# Big Bite – Technology Breakfast

### Anchor 1: Tell us a little bit about what eHearings are and what they entail?

**Alex** - Online Review Book, structure of documents/tags, markup/annotation functionality

**What is an eHearing?**
An eHearing is the alternative to traditional, and costly, paper-based hearings. eHearings are conducted like traditional hearings, except all documents are submitted and viewed electronically. eHearings eliminate the need for paper during trial, leading to massive reductions in the cost and duration of a matter of any size.

**What are the main features of an eHearing?**
**Online Review Book**
The Online Review Book is a proven replacement for paper-based hearing preparation, allowing practitioners to prepare with the security, efficiency and flexibility of modern technology. The Online Review Book is delivered as a secure web browser-based service, accessible from any location, including the hearing room, offices, chambers, home and any other location where an internet connection is available.

**Amy –** Electronic Evidence Presentation, ease of use, court operator benefits

**Electronic Evidence Presentation**
An eHearing Consultant will coordinate proceedings, controlling the presentation of documents and ensuring the flow of the hearing is uninterrupted. Paginated hard copies in tabulated folders are replaced by the presentation of documents on high-definition monitors located at the bench, bar tables and witness box.

When referring to a document, counsel will read out the Document ID, which will then be brought up by the consultant. Documents can be brought up side-by-side, zoomed in or out or have specific sections enlarged.

### Anchor 2: What are the advantages people can see in court?

**Amy –** Presentation and cross-examination benefits, access to the courtbook in court, everyone quickly on the same page at the same time as opposed to a paper courtbook

*Simple and effective evidence presentation*
Evidence presentation is key to how well an eHearing runs. Epiq delivers high-definition displays, meaning complex spreadsheets and large pdf documents remain legible even when zooming in on the detail

*Uninterrupted cross-examination*
One of the greatest advantages of an electronic hearing – and something that may really alter the outcome of a case - is that the cross-examiner is able to question the witness faster, enabling them to build momentum more easily. Able to direct witnesses to two versions of a document at once, using side by side technology on the screens. This allows the cross examiner to really drill down into the root of their questions without flicking between documents as much
**Anecdote –** Bushfires cross-examination

### Fast and secure access to documents

Electronic court books provide compelling advantages over the paper equivalents. The court book documents are always available, securely stored, and backed up and fully searchable.

## Alex – Real-time transcripts, confidentiality, Epiq advantages

### Real-time and transcripts

Real-time court reporting involves the attendance of on-site stenographers who are writing in a language called stenograph at a speed of up to 280 words per minute at 98% accuracy. The Epiq real-time service provides users with a live, verbatim record of legal proceedings. Text is sent direct to laptops or iPads in the hearing room or at remote locations so that users can annotate transcripts according to issues specific to their matter. Users are also able to create customised search and annotation reports across multiple hearing days, allowing all results to be consolidated into one document.

Additionally, a fully hyperlinked transcript is provided in the Online Review Book at the end of each day, which links documents referenced in the transcript to those specific documents, as well as to a list detailing each time that document is referred to – either in the transcript or in a document filed in the proceeding, such as a witness statement.

### Confidentiality

Epiq DOES NOT employ a single database permissions model for the Online Review Book. Epiq provides each party access to their own separate copy of the Online Review Book. This reduces risk and ensures each party's documents, notes, and annotations will not be shared with the opposing side.

Isolated display functionality in court allows for documents to not be displayed on particular monitors where there are issues of confidentiality or privilege.

### Epiq service differentiators

All documents kept on court operator computer = 0 lag time, own internet connection so there is no need to rely on court wifi.


## Anchor 3: What are the advantages behind the scenes (outside of the courtroom)?

## Amy – Document management

### More efficient work processes

Document administration is a pain point during any paper-based trial and detracts from the more valuable work of your legal team. An electronic court book reduces paper handling and so, including printing and photocopying, makes updates to the court book easier, and automates evidence management tasks.

Automatic presentation in court so long as document is emailed to operator, 30-60 minutes for uploads depending on size.

## Alex – Cross-referencing/hyperlinking, ease of searchability (full-text searching on docs, titles and body)

### Hyperlinked transcript

A fully hyperlinked transcript makes the preparation of closing submissions at the end of the

hearing much more efficient than for a paper trial. Reports to the client can also be prepared during hearing hours, rather than for the transcript to be published that evening.

*Feature list*
Hyperlinking, searching benefits. Automatic cross referencing in the Online Review Book.

### Anchor 4: There are concerns surrounding online access and the cloud in general – what security processes are in place?

**Alex –** Permissions model, separate databases for all parties, only provider that doesn't use permissioning, ISO certifications

**Amy –** Copies of documents in the public book in all online databases, private book available for other documents that aren't being shared between parties

### Anchor 5: Having been involved in one of the largest eHearings to date (Great Southern) – give us an insight into such a large litigation being run electronically.

**Amy –** Overview of Great Southern

**Case Study – Great Southern Proceedings**
- Largest eHearing run in Australia at the time (still the largest ever run in the Supreme Court of Victoria)
- Background on Great Southern
- Number of documents
- Bigger picture/cost-effective goal
- Time period and subsequent savings in time and cost

**Kieran –** own experience in the matter.

### Anchor 6: It seems eHearings work best during larger scale matter – can eHearings be used in other scenarios?

**Amy –** Smaller matters,

*Examples of smaller matters where eHearings are relevant*
Those with lots of pages in the courtbook, money is saved on paper costs and running of matter is much smoother. Give examples of cases that were finished quicker than anticipated.

**Alex –** Arbitrations – experience with domestic and international arbitrations

*Example of arbitration with clients located across the globe*
Main parties are based in Australia and the US. Counsel for the US party is based in Geneva. The arbitrators are based in Singapore and Hong Kong and the arbitration is seated in Singapore. Online Review Book used as information share during arbitration.

### *Anchor 7: Doc IDs can be a bit cumbersome, why are they necessary?*

**Amy –** Use within electronic evidence presentation, documents brought up instantaneously, cross-referencing

*Uninterrupted cross-examination*
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**Alex –** Explanation of format/structure

Document IDs are confusing at first, but all follow a basic format to ensure documents are easily identified. For example, the first pleading of the plaintiff party might be PLE.010.001.0001. PLE for Pleading, 010 indicating the plaintiff (020 would be the defendant), 001 indicating it is the first pleading and 0001 as the page stamp level.
Each number and level has a specific meaning which helps make documents easily identifiable and unique.


### *Anchor 8: What other advances in technology could you see benefiting the courts and its users?*

**Alex –** TMX

TMX – cloud-based bundle creation and sharing tool that allows you to build electronic bundles and prepare case-related documents in a highly intuitive and collaborative platform. Convenient online and offline options allow you to access your documents from bundle creation to the hearing and beyond.

*Collaboration*
Flexible, iterative, pre-hearing document organisation, which allows legal teams to easily collaborate.

*Intuitive functionality*
Bundle creation, pagination, index generation, comprehensive searching, annotation, tagging, and hyperlinking.

*Flexibility*
Whether working online at the office or offline while travelling, TMX allows you to amend and then consolidate your hearing bundle. You can upload different file types into TMX - not just PDF.

### *Visibility*
Tag and annotate documents, share or make private annotations, identify, and easily locate important items.