

# Expansion Modules

## OJEN's Apps for Justice Challenge

Adapted from the **Access to Justice Legal Apps Challenge Modules**

<https://techlaw.uottawa.ca/a2j-apps-modules>

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## Module 1: What is Access to Justice?

### 1. What is the justice system?

Canada is a country governed by laws, and the legal justice system is the means by which laws are made, interpreted, and enforced.<sup>1</sup> The justice system imposes obligations on how people must behave in society, decides when laws have been broken, and determines consequences for violating the law.

### Components of the justice system

Many people assume that the justice system only includes the courts, but this is not true. There are several important components to Canada’s justice system:

- **Laws:** Binding rules that govern all areas of society. Laws are either written by the government as legislation or made by judges through court rulings.<sup>2</sup>
- **Courts:** Places where legal issues are heard and resolved by a judge or jury. There are different types of courts.<sup>3</sup> For example, there is family court for family-related legal issues and criminal court for criminal issues. There are also different levels of courts.<sup>4</sup> If someone believes that the court has made an error when deciding their case, they may be able to ask a higher court to review that decision.<sup>5</sup> This is called an appeal, like the Court of Appeal of Ontario for Ontario.<sup>6</sup> The highest court in Canada is the Supreme Court of Canada.<sup>7</sup>
- **Boards & Tribunals:** Specialized courts that only hear cases on specific legal topics.<sup>8</sup> For example, in Ontario there is the Landlord and Tenant Board that exclusively resolves housing issues. There is also the Human Rights Tribunal of Ontario that exclusively hears cases related to human rights issues under the Ontario Human Rights Code. Board and tribunal decisions may be reviewed by a court to ensure that they are fair and accurate according to the law.<sup>9</sup>
- **Lawyers:** Trained professionals that help people with their legal problems. Lawyers do a range of tasks for their clients such as provide advice, draft letters on their client’s behalf, draft contracts, negotiate on their client’s behalf, and represent clients in court.
- **Judge:** Those who hear legal problems in court and decide how the problem should be solved.
- **Jury:** A group of people who are selected and tasked with deciding which version of that facts it believes in a trial.<sup>10</sup> The judge will explain both the evidence and the applicable laws to the jury, but the jury must ultimately reach a verdict instead of the judge.<sup>11</sup> Not all cases will have juries; there are some cases that are heard by only a judge.
- **Police:** Those hired by the state to ensure that the law is being followed.

<sup>1</sup> Canada Guide, “The Canadian Legal System”, online: Canada Guide <<https://thecanadaguide.com/basics/legal-system/>>.

<sup>2</sup> Department of Justice Canada, “Canada’s System of Justice” (2015) at 1, 4, online (pdf): *Department of Justice Canada* <<https://www.justice.gc.ca/eng/csj-sjc/just/img/courten.pdf>> [DOJ].

<sup>3</sup> *Ibid* at 21-22.

<sup>4</sup> *Ibid*.

<sup>5</sup> *Ibid* at 29.

<sup>6</sup> *Ibid*.

<sup>7</sup> *Ibid* at 21.

<sup>8</sup> *Ibid* at 23.

<sup>9</sup> *Ibid*.

<sup>10</sup> *Ibid* at 25.

<sup>11</sup> *Ibid*.

## 2. Types of legal problems: criminal and civil law

When thinking about the justice system, many people tend to think of violent crimes and criminal trials. This is the type of law that we most often hear about on the news and see in popular television shows. Criminal law problems are an important and often very serious part of our justice system.<sup>12</sup> Statistically, however, criminal law problems make up only a small fraction of legal problems that Canadians experience.<sup>13</sup> Civil law problems are much more common.<sup>14</sup>

### What is the difference between criminal law problems and civil law problems?

- **Criminal law** cases involve the state accusing someone of breaking a law outlined in Criminal Code of Canada.<sup>15</sup> The Code prohibits such things as impaired driving, assault, theft, murder, and sexual assault<sup>16</sup>.
- **Crown Attorneys** are lawyers that are hired by the state to represent and argue criminal cases in court.<sup>17</sup> Private citizens, such as the victim of a crime, cannot bring a criminal law case against the perpetrator of the crime committed against them—only the state can.<sup>18</sup> The victim of a crime is often brought into court as a witness in a criminal law trial, but does not have control over the legal proceedings.
- **Civil law** cases involve disputes between private parties where there is a disagreement over the law or where one party claims to have been wronged by another.<sup>19</sup> Civil law touches on many areas of life and is therefore much more common than criminal law.<sup>20</sup> For example, civil law issues include things like an employer withholding an employee’s wages, a parent not paying child support, or a cell phone company charging more money for a phone plan than what was indicated in the contract.

## 3. What are legal problems?

The law is everywhere around us. Approximately 50% of adult Canadians will experience a legal problem over any given three-year period.<sup>21</sup> That’s essentially every Canadian over a lifetime. On top of this, legal problems

<sup>12</sup> *Ibid* at 28.

<sup>13</sup> Canadian Forum on Civil Justice, “The Cost of Civil Justice in Canada: What do we know, what don’t we know, what should we know” (Presentation delivered at the Law and Society Association Annual Meeting, Mexico, 22 June 2017) at 8, online (pdf): Canadian Forum on Civil Justice <cfcj-fcjc.org/sites/default/files//docs/Law%20and%20Society%20-%20What%20we%20Know%2C%20Don%27t%20know%20and%20Should%20know%20about%20the%20Cost%20of%20Justice%20in%20Canada.pdf> [CFCJ].

<sup>14</sup> *Ibid*.

<sup>15</sup> DOJ, *supra* note 2 at 30.

<sup>16</sup> *Criminal Code*, RSC 1985, c C-46.

<sup>17</sup> Ontario Justice Education Network, “Ontario Justice Education Network Handout: Roles in the Criminal Justice System” (2006) at 2, online (pdf): Ontario Justice Education Network <ojen.ca/wp-content/uploads/Roles-in-the-JusticeSystem.pdf>.

<sup>18</sup> DOJ, *supra* note 2 at 30.

<sup>19</sup> *Ibid* at 24.

<sup>20</sup> CFCJ, *supra* note 13 at 8.

