



VENDOR VOICE*

Thomson Reuters Digital Evidence Center Aims to Help Reduce U.S. Court Backlogs & Improve Access to Justice

The platform has been utilized abroad for a decade—and can now help U.S. attorneys and legal information professionals seamlessly share and access evidence before, and during, a case.

After the COVID-19 pandemic became a widespread concern in spring 2020, social distancing guidelines prompted courts across the U.S. to suspend in-person operations at various points of time over the past year—resulting in delays and subsequent case backlogs. Nearly 78,000 more active domestic relations cases, for instance—and 400,000 more criminal cases—were pending at the end of 2020 than in the beginning of the year, according to a study by the National Center for State Courts' Court Statistics Project involving 12 states. (Learn more at bit.ly/JA21court.)

While a number of cases were seemingly affected by the pandemic, backlogs also existed before it began, according to Steve Rubley, president of Thomson Reuters's government division.

Pre-pandemic, the business information services company had been looking for a new resource to add to the arsenal of products it offers to help increase efficiency and facilitate timely proceedings in the courts. In August 2020, Thomson Reuters acquired CaseLines, a court document and evidence management platform created in the UK that has, to date, been utilized by 50,000 lawyers and 3,000 judges in 25 different countries.

Some U.S. states, such as Arizona, have since begun to implement the Thomson Reuters solution, Digital Evidence Center, powered by CaseLines. *AALL Spectrum* recently spoke to Rubley about the court system's current status, bringing the platform stateside, and what impact it stands to have on the U.S. judicial process.

What prompted Thomson Reuters to consider purchasing CaseLines?

We had some discussions with some of the judicial stakeholders pre-pandemic, and there was interest about improving the processes. But it's been such an ingrained process, for so many years, and there also hasn't been a real influx of funds, even from legislators, to really improve the justice system. It certainly requires strong leadership to adopt the necessary change.

When the pandemic really started to take hold in late March 2020, a lot of courts came to a grinding halt. Certainly, there was some video conferencing that was taking place in some courts—there was eFiling—but essentially all states, as well as Washington, DC, at some point last year had a statewide order to suspend jury trials.

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When we started having more robust conversations with courts and the judicial members about whether they'd utilize a product like CaseLines in the May-to-July 2020 timeframe, people said, "Wow, if this can help us hold hearings, reduce the backlog, and make the system more equitable for people who may not be able to travel long distances or take time off work by doing this remotely—and not jeopardize the quality of the hearing or trial—then we need to look at this." We've been able to bring this really amazing product that's been tried, tested, and proven in other countries for years to the U.S.

How does the platform work?

The courts have been the main "buyers" of the system. It is a highly secure cloud-based software solution that works alongside either Microsoft Teams, Zoom, or any other video conferencing platform. The judge assigns a case number and gives a sign-on username and password to the involved parties—the prosecutor, defense attorney—just for that case.

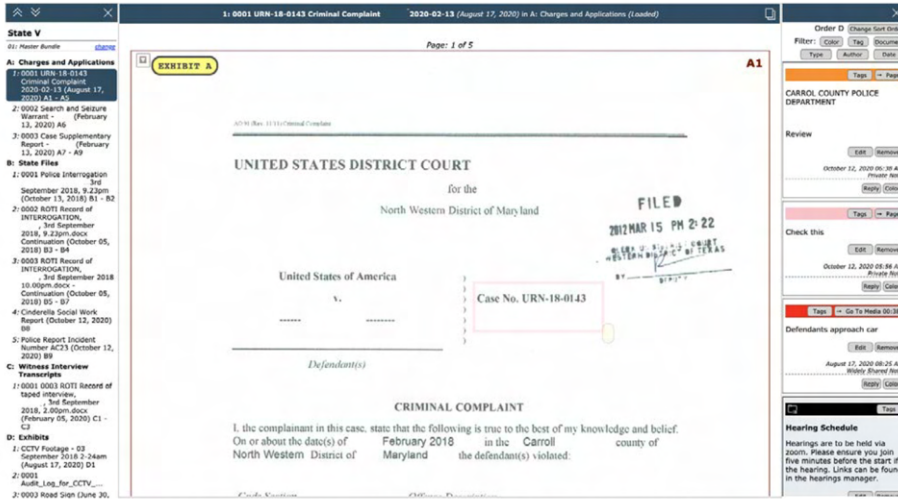
It allows a very easy and immediate upload of evidence into the CaseLines cloud platform—whether it's bodycam videos or any kind of

video, in any format, including pictures and paper—from your phone or a computer. It then converts everything into digital evidence, even handwritten notes, and makes it searchable. You can jump from page to page, you can search, you can even have your own private notes about the evidence that only you can see in CaseLines.

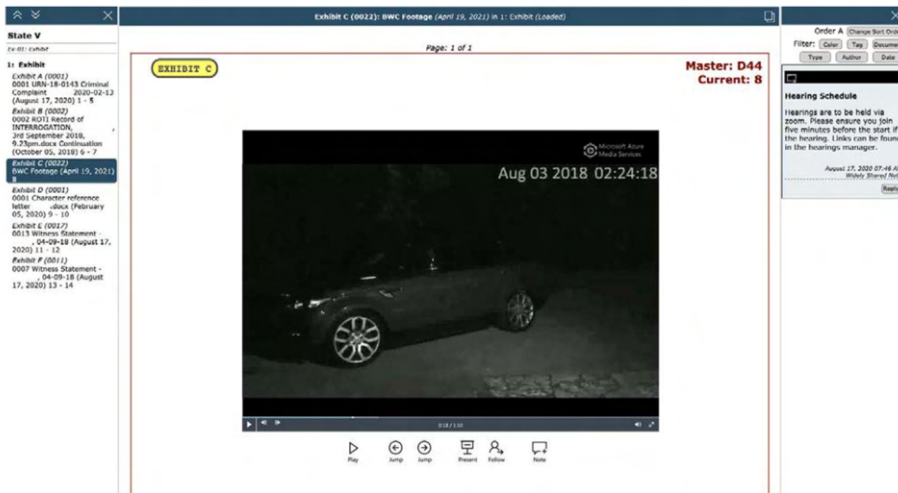
What advantages does it offer?

