



Prosperity Notes

REFORMING JUSTICE

Improving Service Delivery through Technology

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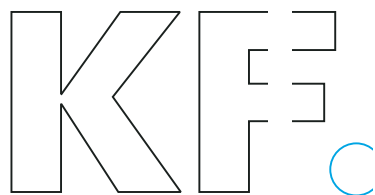
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Key Findings

- **Increase in budget allocated to investment in ICT is associated with improved court efficiency.**
- **Technological solutions can streamline courts' internal processes and facilitate citizens' interaction with the justice system.**
- **Implementation of technology is part of a broader service modernization process comprising four stages.**

This Note explores the use of technology to enhance the efficiency, transparency, and accessibility of judicial service delivery. It examines how technological solutions can support the streamlining of internal court processes, facilitate access for court users, and support the quality of judicial decisions through legal drafting and research tools. The Note also emphasizes the importance of framing judicial digitalization within the broader context of public service modernization. This approach goes beyond mere automation and technological tools, encompassing the standardization of court operations, rationalization of processes, and development of regulatory frameworks that enable digital justice while protecting citizens' rights to a fair trial, privacy, and security. Additionally, the Note highlights the importance of supporting all stakeholders in interacting with new digital technologies to build capacity and trust in digital justice systems, ensuring that these reforms are inclusive and effectively implemented.

Technologies enhancing judicial service delivery

Various actors interact in the courts to achieve an effective delivery of justice. These interactions occur within the court among judges, clerks, and court administrators; between the court and other public institutions (police, prosecution, correctional services, public registries); and between the court and its users (lawyers, citizens, companies). New technology solutions can:

- Facilitate interaction between participants in the court process
- Support the streamlining of internal processes
- Improve accountability and transparency in court decisions
- Ease collaboration among different institutions involved in court proceedings
- Provide better access to courts for some groups of underprivileged users

Indeed, recent evidence has shown that technology has the potential to improve judicial service delivery. Studies from Europe show that increased investment in technology is correlated with reduced case backlog. Using budget data from the European Commission for the Efficiency of Justice (CEPEJ), Lorenzani and Lucidi (2014) found that a doubling of the share of public budget devoted to in-court technology is associated with a decrease in backlog and disposition times by 5 percent. Palumbo and others (2013) found a similar correlation based on OECD data, concluding that dedicating a more significant part of the budget to investments in new technology results in shorter trial times. Castelliano, Grajzl, and Watanabe (2023) showed a positive correlation between electronic case processing and the efficiency of Brazil's first-instance labor courts. Using data from the six years before the COVID-19 pandemic, the authors observed that an increase in the extent of electronically processed cases was associated with reduced case disposition times.

In Malaysia, introducing new technologies in the Kuala Lumpur High Court increased the disposal rate by 200 percent by streamlining internal procedures and communications between the court and its users (Hamin and others 2012). Cordella and Contini (2020) find that the improved procedural standardization fosters a more effective execution and coordination of case processing tasks. The authors also conclude that setting up e-filing systems allows more court staff to be dedicated to substantive decision-making activities.

By improving judicial service delivery, digital technologies can promote healthier business environments and enhance economic development. Lorenzani and Lucidi (2014) show that increased judicial efficiency can lead to greater entrepreneurship and foreign direct investment. Improved judicial efficiency may also lead to greater productivity and investment by firms, as well as increased access to credit (Amirapu 2021, Boehm and Oberfield 2020, Chemin 2009). In this context, ensuring that countries leverage digital technologies to enhance judicial service delivery can play a role in fostering economic development.

Technologies enhancing judicial service delivery can be divided into two categories: back-office technologies and front-office technologies. Back-office technologies are those solutions aimed at supporting the work of judges and court staff by automatizing everyday tasks required to advance cases. In turn, front-office technologies consist of solutions that facilitate the interaction between the courts and their users, including the electronic lodging of claims, online exchange of procedural documents, and virtual court procedures, to name a few.

A court procedure relies on several sequential stages to arrive at a decision. **Back-office**

technologies reengineer these processes to transition from paper-based to digital form. This transition goes beyond automation and technological tools, and entails standardizing court operations, rationalizing processes, and developing case management rules.

In paper-based systems, the user presents the claim to the court clerk, who manually registers the case and issues a receipt notice. Each case development is annotated in a physical docket book, requiring the clerk to track every stage of the process manually, thereby increasing the chances of human error. An electronic case management system (ECMS) enables the automation of these operations, allowing the court office to (1) digitally register case information, (2) randomly assign the case to a judge, (3) track case calendars and guide the sequencing of procedural stages (e.g., inform of specific time and deadlines required for each step), (4) schedule hearings and other activities, and (5) notify the parties of case developments.