<sup>21</sup> *Ibid* at 6.

can escalate and lead to other legal problems. In one recent study, it was uncovered that 58% of people who experience at least one problem reported experiencing two or more legal problems.<sup>22</sup>

The most common legal problems that Canadians report experiencing relate to consumer law (e.g., not getting what was paid for, defective products, consumer contract disputes), legal problems related to debt, and employment disputes.<sup>23</sup>

### Everyday legal problems

Not all problems are legal. When they are, people do not always recognize that their problems are legal ones. Here are examples of everyday legal problems:

- I am arrested and charged with a crime
- I am having a fight with a neighbour over where they built a fence because I believe it is on my property
- I paid for a videogame and it doesn’t work
- I was expelled from school and I don’t think it was fair
- I applied for a job and I think I wasn’t hired because I was discriminated against
- I got caught smoking pot or drinking underage
- I have a drone—where can I fly it?
- The city did not clear ice from a sidewalk, and I fell and hurt myself
- I got a letter saying that I owe money because I illegally downloaded a movie
- Parents are in a dispute about custody
- I got a ticket for not stopping my bike at a stop sign. Do I have to pay it?

Some legal problems are bigger than others. For example, being arrested for murder is much more serious than paying \$3 for a coffee and not receiving it.

## 4. How can a lawyer help?

For many people, the law is confusing and difficult to access. Lawyers are trained professionals who understand the law and how to navigate the justice system. It is therefore very useful to get help from a lawyer when experiencing a legal problem.

A common misconception is that lawyers only help people resolve their legal issues in court. In fact, most legal problems are resolved before ever going to court through mediation or negotiation.<sup>24</sup>

Lawyers provide a variety of services to help people address their legal problems.<sup>25</sup> First, lawyers can help people understand if their problems are legal ones in the first place. They can also explain what happened, provide advice on what to do next, and advise on the chances of winning a legal case.

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<sup>22</sup> *Ibid* at 7.

<sup>23</sup> *Ibid* at 8.

<sup>24</sup> *Ibid* at 6.

<sup>25</sup> Justice Education Society, “How Lawyers Help”, online: Justice Education Society <<https://www.justiceeducation.ca/legalhelp/legal-help-bc/getting-legal-help/how-lawyers-help>>.

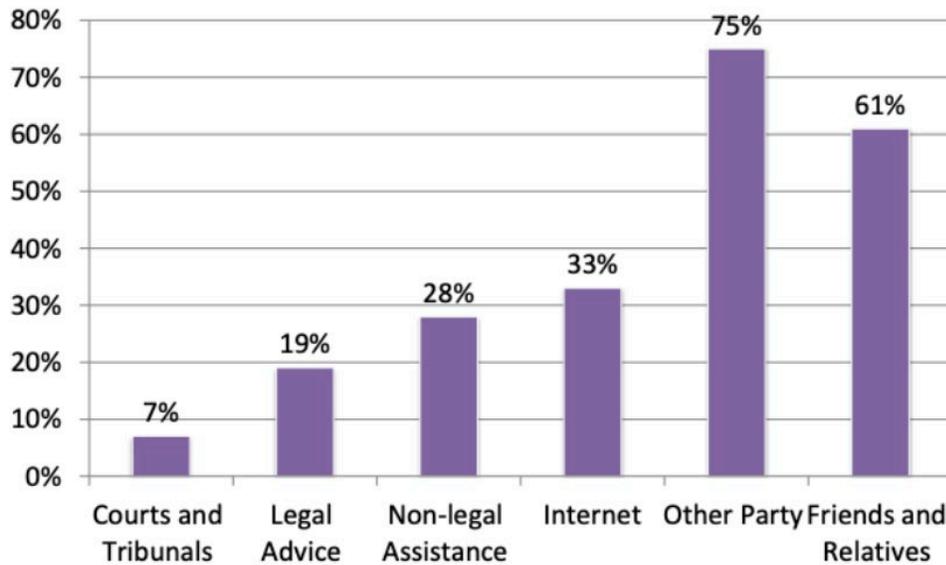
Lawyers can also write helpful letters for their clients. For example, if your employer refuses to pay you, a lawyer can write a letter to your employer outlining their legal obligation to do so. They can also inform your employer that you have the right to take legal action if you aren’t promptly paid.

Lawyers can also represent someone’s interests during mediations and negotiations about, for example, a contract dispute. If the legal issues cannot be resolved through mediation or negotiation, lawyers can represent their client’s interests in court.

It is important to note that while lawyers are very useful for many legal problems, other resources like the internet and family or friends are also very useful and may in fact be more suitable for resolving simple legal issues.<sup>26</sup> However, non-legal supports such as the internet, family and friends may not always be accurate. It is therefore important to be cautious when relying on these types of support to address legal problems.

## 5. How people address their legal problems

### How do People Address Their Problems?



Graph taken from the CFCJ “Cost of Justice” Research Project.<sup>27</sup>

The Canadian Forum on Civil Justice (CFCJ) recently completed a national study called “Cost of Justice” that looked at the cost of both delivering and not delivering effective justice in Canada.<sup>28</sup> In this study, the CFCJ identified the various ways in which Canadians address their legal problems.<sup>29</sup>

<sup>26</sup> CFCJ, *supra* note 13 at 10. The CFCJ assessed how helpful Canadian’s found various service options when addressing legal problems. While legal advice was ranked the highest at 81%, “non-legal assistance” and “friends and family” were ranked at 68%, and the internet was ranked at 58%. While not as helpful as legal advice, these alternative options were nonetheless perceived as somewhat useful for addressing legal problems.

<sup>27</sup> *Ibid* at 9.

<sup>28</sup> *Ibid* at 4.

<sup>29</sup> *Ibid* at 9.

Despite the usefulness of lawyers, only about 19% people address their legal problems by obtaining legal advice.<sup>30</sup> Only 7% of people address their legal problems by going to a court or tribunal.<sup>31</sup>

The majority of people address their legal problems without any form of legal assistance: looking for answers on the internet (33%) or asking friends and relatives for help (61%).<sup>32</sup>

Resolving legal challenges without help from a lawyer can be difficult and produce unwanted results. In the CFCJ’s study, only 55% of people who were surveyed reported that they were able to resolve their legal problems.<sup>33</sup> Additionally, 46% of people reported feeling that the outcomes of their legal problems were unfair.<sup>34</sup>

In the CFCJ’s study, legal advice is ranked the most helpful service option when addressing legal problems.<sup>35</sup> Given that so few people get help from a lawyer to address their problems, we can deduce that these unwanted outcomes are in part due to a lack of legal help.

## 6. Why many people do not hire lawyers

If we know that legal advice is the most useful way to solve legal issues, why aren’t more people accessing legal services? The answer to this question is central to the access to justice crisis in Canada.

