the Committee will complete papers which: (a) address the jurisprudential basis for the ATJ-TBoR; (b) review and evaluate other non-constitutional bills of rights to assess the effectiveness of the approaches employed; (c) examine for both historical and instructional purposes the underlying practical political history of the creation and adoption of the U.S. Bill of Rights.

10. The ATJ-TBoR Committee will continue as an active partner with the Washington State Council on Public Legal Education in developing a "gateway" legal information website which is intended to enable the public get information about the law and legal system, find answers to law and government-related questions and learn about law-related resources and helping persons and organizations. This website is intended to be used as a laboratory to test and evaluate the ATJ-TBoR's principles, commentary and recommendations so as to assure positive and realistic results from the ATJ-TBoR, and optimize accessibility and usability of the PLE website for the public, the educational system and legal, social and human service providers.

11. With the collaboration of academic and research institutions and relevant Bar Association committees, sections and resources, ATJ-TBoR will initiate and bring toward completion a thorough review of the legal system's operational and procedural rules, codes and laws to determine those places where their confluence with technologies turns out not to be confluence, but collision. This effort will seek to identify those places where consideration should be given to

making proactive careful and balanced adjustments either of the rule, code or law, or the technology, or how they are used, so as to avoid potential problems that would discourage user access or damage the usability and quality of accessible justice. A recommendation will be made to institutionalize such a process so that such reviews will be made regularly on a periodic basis.

12. The Phase Two Committees (Drafting Team, Impact Statement Committee, Implementation Committee) will be in operation, and all but the Implementation Committee will be close to completion. The adoption process will be going forward, as will implementation planning. We will have developed and will be proceeding with an information and education action plan.

13. The website for the ATJ-TBoR project will have been further developed. It will convey our message, our origins and history and what we're about, and will also have become a means to share information and knowledge with co-workers and the public. We intend that the medium will have become the message, and that the website will be an example of accessibility.

<http://www.atjtechbillofrights.org/>

14. We will have collaborated with the University of Washington Information School and the UW Law School to create an available bibliography which brings together books, articles and other material relevant to the Washington Access to Justice Board, the Minority and Justice Commission, the Gender and Justice Commission and the ATJ Technology Bill of Rights. This will have been done jointly with representatives of the ATJ Board and the two Commissions.

15. The ATJ-TBoR Newsletter will regularly provide information about the project, its mission, goals and tasks, its activities, some of the people involved, and the general subject area of its efforts and what those efforts are producing.

16. We will have developed a public information, education and media plan for disseminating information about ATJ-TBoR to a broad public audience. We will be executing that plan, informing the public and creating knowledge and support of our efforts and objectives.

This project has previously been presented with and acted on unforeseen opportunities, which likely happen this second year as well.

The ATJ-TBoR and its adjunctive documents and products will be built and available as a model for other geographical areas and for other essential human service sectors. We will continue to present and report our values and our process locally, nationally and internationally whenever an appropriate opportunity arises.

We will continue to raise the consciousness of the justice system and the broader society to the consideration of access to justice and technology issues, to access to means of meeting all essential human needs and to the use of current and emerging technologies to break down barriers and provide or increase such access, thus minimizing or eliminating both the "digital divide" and the centuries-old divides that preceded it.

We will have begun to accomplish the crucial task of institutionalizing much of what we have done, seeing to it that the values we stand for permeate our society and our world.