By automatically registering case information and documents, court offices can gather vast amounts of data that is valuable for other uses. Indeed, collected data can be used to produce performance information for court administrators to decide on resource and work allocation. By measuring how cases flow in the system, internal staff will be able to (1) assign cases more efficiently by understanding each judge's workload and how long it takes to resolve each type of case, (2) measure and manage judges' performance, (3) address the causes of delays, and (4) substantiate budget allocations. Reporting performance statistics can also incentivize staff to improve their efficiency (Chemin and others 2023).

These data-driven interventions can also identify which types of cases are more likely to be resolved through mediation and can suggest their redirection to court-annexed alternative dispute resolution (ADR), freeing up space in court dockets for cases with higher litigiousness. At a more

advanced stage, data can be used to develop artificial intelligence (AI), such as chatbots, as an interface to provide citizens with information and assistance about their claims (Ramos-Maqueda and Chen 2023).

In addition to case management, technology can simplify other court decision-making activities, such as document drafting and legal research. The drafting system can enable the automatic extraction of data from the ECMS to populate document templates and prompt the user on the mandatory requirements to draft each type of document (e.g., writs, notifications, judgments). This can accelerate the writing process and ensure data accuracy. Legal research tools can further support the decision drafting tasks, such as legal information repositories that facilitate the identification of applicable laws and relevant precedents. With advancements in AI, this opportunity might help judges identify precedents applied in similar court cases.

In the interface of back-office and front-office technologies, courts have introduced solutions to improve the recording of court proceedings. This can increase efficiency, as judges can focus on the flow of the proceedings and not on taking notes during hearings. In turn, replacing handwritten notes with digital recordings can improve transparency and accountability, eliminating potential vulnerabilities for corrupt behavior. On the front-office side, recordings and transcriptions can enhance access to justice, allowing persons with hearing disabilities to access real-time trial transcriptions and facilitating translation for non-native speakers.

Technology also influences how courts interact with citizens, businesses, and other public institutions. **Front-office technologies** may range from simple interventions, such as setting up a website with legal information, to more complex technologies like e-filing platforms, virtual court proceedings, and online dispute resolution.

The first step in digitalization is usually to allow users to access legal information online. Most governments have set up websites containing basic information about court locations, how to file claims, and the relevant regulations applicable to each type of case. In some instances, users can download pre-established forms to facilitate case filing and self-representation, including information on the documents that accompany their claims. These platforms can be complemented by online legal repositories, allowing the consultation of updated databases containing laws, regulations, and court cases.

Once users successfully filed their claims, courts may facilitate the communication of case milestones and the exchange of court documents by introducing a case tracking and e-filing system. This technology allows the parties to upload documents and access an online repository of

files and information related to the case. E-filing systems can be designed to include different functionalities, such as (1) an e-payment module enabling electronic payment of court fees and fines, and (2) e-delivery of deeds and summons facilitating the notification of the parties at the different stages of the process.

Courts have also introduced virtual proceedings to facilitate access to justice. These can be hybrid, where some court users or witnesses can connect virtually to an in-person hearing, depending on the circumstances, or entirely virtual, where the judge and all parties will appear through a videoconference. These solutions can be especially beneficial for persons who cannot attend court in person, such as persons in remote or rural locations, incarcerated individuals, or persons outside the court's jurisdiction in disputes involving parties in different countries (UNDP 2022).

The benefits of technological solutions

Digital technologies have the potential to enhance drivers of judicial effectiveness and trust, such as accountability, transparency, and accessibility. Indeed, digital solutions can make courts more accountable to their users. The improved recording, transcription, and digitalization of court proceedings and decisions can reduce the possibility for judges to act outside the law. In addition, it can enable the collection of accurate and detailed data for reporting and statistical purposes, providing citizens with the tools to hold courts accountable for the quality and efficiency of their services.

Romania, for instance, introduced a court recording system across all 233 national courts and 699 courtrooms. Before the implementation of the project, records of court hearings were kept

by clerks in handwritten notes, which were not completely reliable for accountability purposes. With the installation of these systems, audio recordings are made available within one day, helping fulfill the hundreds of recordings being requested every day. These recordings were used as evidence in a range of corruption and misconduct cases spearheaded by the National Judicial Inspection (World Bank 2017). A similar technology was introduced in Kenya, where audio recording and transcription equipment was installed in 26 courts. This intervention has helped strengthen accountability and public trust in the courts by addressing potential risks to the integrity of judicial proceedings (World Bank 2022b).