Access to Justice is “the measure of how easy it is for people to get the help or resources they need to solve legal problems.”<sup>36</sup> Based on the statistics above, it is clear that most people are not accessing legal services. There are many factors that explain this.

### The access to justice crisis in Canada

#### A. People don’t know that their problems are legal

People do not always know if their problems are legal or not. This may prevent people from taking steps to resolve their legal issues.

#### B. The cost of legal services

There are many factors that prevent access to justice, but cost is one of the biggest barriers.<sup>37</sup> Some examples of costs include lawyer fees, court fees, and mediator fees.<sup>38</sup>

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<sup>30</sup> *Ibid.*

<sup>31</sup> *Ibid.*

<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid* at 12.

<sup>34</sup> *Ibid* at 11.

<sup>35</sup> *Ibid* at 10.

<sup>36</sup> Ontario Justice Education Network, “The Access 2 Justice Game: A Facilitator’s Guide for Teachers (2018) at 4, online (pdf): *Ontario Justice Education Network*: <[ojen.ca/wp-content/uploads/2018/08/A2J-Game-Teachers-Guide\\_Final.pdf](http://ojen.ca/wp-content/uploads/2018/08/A2J-Game-Teachers-Guide_Final.pdf)> [OJEN].

<sup>37</sup> *Ibid* at 5.

<sup>38</sup> CFCJ, *supra* note 13 at 13.

**Lawyer fees** alone can be extremely expensive. The average hourly fee for a lawyer who has been practicing for 1 year or less is \$204.<sup>39</sup> If a lawyer has been practicing for 10 years or more, they can charge as much as \$325 an hour.<sup>40</sup> One recent study found that the average cost of legal fees for a relatively simple 2-day civil law trial was between \$13,000 and \$37,000.<sup>41</sup> This is unaffordable for many Canadians.

**Legal Aid Ontario** (LAO) is one option for people who cannot afford a lawyer to get legal help. However, there are household income thresholds that determine who can and cannot access LAO services. For example, a single person in Ontario who makes more than \$18,795 a year does not qualify for LAO services.<sup>42</sup> In other words, a person who works full time 30 hours a week or more making minimum wage cannot access a lawyer through LAO. LAO only offers financial assistance for certain kinds of legal issues: criminal, family, refugee and immigration, domestic violence, and mental health issues.<sup>43</sup>

### C. Other Factors that prevent access to justice

There are many factors other than costs that prevent people from accessing justice:

- **Geographic location:** whether or not there are legal services available in the community
- **Communication barriers:** whether someone can access legal services in their language
- **Physical ability:** whether or not someone can physically access legal services (is there a wheelchair ramp or elevator in a building containing a legal services office?)
- **Cognitive ability:** whether or not someone has the cognitive abilities to complete the lengthy paperwork required for most legal processes
- **Number of children:** childcare expenses may prevent people from having the resources to afford a lawyer; childcare responsibilities during the day make it difficult to go and see a lawyer during the typical 9-5 business hours
- **Long wait times:** legal issues can take a very long time to resolve—in some cases, many years
- **Complicated legal processes:** legal processes often require large amounts of complicated paperwork
- **Negative experiences with the justice system:** previous bad experiences with lawyer or the justice system may discourage people from reaching out for legal help again in the future
- **Loss of motivation or lack of faith in the justice system:** not believing that the legal system can do anything to resolve a legal problem
- **The problem is too small to justify hiring a lawyer:** many consumer issues are annoying, like being overcharged on your cell phone bill, but may not justify the expenses of hiring a lawyer

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<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

<sup>41</sup> OJEN, *supra* note 35 at 5.

<sup>42</sup> Legal Aid Ontario, “Need a lawyer but can’t afford it?”, online: *Legal Aid Ontario* <[legalaid.on.ca/en/getting/eligibility.asp](http://legalaid.on.ca/en/getting/eligibility.asp)>.

<sup>43</sup> Legal Aid Ontario, “Services”, online: *Legal Aid Ontario* <<https://www.legalaid.on.ca/our-services/>>.

## 7. The impact of unresolved legal issues

### A. Individual Impacts

Unresolved legal issues can cause many other problems in peoples’ lives. 51% of people in Canada have reported that their legal issues have directly increased their stress or emotional problems.<sup>44</sup> Additionally, legal problems can cause physical health problems, result in a loss of employment, and force people to go on social assistance.<sup>45</sup> In addition, 2.7% of Canadians have reported losing housing and 3.6% reported having had to rely on emergency shelters because of their legal problems.<sup>46</sup>

### B. State-incurred impacts

Individual legal problems also have a significant cost-impact on the state. It is estimated that the consequences of individual legal problems cost Canada \$248 million in social assistance, \$450 million in employment insurance and \$101 million in health care each year.<sup>47</sup> Investing more in solutions to bridge the access to justice gap would allow more people to address their legal problems and proactively reduce these enormous state-incurred costs.

## 8. The role of technology to address the access to justice gap

Technology is an innovative and useful way to make legal information more accessible to the public. Online questionnaires, rights-guides, apps and online chat platforms have made legal information more widely available in simple, plain language. The goal of this mini-course is to get students thinking about innovative and new ways to use technology to better increase access to justice, by designing a concept legal app to address an access to justice issue.

## 9. The impact of COVID-19 on access to justice

The COVID-19 pandemic has had a “transformative—and sometimes disruptive—effect on court operations in Canada”.<sup>48</sup> Courts adopted changes to protect the health and safety of court-service users, such as remote proceedings and mandatory mask-wearing.<sup>49</sup> These measures, some of which are likely to remain after the pandemic is over, introduced barriers to accessibility and transparency.<sup>50</sup> Not all courts and litigants have access to technology sufficient for video-conferencing, while mask-wearing can inhibit judges’ and lawyers’ ability to assess the demeanour of witnesses.

<sup>44</sup> CFCJ, *supra* note 13 at 15.

<sup>45</sup> *Ibid.*

<sup>46</sup> *Ibid* at 16.

<sup>47</sup> *Ibid.*

<sup>48</sup> Judge Del Atwood, “COVID-19 Impacts on Courts in Canada” (Summer 2021) 60:3 The Judges’ Journal 24 at 24.

<sup>49</sup> *Ibid.*

<sup>50</sup> *Ibid.*

Accessing court services from home can be difficult and even dangerous for victims of gender-based violence who are living at home with their abuser.<sup>51</sup> Conversely, remote proceedings have alleviated access to justice barriers related to childcare and missing work to attend court in person.<sup>52</sup> People in rural and remote areas may enjoy greater access to a broader diversity of lawyers offering services online, but internet connectivity remains an issue in those areas.

