

Law via the Internet '99

The Hon Justice Kirby made the opening address at this year's 'Law via the Internet '99' conference hosted by the Australasian Legal Information Institute (Austlii) on 21-23 July 1999.

The major theme of the address was 'access to justice' and the ideal that the people should have free access to the law. Justice Kirby describes automated information technology as the "new hope for relief"[1], providing citizens with access to what has been described as "a complex and chaotic legal system in which it was often impossible for a litigant to discover in advance his legal rights"[2].

Justice Kirby also recognised in his address that the demands on lawyers for both currency and comprehensiveness from the bench (and I would add from clients) are such that a lawyer who does not make use of information technology does so at great risk.

It is perhaps possible to interpret the comments made by Justice Kirby as a warning that the standards demanded by the judiciary require the use of information technology. Indeed it may not be too far off that failure to make use of free legal resources such as Austlii will have professional consequences.

However, Justice Kirby recognised that



by Jason Schoolmeester

it is not all roses, and that there are still some hurdles that must be jumped. Not the least of which is that it is all too easy to obtain large amounts of information that may only have limited relevance.

I draw an analogy to my days as a law student, when each week students would line up to copy case after case. I, and I am sure others, hoped that somehow the flashes of light would imbed the printed words in my mind - hence, to gain maximum effect, I left the copier lid open.

So, once again, the message is embrace technology. Make use of information technology in your practice of law, if not for yourself, then for your clients.

As courts impose heavier burdens of up to dateness and comprehensiveness upon lawyers, so that they are required to keep abreast of the law (and not to ride through life forever on their law school notes) it is just as well that AustLII is there. Any lawyer today who works with by textbooks

that may be two, three or more years out of data does so at a great professional peril.

The most efficient way to guard against this is available at the lawyer's fingertips with AustLII. Lawyers - even older lawyers - must learn to use the facility if only out of self-protection.

1,2 Kirby (1999) Free The Law - Beyond The "Dark Chaos" [1999] COL 4 (available on the internet at:

<http://www.austlii.edu.au/au/other/col/1999/4/toc.html>)

Road Stop: Austlii Beta Site (<http://beta.austlii.edu.au/>)

Austlii has release a beta site. As lawyers are going to be majority user, I encourage all to have a look and make any comments.

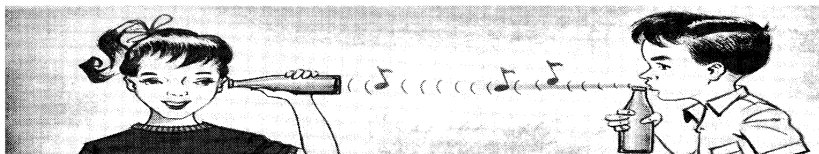
Austlii has been in its current simplistic form for sometime. While fast to use, the current form of Austlii does easily identify the full range of resources on offer.

Scaleplus (scaleplus.law.gov.au), for those who don't already know, has a very handy feature called 'Notify me when_'. This feature allows you to be informed by email of updates to additions to scaleplus in whatever criteria you specify. I made the mistake of selecting everything, and with the benefit of that mistake, I recommend that you only select particular areas of interest!

E-mail..... Are you on line?

In keeping with the pace of technology, the Society is moving towards e-mail as a major method of communicating general information to practitioners.

For those practitioners who have the technology and the procedures in place for the receipt and dissemination of information to the appropriate persons,



this method may be preferable to facsimile transmission.

After establishing e-mail contact, the firms' facsimile number would be removed from the broadcast facsimile programme.

The type of communications that the Society would make via e-mail would be the same as those presently received by fac-

simile transmission and include bulletins on specific issues, CLE information, notices and reminders etc., and would be addressed to practitioners generally and/or individual practitioners.

An authorisation form will be distributed to all firms and legal organisations this month to enable practitioners to indicate their acceptance of this service.