Publication of judicial decisions can further promote an open and accountable justice system.

For example, in Kyrgyzstan, judicial decisions are published on a dedicated website that is publicly accessible to citizens. This website is centrally managed by one government entity in charge of court information and case management (IDLO 2018). The World Bank supported Kenya in updating the website of the National Council for Law Reporting, increasing the viewership of the Kenya Law website by 93 percent (World Bank 2022b). Similarly, a Criminal Court in Argentina regularly publishes court decisions and the calendar of upcoming hearings. The court actively incentivizes citizens to participate in virtual hearings and collects their feedback on their experience with digital proceedings (Hilaire 2020).

Other technologies, like e-payment platforms, can reduce the possibility of corrupt behavior by reducing face-to-face transactions and keeping accurate records of online payments. The Judiciary of India established a [digital payment platform](#) that can be used to pay court fees, fines, and judicial deposits in district and high courts. Smart court systems with e-payment modules are also being piloted in certain courts in China and Kenya, reducing the number of steps required to file a claim and increasing the transparency of transactions (Tashea 2021).

Technology has the potential to improve citizens' interactions with the justice system by making it more accessible and user-friendly. Indeed, digital interventions can help address geographical, economic, and other systemic barriers affecting access to justice. These solutions can enhance service delivery for remote or rural users by providing alternatives to in-person court appearances and reducing transportation and opportunity costs.

A study conducted in the United States found that remote proceedings significantly improved defendants' participation in civil and criminal courts in several states, especially in debt collection and child welfare cases, demonstrating that reducing the costs of coming to the court (childcare,

transportation, lost salaries) increases users' ability to meaningfully participate in court proceedings (Pew 2021). In the same way, technology can help bring justice closer to rural and underserved populations. Tanzania introduced mobile courts to expand access to justice to vulnerable communities with limited access to courts. These mobile services were facilitated through the use of technology, as these courts were equipped with computers, scanners, recording technologies, and solar panels, which allowed them to function appropriately in remote locations (World Bank 2022d).

Digital solutions can also enhance accessibility for persons with disabilities by enabling their equal participation in judicial proceedings and by supporting proper channels for their communication. In the United States, Alaska has introduced technologies to allow remote court appearances through audio or videoconference, using the latter to support sign language interpreting services for people with hearing disabilities when a local interpreter is not available (G3ict 2018).

To enhance impact and inclusivity, however, technological innovation in the courts should try to consider the unequal levels of digital inclusion and literacy. Factors such as gender, income level, and educational attainment impact people's possibilities to benefit from digital opportunities. Technology's impact will be negligible if citizens do not have the capacity to adapt to digital changes. The justice system can guarantee multi-channel access to justice services and ensure that people understand how and where to engage with virtual proceedings. More significantly, new technologies may seek to avoid worsening access to justice gaps for low-income or self-represented litigants.

Introducing technological solutions

Courts should be equipped with reliable electricity and internet connections, as well as with the necessary hardware and software equipment. Many countries struggle to increase their network capabilities, given the surge in usage created by new systems and communications. To tackle connectivity issues, governments may assess their network infrastructure to ensure that it reaches the different locations where courts operate.

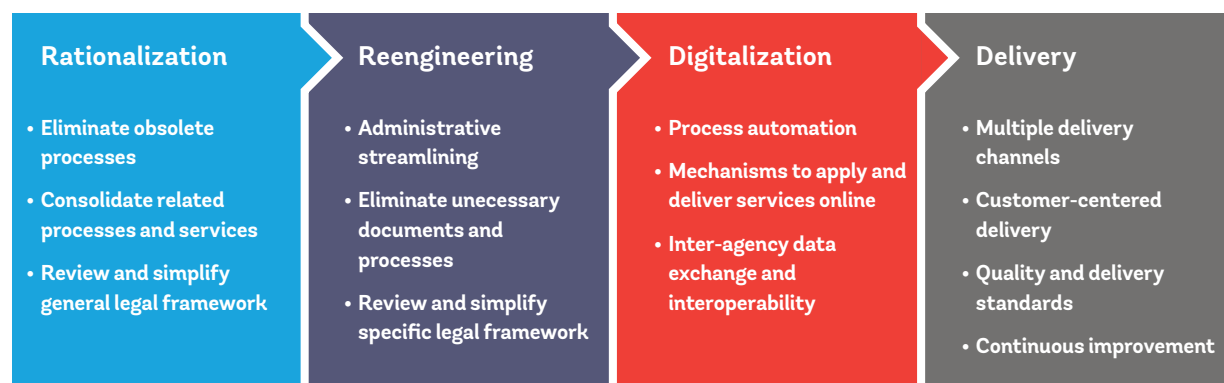
In addition to network and equipment, another infrastructural aspect to be considered is the interoperability of digital justice systems with other government systems. As digital justice is part of a more significant effort of governments to improve service delivery, these interventions could be coordinated and complementary to the countries' e-government strategy. Governments have often already established core e-services such as e-signature, digital identity, and document authentication systems. The setup of new digital justice systems can facilitate the interaction between courts and other relevant institutions involved in judicial proceedings (e.g., police, prison services, prosecution services), and leverage already established government-wide frameworks to support interoperability.