Continued lockdowns and additional safety protocols have led to scheduling delays and even litigation over constitutional rights to trial within a reasonable time.<sup>53</sup> Delays also led to compressed eviction hearings at the Ontario Landlord and Tenant Board, including for tenants whose English-speaking children were forced into representing their family and domestic violence victims concerned for their safety.<sup>54</sup> The provincial government passed an amendment to the Statutory Powers Procedure Act that made it illegal for advocates to record eviction hearings and address serious access to justice concerns.<sup>55</sup>

COVID-19 has highlighted accessibility concerns that were present before the pandemic began.<sup>56</sup> Technological innovation will continue to make courts more accessible. However, the pandemic has shown the stresses and fractures in the infrastructure of our justice system that must be addressed for Canadians to continue to have confidence in just and fair outcomes.<sup>57</sup>

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<sup>51</sup> Women and Gender Equality Canada, “Supporting women and children experiencing violence during COVID-19” (6 July 2021) online: *Government of Canada* <<https://women-gender-equality.canada.ca/en/funding/supporting-women-children-experiencing-violence-during-covid-19.html>>; Ana Speed, Callum Thomson & Kayliegh Richardson, “Stay Home, Stay Safe, Save Lives? An Analysis of the Impact of COVID-19 on the Ability of Victims of Gender-Based Violence to Access Justice” (2020) 84:6 *The Journal of Criminal Law* 539.

<sup>52</sup> Atwood, *supra* note 48 at 25.

<sup>53</sup> *Ibid* at 25.

<sup>54</sup> Mira Miller, “Ontario wants to fine people \$25K for sharing videos of online eviction hearings” (19 April 2021) online: *BlogTO* <<https://www.blogto.com/city/2021/04/ontario-fine-people-25k-sharing-videos-online-eviction-hearings/>>; EvictionsOntario, “Attacking Transparency: Ontario’s New Bill 276”, online: <<https://www.evictionsontario.ca/>> ; Luke Ottenhof, “Doug Ford Wants to Charge \$25K to Record People Getting Evicted on Zoom” (17 April 2021) online: *VICE News* <<https://www.vice.com/en/article/4avw5b/doug-ford-wants-to-charge-dollar25k-to-record-people-getting-evicted-on-zoom>>.

<sup>55</sup> Statutory Powers Procedure Act, RSO 1990, c S22, s 29; Bill 276, An Act to enact and amend various Acts, 1st Sess, 42nd Leg, Ontario, 2021 (assented to 3 June 2021), Sched 27.

<sup>56</sup> Beverley McLachlin, “Access to Justice: Justice in the time of social distancing” (31 March 2021) online: *The Lawyer’s Daily* <<https://www.law360.ca/articles/18386/access-to-justice-justice-in-the-time-of-social-distancing-beverley-mclachlin>>.

<sup>57</sup> National Self-Represented Litigants Project, “What Does COVID-19 Tell Us About Our Response to the Access to Justice Crisis?” (2 April 2020) online: *Slaw* <<https://www.slaw.ca/2020/04/02/what-does-covid-19-tell-us-about-our-response-to-the-access-to-justice-crisis/>>.

## Module 2: Access to Justice & Technology

### 1. The Access to Justice Crisis in Canada

In Module 1, we discussed the access to justice crisis in Canada.

To recap, access to justice is “the measure of how easy it is for people to get the help or resources they need to solve legal problems.”<sup>58</sup> This help does not necessarily have to come from lawyers; a recent national study found that while legal advice is the most useful service for solving legal problems, non-legal assistance from friends, relatives and the internet are also helpful.<sup>59</sup>

In Canada, there is an access to justice crisis where only a small portion of people are able to get help with their legal challenges. For example, only about 19% people address their legal problems by obtaining legal advice.<sup>60</sup> Based on this statistic, and the other statistics we learned in Module 1, it is clear that most people are not accessing legal services to solve their legal problems. There are many factors that explain this:

- Cost
- Geographic location
- Communication barriers
- Physical and mental ability
- Child care obligations
- Long wait times
- Complicated legal processes
- Negative experiences with the justice
- Loss of motivation or lack of faith in the justice system
- The problem is too small to justify hiring a lawyer

In this Module, we will discuss the ways in which technology can help alleviate and even overcome some of these barriers—ultimately providing greater access to justice for people in Canada.

### 2. How technology can help address the access to justice gap

Historically, conversations around improving access to justice focused on how to increase peoples’ access to lawyers and how to make the courts easier and more efficient for people to navigate.<sup>61</sup> Today, access to justice

<sup>58</sup> Ontario Justice Education Network, “The Access 2 Justice Game: A Facilitator’s Guide for Teachers (2018) at 4, online (pdf): *Ontario Justice Education Network*: <[ojen.ca/wp-content/uploads/2018/08/A2J-Game-Teachers-Guide\\_Final.pdf](http://ojen.ca/wp-content/uploads/2018/08/A2J-Game-Teachers-Guide_Final.pdf)>.

<sup>59</sup> Canadian Forum on Civil Justice, “The Cost of Civil Justice in Canada: What do we know, what don’t we know, what should we know” (Presentation delivered at the Law and Society Association Annual Meeting, Mexico, 22 June 2017) at 10, online (pdf): *Canadian Forum on Civil Justice* <[cfcj-fcjc.org/sites/default/files//docs/Law%20and%20Society%20-%20What%20we%20Know%2C%20Don%27t%20know%20and%20Should%20know%20about%20the%20Cost%20of%20Justice%20in%20Canada.pdf](http://cfcj-fcjc.org/sites/default/files//docs/Law%20and%20Society%20-%20What%20we%20Know%2C%20Don%27t%20know%20and%20Should%20know%20about%20the%20Cost%20of%20Justice%20in%20Canada.pdf)> [CFCJ].

<sup>60</sup> *Ibid* at 9.