If you think of it like a conveyor belt, the information goes from A to B to C. People are not printing out thousands of pages and sending them to the court or the other side. It's a much more efficient way to distribute information. During the hearing or trial, everybody is looking at the same version of the evidence. We'll be able to get away from one party not having the right version and the judge having to say, "OK, we'll have to take a recess." There is a security issue with FedExing thumb drives and binders to each of the parties and making copies of thousands of pages, and when it comes to photos and video, there was a challenge of how do we store all of this?

CaseLines makes it all universal in a very secure way. It's CJIS (FBI Criminal Justice Information Services Division) compliant, which is an important security protocol—so this very sensitive data can be shared securely.



CaseLines allows users to share and access evidence through its cloud-based platform, ensuring everyone has the correct version of each document or file.



CaseLines allows prosecutors, defense attorneys, and other judicial system participants to view documents, videos, and other media within the browser they use to log on to the platform.



Having a single case repository helps direct all involved parties to the right page in a document that's been submitted as evidence.

Certainly, there are cost savings, but I'd also argue there are time savings. Coming out of the pandemic, our research is showing litigation and disputes are going to go up. For the firms and courts that adopt this kind of technology, it's going to mean they can handle more volume and customers. To that end, there could also be a revenue gain for law firm customers. Firms can also reduce putting people on planes to be a witness, which is a huge cost savings.

Better equitable justice and racial and social equity is also going to be a major advantage. Think about how many more pro se litigants who don't even have the means to hire an attorney can participate in the justice system—and participate in a fair way. That's what the justice system is all about. That's what everybody is striving for. This makes an amazing impact on that.

How would law librarians use CaseLines?

We're finding that many law librarians—within government, corporate, and law firm libraries—now have growing responsibilities for improving information management and identifying tools and capabilities to help drive efficiencies. We also believe that, given their understanding of research and trial preparation, law librarians can become CaseLines experts and trainers to help practitioners improve their chances in court.

There may be a discovery process by the firm, using one of its eDiscovery tools. What comes out of the eDiscovery process, and what would be used as evidence, gets uploaded into the CaseLines system. Certainly, if you're the defense attorney, law librarians could be involved in helping to gather the evidence—or with some of the logistics of sending the evidence and helping the firm navigate that process.

Where is CaseLines used outside the U.S.?

About 25 countries today use it. Some examples are in the UK, of course, and in South Africa, Dubai, and Canada. The attorney general uses the product in Ontario. He looked at it in July and made a decision in August to implement CaseLines province-wide, for every single court type.

There's been a bit of a delay in the U.S., simply because the funding with some of the stimulus money is just now rolling out. In the past, there haven't been funds really allocated by the legislature to help the courts modernize. What you're seeing now is as this funding comes down, some are saying, "What a great way to use that money to get rid of the backlog caused by the pandemic and provide better access to justice for all." There is another state that just signed up, and a number of others are getting ready to do so, as well.

Are organizations in any other industries using the product?

We're finding law firms are now beginning to adopt this because they see, by having their own version of CaseLines, it can help them be more efficient internally. Additionally, dispute resolution companies are now

THOMSON REUTERS DIGITAL EVIDENCE CENTER, POWERED BY CASELINES

Year introduced: 2020 in the U.S.; 2011 in the UK

First U.S. state to adopt CaseLines: Arizona

Basic functionality: The Microsoft Azure secure cloud-based platform allows judges, legal practitioners, and other industry members to upload and digitize, manage, and share various types of evidence, both remotely and in person.

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adopting it for alternative suit resolutions, as well. Because you're taking documents and are able to share them remotely and have everyone see the same version, you can imagine how many other use cases there are where people need to be in front of each other.

In an alternative dispute resolution setting, it's similar to a hearing, where you have a party A and B, and a mediator. If you have documents to share, you can literally upload them on the spot. The product can help facilitate people not having to fly in. You can do the alternative dispute resolution process in a conference room.

Are there any upcoming changes planned for CaseLines?

If courts have our Westlaw Edge legal research product, where prosecutors or judges can upload a brief to make sure it's still relevant—and most do—we're integrating that into CaseLines this summer. It will be a seamless way to upload a brief during a proceeding and do an analysis. Before, they would have had to log into Westlaw separately to do that.

How do you think courts will handle documents and other data in the future? Will the system continue to become more digital?

The inertia has been removed on the adoption of the cloud and tools such as Teams and Zoom, and that's going to enable a real digital

transformation. This is a serious moment in time for the legal industry, and this digital transition has to happen. The public deserves it; pro se litigants and people who have been unfairly subjected to some of inefficiencies of the courts in the past need it. This is a social issue.

I would not say there are not going to be any more in-person trials; certainly, in some high-profile criminal trials, you will have to be in-person. But that doesn't mean everyone in the trial can't have an iPad and be able to see the same evidence, even if they're all sitting in the courtroom.

We shouldn't look at it as just virtual versus in-person; we should look at it as digital versus the antiquated way. It's not right that there were thousands of cases backlogged in the courts, even six months before the pandemic. That's why this is going to stick. It's going to be a hybrid system. Many of the hearings can still be virtual for the long-term—misdemeanors, landlord disputes. But whether it's virtual or in-person, this digital transformation is going to make the system more fair—operating more effectively, with fewer backlogs and delays, and more consistent hearings and trials. ■

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