

## **SUGGESTED ROADMAP (ON THE USE OF TECHNOLOGY IN COURT)**

### **1. OVERCOMING LEGAL RESTRICTIONS**

The first hurdle that the use of technology in court needs to cross is any **legal restriction** in the existing procedural law in each member states.

Thus, it is suggested that **a study** be conducted by each member states on their respective existing procedural court rules with the **aim of suggesting necessary amendments so as to allow the use of technology in court.**

### **2. CREATING A DATABASE**

Main objective: Having an online centralized/national database of the court cases.

The first step towards creating a database is by digitizing the records. The member state concerned can start by replacing the manual registration book for a digital one in each station or courthouse.

Digitalization of the causebook/registration book can concurrently be done when the study in para (i) is conducted.

The information contained in the digital causebook/registration book should be tailored to suit the legal requirement and/or local needs of each member states and is updated real time. This will facilitate the monitoring of the current case status in each station/courthouse.

The digital causebook/registration book in each station or courthouse will serve as a building block for a centralized database of all cases nationwide.

While waiting for nationwide database system and the network infrastructure to be ready, the digital causebook/registration book created (in the each station/courthouse) will operate as local database or information storage of all pending cases and those archived cases. The data contained in the causebook/registration book can also be treated as local database, parked in an internal server. Therefore the information in the database is accessible or retrievable locally by judges and staff with controlled accessibility levels.

It is essential to note that the use of database requires the training of judges and staff. Meanwhile legal practitioners and law enforcement agencies in the respective member states should be informed of this development for them to begin training on the use of computer in their offices.

### 3. DECIDE THE RIGHT SYSTEM

While Step (1) and (2) are being done, the member state should study and decide the kind of case management system (CMS) it wishes to adopt taking into account the local conditions and legal requirements. In that decision making process, the Judiciary in each member state is advised to take into account the views and needs of the legal practitioners and law enforcement agencies in their respective states.

It is suggested that the better approach is to have a customized system rather than getting one off the shelf as no one system fits all. However, it is best that the system selected should contain these core features, ultimately aiming for a paperless court.

- a. **online filing** of cases and **electronic case dockets**;
- b. **accessible online**; and
- c. an inbuilt **monitoring and reporting** features;

The customized software is to **be incorporated in a portal** that is especially built to accommodate utilization of the CMS in the judiciary of each member state.

#### 4. CONSIDER ELECTRONIC TRANSCRIPTION OF EVIDENCE

It is clear that the above [Item (1), (2) and (3)] are more related to the administration system of the judiciary. Thus, while Item (1), (2) and (3) are being done each member state, particularly those with many distance stations/courthouses, could conduct a study to consider any possible ways to utilize the technology in the core business of the judiciary such as:

- a. having a realtime electronic transcription of evidence during trials or case proceedings;
- b. using an audio-video system with real time text transcription; and
- c. using a video/tele conferencing technology at the pre-trial stages (stations .

It goes without saying that implementation of all the above suggestions will require constant trainings for the judges, judicial officers, legal practitioners and court supporting staff.