<sup>61</sup> McGill et al, “Emerging Technological Solutions to Access to Justice Problems: Opportunities and Risks of Mobile and Webbased Apps” (Knowledge Synthesis Report submitted to the Social Sciences and Humanities Research Council, October 13, 2016), online: <[https://commonlaw.uottawa.ca/sites/commonlaw.uottawa.ca/files/ksg\\_report\\_-\\_mcgill\\_et\\_al\\_oct\\_13\\_final\\_to\\_send\\_to\\_sshrc.pdf](https://commonlaw.uottawa.ca/sites/commonlaw.uottawa.ca/files/ksg_report_-_mcgill_et_al_oct_13_final_to_send_to_sshrc.pdf)> [Emerging Technological Solutions].

is viewed much more broadly than just improving access to lawyers and the courts. For example, technology is now being used to actually complete some of the tasks that have been traditionally performed by lawyers.<sup>62</sup> Technology is not only making it easier to navigate our current legal justice system, it is also being used to create entirely new pathways to justice.<sup>63</sup> One way that technology is conveniently being used to address the access to justice crisis in North America is through the development of mobile and web-based applications (“apps”). In referring to access to justice “apps”, we simply mean to refer to interactive digital tools that are either available on smartphones or computers and that function to make legal information and services more widely available, efficient and cost-effective.

### 3. Who creates access to justice apps?

In Canada, the majority of access to justice apps are made by private individuals or companies. Government and non-profit entities, however, also play an important role.

One interesting “hub” of development for access to justice apps have been law schools. Through participation in one of these courses at Osgoode Hall, a law school in Toronto, a student developed the mobile app *JusticeTrans* which provides human rights legal information related to gender identity to the transgender community.<sup>64</sup> Like most other non-legal professionals, transgender people without a legal background may not know their legal rights or how to address their legal problems. *JusticeTrans* was developed to ensure that transgender people are “increasingly aware of their legal rights in the face of an ever-changing legal landscape” and to increase the transgender community’s access to justice.<sup>65</sup> This is just one of the many examples of students pioneering innovative access to justice apps to meet their community’s needs.

Young people’s successes in creating access to justice technology is one of the reasons that this Mini-Course exists. To date, students have created many apps that are having a real impact on how their community is able to address and get help with their legal problems. Students should be made aware of this reality and encouraged to join the national access to justice movement.

- **For more examples of access to justice apps created by students, please see: <https://applications.neotalogic.com/a/lis-showcase>.**

### 4. Access to Justice Apps for the General Public

This Mini-Course focuses on apps that are meant to be used directly by the general public. There are also apps that exist which are meant to be used by lawyers and which focus on making the services that lawyers provide

<sup>62</sup> Chief Justice Beverley McLachlin, “The Legal Profession in the 21st Century”, Remark, (2015) 2015 Canadian Bar Association Plenary (Calgary: Alberta, 14 August 2015), online: *Supreme Court of Canada* <<https://scc-csc.ca/judgesjuges/spe-dis/bm-2015-08-14-eng.aspx>>.

<sup>63</sup> Emerging Technological Solutions, *supra* note 4 at 6.

<sup>64</sup> *JusticeTrans*, online: *JusticeTrans* <[www.justicetrans.org](http://www.justicetrans.org)> [JusticeTrans].

<sup>65</sup> *Ibid.*

more accessible and more efficient. While these apps are interesting and important, they are not the focus here.

## Access to justice apps that are designed for the general public can perform a variety of functions:

### **A. Provide legal information**

These apps strive to make legal information more accessible for the general public.<sup>66</sup> The previously discussed app *JusticeTrans* is an example of this kind of access to justice app because it provides legal information regarding human rights and gender identity to the transgender community.<sup>67</sup>

### **B. Assist with document creation**

Most forms of legal action will entail completing legal documents. These documents can be time consuming and complex to fill out without the help of a lawyer.

These apps allow people to more easily create documents that are helpful or necessary to address their legal problems. For example, *Wonder Legal* is an access to justice app that helps people create legal documents from templates by entering information online.<sup>68</sup>

### **C. Streamline conventional legal processes**

These apps focus on how to make parts of the legal process faster and more efficient—thus allowing legal problems to be resolved more promptly. For example, a Canadian web-based app called *Destin.ai* uses a chatbot to help users answer questions about immigration, evaluate the possibility of immigration, and connect to immigration experts.<sup>69</sup> This speeds up the legal process because it provides answers and information to a client before they meet with a lawyer or immigration consultant.

### **D. Provide legal self-help tools**

These apps provide legal self-help tools that are typically services not offered by lawyers.<sup>70</sup> This includes offering real-time legal information and evidence collection. For example, [MyOpenCourt](#) has

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<sup>66</sup> Emerging Technological Solutions, *supra* note 4 at 13.

<sup>67</sup> *JusticeTrans*, *supra* note 15.

<sup>68</sup> Wonder Legal, online: *Wonder.Legal Canada* <<https://www.wonder.legal/en-ca/>>.

<sup>69</sup> *Destin.ai*, online: *Destin.ai* <<https://destin.ai/>>.

<sup>70</sup> Emerging Technological Solutions, *supra* note 4 at 13.

a web app to help people determine whether they are an employee or contractor so they know what rights and benefits they are entitled to.<sup>71</sup>

An example of an access to justice app that helps people document evidence is called [HeatSeek](#).<sup>72</sup> There are laws that say that a landlord must keep the heat at a certain temperature throughout the year to ensure that tenants have warm homes—especially during the colder months.<sup>73</sup> Sometimes, landlords keep the temperature below this legal threshold to save money on their heating bill, or they simply refuse to fix heating systems when they break. *HeatSeek* is an American app that helps people take legal action when their home is not legally warm enough.<sup>74</sup> *HeatSeek* installs a free heat sensor in tenant’s homes, which monitors and records the temperature data that may then be used as evidence regarding heating code violations in court.<sup>75</sup> Without this evidence, it would be hard for tenants to prove that their homes are in fact below the legal temperature.<sup>76</sup>

- **For more information about HeatSeek, please see:**  
<https://www.youtube.com/watch?v=QnoKTroJwGE>.

A final example of a legal self-help app that, unlike the others, does replicate traditional legal services is called [DoNotPay](#) (*DNP*). *DNP* is a US mobile-based app that used artificial intelligence to create robot lawyers that walk people through the necessary steps to solve their legal problems.<sup>77</sup> Currently, *DNP* offers legal support for parking tickets, customer service issues, delayed flights and even assists with completing government documents.<sup>78</sup>

- **For more information about DoNotPay, please see:**  
<https://www.youtube.com/watch?v=4ywSt641A58>.

## 5. Benefits of Access to Justice Apps

Access to justice apps make the legal process more efficient and cost-effective, make legal information more accessible, and provide self-help tools for people to engage with the legal process on their own.

Below, we will briefly outline some types of the benefits of access to justice apps.<sup>79</sup>

<sup>71</sup> MyOpenCourt, “Employee or Contractor?” online: *MyOpenCourt* < <https://tool.myopencourt.org/employee-or-contractor>>.