An additional aspect to consider is the establishment of a regulatory framework that enables digital justice and protects citizens' rights (Law Society 2019, Ahmed and others 2021). Regulations directly impact the enabling

environment of digital court proceedings, such as the existence of laws regulating digital signatures, digital authentication of documents, and data storage and management. This technological transformation also impacts the critical substantive aspects of judicial decision-making, where questions on procedural fairness and judicial independence should also be considered. In other words, the regulatory framework can enable the legal validity of digital procedures and safeguard citizens' rights to a fair trial, data privacy, and security.

The judiciary can consider strategies to ensure continued capacity-building programs for judges and judicial staff, including periodical training on digital skills and technical guidance from technology experts when needed. To effectively prioritize competency-building, the organization could first understand (1) what type of positions require digital skills, (2) what specific skills are required and at which level, and (3) how these skills would be used in judicial service delivery.

Effective digitalization begins with stocktaking the effectiveness of non-digital processes to rationalize and reengineer analog services before their transition to digital format. As technology does not exist in a vacuum, it is important to inventory analog processes and services to eliminate potential obsolete procedures and streamline and simplify administrative processes to enhance the efficiency gains introduced by technology (figure 1).

Figure 1: Court Modernization Process

Source: World Bank (2022c).

The first step in this process is **rationalizing** the services provided by the justice system before transforming them into digital processes. At this preparatory stage, it is necessary to create an inventory of services to identify overlaps and opportunities to eliminate services that are no longer needed. This inventory can be validated through a process that guarantees citizen participation. Once the inventory of services is finalized, the government can prioritize the services that may be reformed in the short, medium, and long term, as not all can be reformed at once. Criteria to prioritize interventions include (1) services that are easier to reform with fewer resources and time, (2) services that are considered important by citizens or in high demand, (3) services that receive the highest number of complaints or where there is evidence of corruption, and (4) interventions that represent financial savings.

The second step requires simplifying processes and services, as the implementation of technological solutions may need new procedural rules and organizational practices to make them effective. One common challenge to the digitalization of justice is the diversity of practices across different courts, as judges and court staff may have

developed their own way of performing certain tasks and procedures. Correctly addressing these organizational complexities requires standardizing and streamlining administrative processes. This **reengineering** starts with mapping the entire process required for each procedure, including the time, resources, and actors involved. After the process is mapped, this information can be used to identify bottlenecks and potential areas for simplification.

The third step is **digitalization** of judicial services, which entails transitioning from paper-based to digitalized systems and automating procedures. Sequencing at this stage is critical, as front-office technologies tend to depend on the digitalization and integration of back-office services and archives.

Finally, the last stage focuses on people-centered service **delivery**, concentrating on users' experience, and the monitoring and improvement of digitalized services. Governments can ensure the accessibility of judicial services by guaranteeing multi-channel delivery, where users can choose between different alternatives such as website, app, or in-person court delivery.

Conclusion

When implemented correctly, technology solutions have the potential to improve judicial service delivery. The transformational effects can already be observed in the improved streamlining of judicial processes through digital case management, court automation, and legal research and drafting support systems. Technology can also make justice institutions and procedures more user-friendly and accessible by promoting access to information and facilitating communications with the courts. Together, all these solutions can improve the accessibility, accountability, and transparency of the judiciary, potentially contributing to improved public trust in the courts.

Still, while many countries are embracing the use of technology to provide better judicial services, citizens and their needs must remain at the center of digitalization processes. The introduction of technological solutions should not exacerbate existing barriers, as inequalities in access to digital services remain in many economies around the world. In doing so, governments must tackle the challenge of ensuring that all stakeholders, including judges, court staff, businesses, and individuals, have the ability to engage meaningfully with the new digital environment in the delivery of justice.

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