

New Technology Commission Report 10th March 2021

The pandemic took all of us by a surprise! We were suddenly locked in our homes and had to learn “social distancing”.

The virtual offices the Commission spoke about some years ago during the FBE Congress in Strasbourg as “a possible future innovation” have now become our ‘new normal’.

It has been very interesting for Commission members to witness all the issues they were addressing over the years; such as virtual law firms, videoconference hearings, online communication with courts and clients as well as e-filing of documents becoming a reality in all EU member states.

Many could say that the digitalisation of justice has been accelerated by the pandemic, and it would be difficult to disagree.

However, the pandemic has also highlighted the shortcomings of digitalisation such as privacy issues, reliance on written submissions (in some jurisdictions written witness statements have become the sole method for presenting testimony), poor tech connections, problems with access to technology platforms by the elderly or disabled people to name but a few.

All the above issues have been discussed by Commission members since the onset of COVID-19.

The Commission met four times and as the members are from different jurisdictions we exchanged our opinions on the functioning of online courts, risks involved in remote hearings as well as possible threats to the fair trial rule.

Most lawyers had mainly been working from home and as a result, we came up with the idea of organising an international conference called “Robot Lawyers and Virtual Law Firms”, which was held on 16th June 2020 under FBE’s auspices.

The purpose of the conference was to address questions about the future of virtual law firms and robot lawyers.

One of the well-known speakers was María Jesús González-Espejo

, the vice-president of the European Legal Technology Association and the founder of the Institute for Legal Innovation.

The Conference was extremely well received by the participants.

This year the Commission has also planned an international legal event for late Autumn which we will disclose the details of soon.

In the future, the Commission also plans to encourage discussions for FBE members on EU projects connected with the digitalisation of justice such as e-codex and the digitalisation of judicial cooperation.