<sup>72</sup> HeatSeek, online: *HeatSeek* <<http://heatseek.org/how-it-works/>>.

<sup>73</sup> *Ibid.*

<sup>74</sup> Emerging Technological Solutions, *supra* note 4 at 13.

<sup>75</sup> HeatSeek, *supra* note 26.

<sup>76</sup> *Ibid.*

<sup>77</sup> Do Not Pay, online: *Apple App Store* <<https://apps.apple.com/app/id1427999657>>.

<sup>78</sup> *Ibid.*

<sup>79</sup> This list comes from Emerging Technological Solutions, *supra* note 4 at 14-18.

### **A. Reducing Financial Barriers**

The legal help provided by apps may be more affordable than what can be accessed through lawyers.

### **B. Reducing Psychological and Educational Barriers**

Many people are reluctant to seek legal help because they do not know how the legal system works, or have had previous bad experiences with the justice system.<sup>80</sup> Access to justice apps make legal information more widely-available and provide more control over the legal process.

### **C. Reducing Physical Barriers**

Apps provide greater flexibility to people living in rural areas, people with mobility issues, and others who may have difficulty accessing in-person legal services.<sup>81</sup>

### **D. Creating New Types of Legal Help**

Some apps provide self-help tools and services beyond what is typically offered by a lawyer.<sup>82</sup> An example of this is the *ACLU Blue* app that uniquely allows people to immediately follow up on interactions with the police in cases of misconduct.

### **E. Generating New Data**

The data collected from apps may provide valuable insights into the legal issues that people experience, such as rights abuse patterns.<sup>83</sup> *HeatSeek’s* temperature data from individual homes may be used to identify patterns of heat code violations in particular buildings or by specific landlords.<sup>84</sup>

## **6. Risks Associated with Access to Justice Apps**

Although these apps provide several benefits for increasing access to justice, they also come with potential risks that must be considered. Below we have identified some of the potential risks regarding access to justice apps.<sup>85</sup>

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<sup>80</sup> Canadian Bar Association Access to Justice Committee, *Reaching Equal Justice: An Invitation to Envision and Act* (Canadian Bar Association, 2013) at 34.

<sup>81</sup> Emerging Technological Solutions, *supra* note 4 at 17.

<sup>82</sup> *Ibid.*

<sup>83</sup> Emerging Technological Solutions, *supra* note 4 at 17.

<sup>84</sup> HeatSeek, *supra* note 26.

<sup>85</sup> This list comes from Emerging Technological Solutions, *supra* note 4 at 18-23.

### **A. Privacy and Security Issues**

In order to operate, apps actively collect data from users such as name, address and payment information, but also sensitive information about users’ legal problems. Users often don’t read and understand terms and conditions that may specify what information an app collects and how it is being used.<sup>86</sup>

The data collected by apps is also vulnerable to misuse by unauthorized parties, such as hackers.<sup>87</sup> Even the most sophisticated apps, like the ride-share service *Uber*, have experienced issues where their users’ data has been hacked.<sup>88</sup>

### **B. Not Everyone Has Access to Apps**

The costs associated with owning mobile devices may prevent some people from benefiting from access to justice apps.<sup>89</sup> One’s ability to use and navigate technology and apps’ available language options may also impact who can access this access to justice apps.<sup>90</sup>

### **C. The Reliability of Information from Apps**

Information provided by apps may be inaccurate.<sup>91</sup> Unlike lawyers, apps are not regulated to ensure the legal information provided is reliable and up-to-date.<sup>92</sup>

Apps may try to keep their content concise to make it easy for users to follow and understand, so there is a potential risk of over-simplifying complex legal topics.<sup>93</sup> People using these apps may develop a false sense of security that the brief information provided includes all of the necessary considerations on a given legal topic.

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<sup>86</sup> *Ibid.*

<sup>87</sup> *Ibid.*

<sup>88</sup> Charlie Osborne, “Uber fined \$20K in data breach, 'god view' probe” (7 January 2016), online:

<<https://www.cnet.com/tech/services-and-software/uber-fined-20k-in-surveillance-data-breach-probe/>>.

<sup>89</sup> Cabral, James E et al “Using Technology to Enhance Access to Justice” (2012) 26(1) Harv JL & Tech 241.

<sup>90</sup> Emerging Technological Solutions, *supra* note 4 at 20.

<sup>91</sup> *Ibid* at 22-23.

<sup>92</sup> *Ibid* at 22.

<sup>93</sup> Cabral et al, *supra* note 60 at 275-6.

## Module 3: Access to Justice App Design

Below are some of the key things to consider when designing an access to justice app. It is important to note that students do not have to follow the chronological order outlined below— everyone brainstorms differently and that is okay. For example, most students will likely start by choosing a legal issue that they would like their app to address. However, some students might start by considering the target population they would like their app to serve, and then identify a legal issue that the chosen population experiences. Regardless of the order they choose, the elements below will guide students through an effective legal app design process.

### 1. Identifying a legal problem

To begin, students should identify a legal issue that they want to try and solve. This will require stepping back and thinking about the bigger picture: what legal needs are students going to try and meet through their app?

If students have trouble identifying a legal issue, it may be helpful for them to think about some of the legal problems that came up throughout this Mini-Course so far, or things they’ve heard about in the news, on TV, or anywhere else. Specifically, students should think back to Modules One and Two of this Mini-Course and consider the common legal problems that people regularly experience. For example, students previously learned that the most common legal problems that Canadians report experiencing relate to consumer law (e.g., not getting what was paid for, defective products, consumer contract disputes), legal problems related to debt, and employment disputes.<sup>94</sup>

Additionally, some students may find it easier to start off by thinking about a specific community that they would like their app to serve (we will discuss this more in step #3). For example, the legal app *JusticeTrans* that was discussed in Module 2 was created specifically to serve the transgender community, as transgender people regularly experience rights violations related to their gender identity and expression.<sup>95</sup>

### 2. Researching a chosen legal problem

Students should spend some time researching their chosen legal issue to better understand the problem they are trying to solve with their app.

<sup>94</sup> Canadian Forum on Civil Justice, “The Cost of Civil Justice in Canada: What do we know, what don’t we know, what should we know” (Presentation delivered at the Law and Society Association Annual Meeting, Mexico, 22 June 2017) at 8, online: *Canadian Forum on Civil Justice* <<http://cfcj-fcjc.org/sites/default/files//docs/Law%20and%20Society%20-%20What%20we%20Know%2C%20Don%27t%20know%20and%20Should%20know%20about%20the%20Cost%20of%20Justice%20in%20Canada.pdf>>.

