

PhD: 'By-passing' Lawyers and Courts on the Road to Justice

This project will investigate the extent to which it may be possible to grant citizens direct access to legal information through imaginative applications of new technologies and procedures that either streamline or 'by-pass' traditional modes of legal service delivery that assume the involvement of qualified lawyers, normally in private practise, or else obviate the need for litigation altogether. There are three dimensions that involve investigating outside the formal court system: 1) legal information retrieval systems and online legal services; 2) representation and advocacy provided by paralegal, public interest organisations or other non-traditional providers; and 3) alternative ways of managing disputes entirely outside court, eg by extending the ACC to new categories of legal disputes. Drawing upon experience found in other jurisdictions, disciplines and professions, the project will critically assess the potential of technology, including expert systems, to empower citizens and upgrade legal competence without relying on qualified lawyers in private practice. What kinds of legal issue and claimant actually require professional assistance, which do not? How might legal information retrieval systems be designed to reduce psychological fear and anxiety for those seeking legal redress? And when might it be appropriate for legal disputes to be channelled elsewhere or managed through new forms of legal and administrative process (eg media hotlines and ombudsmen) that make use of different legal and administrative procedures? This project will identify and review new mechanisms that either, through regulation, prevent disputes arising in the first place or, when disputes arise, provide quick and effective compensation outside the courts, eg through insurance. But will these informal mechanisms deliver justice, or just peace, and will they be used to supplement or compete against formal legal processes?

The successful applicant will be based in the new *University of Otago Legal Issues Centre* (UOLIC).

PhD Application Process

The application process differs depending on whether the applicant is a Domestic or an International student.

Domestic students are required to complete: i) the PhD Direct Application form and ii) the Law Faculty's Supplementary application form.

International students are required to complete: i) the Application Form for International Students; and ii) the Law Faculty's Supplementary application form.

Irrespective of whether you are a Domestic or an International student, details of the application process, requirements and copies of the respective application forms are available at: <http://www.otago.ac.nz/law/postgrad/apply.html>

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