<sup>95</sup> *JusticeTrans*, online: *JusticeTrans* <[www.justicetrans.org](http://www.justicetrans.org)>.

To guide their research, students may want to write some brief notes on the following:

- Is the chosen problem really a legal issue? How do they know?
- How common is this legal problem?
- Who does this legal problem impact?
- What are the negative consequences caused by this legal problem?
- Are there any services or resources currently being offered to solve this problem?
- Are there any access to justice apps that already exist that address this legal problem?

If students discover that their chosen legal problem is already being addressed by a variety of apps, they may want to consider a different legal issue or design their app so that it does not overlap with any of the services that are currently being offered.

### **A. Finding credible legal information online**

Some online sources are more reliable than others. Students must therefore be critical of the websites that they collect their information from. For example, open-source platforms such as Wikipedia are not always reliable because anyone can edit content without any regulation of the information’s accuracy. Students should therefore avoid using Wikipedia for their research.

Government websites and public legal education organizations are good places for students to start looking into their chosen legal problem. Below are just a few examples of some reliable sources that students may find helpful:

- The Government of Canada Department of Justice website<sup>96</sup>
- The Ontario Justice Education Network (OJEN) website<sup>97</sup>
- The Community Legal Education Ontario (CLEO) website<sup>98</sup>
- The Canadian Forum on Civil Justice (CFCJ) website<sup>99</sup>
- The Canadian Bar Association Access to Justice Report: Reaching Equal Justice<sup>100</sup>

## **3. Identifying a target audience**

Once they have a better understanding of their legal problem, it is crucial for students to identify a target audience so that they can tailor their app’s design to meet their demographics’ needs.

<sup>96</sup> Government of Canada Department of Justice, online: *Department of Justice* <[www.justice.gc.ca/eng/](http://www.justice.gc.ca/eng/)>.

<sup>97</sup> Ontario Justice Education Network, online: *Ontario Justice Education Network* <[www.ojen.ca](http://www.ojen.ca)>.

<sup>98</sup> Community Legal Education Ontario, online: *Community Legal Education Ontario* <[www.cleo.on.ca](http://www.cleo.on.ca)>.

<sup>99</sup> Canadian Forum on Civil Justice, online: *Canadian Forum on Civil Justice* <[www.cfcj-fcjc.org](http://www.cfcj-fcjc.org)>.

<sup>100</sup> Canadian Bar Association (CBA), “Reaching Equal Justice Report”, Report of the CBA Access to Justice Committee (2013), online: *Canadian Bar Association* <[http://www.cba.org/CBAMediaLibrary/cba\\_na/images/Equal%20Justice%20%20Microsite/PDFs/EqualJusticeFinalReport-eng.pdf](http://www.cba.org/CBAMediaLibrary/cba_na/images/Equal%20Justice%20%20Microsite/PDFs/EqualJusticeFinalReport-eng.pdf)>.

It is important to note here that an app is only successful if people need to use it and also want to use it.<sup>101</sup>

When students identify their target audience, they are better able to make design decisions that “would motivate [users] to use [their] app” and therefore ensure its success amongst their target audience.<sup>102</sup>

### For example

The access to justice app *HeatSeek* that we discussed in Module 2 was designed to help low-income tenants who are the victims of heating code violations.<sup>103</sup> By identifying this target population, *HeatSeek* developed an effective app to collect renter’s temperature data without tenants having to manually record this information themselves.<sup>104</sup> *HeatSeek* was therefore developed with the users’ needs and ease of use in mind.

## 4. Overview of Proposed App

Now that students have identified and researched their chosen legal problem, and have identified their target audience, they should begin to think about the basic concept of their app.

### A. What is the basic purpose of the app?

Students must identify a clear and concise purpose for their app. The purpose is simply the reason for doing something.<sup>105</sup> For example, the app *DoNotPay* was designed with the purpose of helping ordinary drivers challenge their parking tickets.<sup>106</sup>

For this Module, students should ask themselves why they want to create the app that they have chosen to design and write down their answer in one or two short sentences. This short purpose statement will anchor students throughout the rest of the design process; they should regularly refer back to their purpose statement and ask themselves “am I still heading in the right direction, or does my purpose need to be re-adjusted?”<sup>107</sup> Regardless of whether their purpose stays the same or evolves throughout the design process, the purpose statement will guide students’ progress along the way.

<sup>101</sup> Max Paterson, “Legal App Design: 3 Things to Lock Down before Starting an Automation App” (12 June 2019), online: *JDSupra* <[www.jdsupra.com/legalnews/legal-app-design-3-things-to-lock-down-53788/](http://www.jdsupra.com/legalnews/legal-app-design-3-things-to-lock-down-53788/)>.

<sup>102</sup> *Ibid.*

<sup>103</sup> *HeatSeek*, online: <[heatseek.org/how-it-works-2](http://heatseek.org/how-it-works-2)> [*HeatSeek*].

<sup>104</sup> *Ibid.*

<sup>105</sup> Matthew Emmanuel Pineda, “The difference between purpose, goals, and objectives” (9 September 2017), online: *Profolus* <[www.profolus.com/topics/difference-between-purpose-goals-objectives/](http://www.profolus.com/topics/difference-between-purpose-goals-objectives/)>.

<sup>106</sup> Vice News, “The Robot That Can Get You Out Of Parking Tickets” (3 November 2016), online: *Youtube* <[www.youtube.com/watch?v=4ywSt641A58](http://www.youtube.com/watch?v=4ywSt641A58)> [*DoNotPay*].

<sup>107</sup> Paterson, *supra* note 8.

**B. What kind of functions will the app perform?**

This is where students will begin to think more specifically about how their app will work to achieve their purpose. For example, students’ apps may provide legal information, resolve a legal problem, prepare legal documents, collect data used for legal evidence, or connect people with a lawyer or a court. Students’ apps may perform one or a variety of these functions.

Related to the above, students may also want to consider what type of technology their app will use to perform their chosen functions. For example, their app may use artificial intelligence to walk people through their legal problems and provide tailored advice like the app *DoNotPay*.<sup>108</sup> Or, their app may use video and audio technology to record and store data that can then be used as legal evidence like the app *Mobile Justice*.<sup>109</sup>

To help choose the kind of technology that their apps will use, students may want to consider the variety of apps that they currently use in everyday life and the types of technology that those apps offer. It is possible that the functions of these non-legal apps could be re-purposed for an access to justice function.

Students should be realistic about the functionality of their app design; although they do not have to map out the technical details of their app, they should design something that is technologically feasible to create.

## 5. Identifying the app’s outcomes

Students must consider the tangible outcomes of their access to justice app—both short and long-term.<sup>110</sup> Students may also think of their outcomes as their app’s goals, i.e. what benefit will users walk away with after using the app?<sup>111</sup>

**A. Short-term outcomes**

Short-term outcomes are the more immediate consequences of using an access to justice app. For example, *HeatSeek*’s short-term outcome is to provide tenants with technology that allows them to “quickly and easily document the temperature in [their] home”.<sup>112</sup>

<sup>108</sup> DoNotPay, *supra* note 13.

<sup>109</sup> Mobile Justice, online: *Mobile Justice California* <[www.mobilejusticeca.org](http://www.mobilejusticeca.org)>.

<sup>110</sup> Paterson, *supra* note 8.

<sup>111</sup> *Ibid.*

<sup>112</sup> *Ibid.*

**B. Long-term outcomes**

Long-term outcomes are generally the consequences of the short-term outcomes, or what the app is intending to ultimately achieve. For example, *HeatSeek* ultimately strives to “make the city a safer, warmer place to live for all New Yorkers”.<sup>113</sup> As you may tell, the long-term outcome or goal is much broader than the short-term outcome and speaks directly to the social change that the app wishes to create.

## 6. Marketing legal apps

If people do not know what an app does or that it exists, then the app will likely not be successful. It is therefore important for students to consider how they are going to spread the word about their app and encourage people to use it.

**A. Naming the app**

Students must name their access to justice app. When doing so, they should choose a name that is short, easy to remember, and that paints a picture of what the app is all about. Doing so will make the app memorable and signal the app’s basic purpose and functions to the target audience.

**B. Spreading the word**

Students should consider how they are going to spread the word about their access to justice app to their target demographic. One useful way to do this is to market the app in places where the target demographic is likely to see or hear about it. For example, if a student’s app is intended to provide the Muslim community with legal information regarding their right to religious freedom, they may want to consider promoting their app at local Mosques or Islamic community centres.

Another useful place for students to promote their access to justice app is online. For example, if a student’s app is intended to help low-income renters fight illegal evictions, they could promote their app on online websites or platforms where people search for apartment rentals, such as Facebook or Kijiji.

**C. Tailored marketing materials**

The marketing materials for students’ apps should be designed to meet the target demographics needs. For example, if a student’s app is intended to help refugees claim asylum in Canada, the promotional materials for the app should be available in a variety of languages other than just English.

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<sup>113</sup> *HeatSeek*, *supra* note 10.

Regardless of where and how students choose to market their apps, the promotion should be simple to understand, tailored for the target demographic, and placed where the intended user is likely to see or hear about it.

## 7. Evaluation & Redesign

Although this won’t be an element of the students’ final project, it is important that they recognize that access to justice apps are “part of a continuous cycle of evolution” and must regularly be updated to best meet users’ needs.<sup>114</sup> Responsible access to justice apps should request user feedback and incorporate that feedback into improved versions of the software. This is the best way to ensure that an app is having its desired impact and appropriately serving the community as intended.

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<sup>114</sup> Paterson, *supra* note 8.

## Module 4: Legal App & Presentation

### 1. Designing a Mock-Up

Posters are an effective tool to communicate information to an audience in a simple, easy to consume format.

Student teams will create a poster that summarizes their legal app design. These posters should be large enough that someone standing two or three feet away could easily read its contents.

#### A. Design requirements

Each group’s poster must include the following sections:

1. Name of their app
2. A drawing or sketch of their app’s logo
3. A drawing or sketch of the home screen of their app
4. What problem their app will solve
5. How their app will solve this problem
6. Who the app’s target users are

In addition to the above, students are free to include other sections specific to their app if they feel it is necessary and appropriate to do so.

#### B. Design Tips

Below are a few tips that will help students design their posters.

##### i. Choose an organized structure

People generally read posters from left to right, and from top to bottom.<sup>115</sup> When students are creating their posters, they should keep this in mind as they decide what order they want their audience to read their information.

##### ii. Use short, simple headings

The content of students’ posters should be organized into discrete sections that each have their own heading. Additionally, using short headings for each section will make students’ posters simpler to read and easier to understand.

<sup>115</sup> American Journal Experts, “Making a better research poster” (19 September 2016), online: *YouTube* <[www.youtube.com/watch?v=AwMFhyH7\\_5g](http://www.youtube.com/watch?v=AwMFhyH7_5g)> [AJE].

Instead of using topic headings that state the sections theme (e.g. “The legal problem”), students should be encouraged to use descriptive headings that capture what the paragraph is actually about (e.g., “Many Refugees cannot access legal services in their language”). In doing so, students will drastically increase the readability of their posters because their audience will be able to quickly scan the headings for each section and know exactly what the poster is about.

### **iii. Don’t include too much information**

It is likely that students will find large amounts of information about their chosen legal problem. However, it is important to remind students that a poster is not the same as a lengthy research paper—students should keep each section of their poster to just three or four sentences.<sup>116</sup> Students will therefore have to be selective about what information they choose to include and what information they will leave out of their poster.

As a general rule, students should only include the main points on their poster—they can then expand more on each section during their brief class presentation.

### **iv. Don’t overcrowd the poster**

Similar to the above, students should avoid overcrowding their posters with too much text and too many visuals. Plenty of white space on a poster can be a powerful way to direct readers’ attention to the content and increase readability.<sup>117</sup> Overcrowded posters are more difficult to navigate and will take longer to read, which ultimately may deter the audience.

One effective way for students to avoid overcrowding their posters is to occasionally use bullet points when appropriate.<sup>118</sup> Bullet points are often easier to read than dense paragraphs of text—especially when listing information.

### **v. Use colour and images where appropriate**

Using colour and images will grab readers’ attention and make the poster more visually attractive. But too many colours may make the poster “noisy” and deter readers. It is therefore best to choose between just two or three colours and stick to those.<sup>5</sup>

Images will also make students’ posters more attractive to the reader. Students are required to include a drawing or sketch of their app’s logo and a sketch of the home screen of their legal app, but using a few other images when possible will make their poster more visually appealing.

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<sup>116</sup> AJE, *supra* note 1.

<sup>117</sup> *Ibid.*

<sup>118</sup> New York University, “How to Create a Research Poster: Poster Basics” (17 May 2018), online: *NYU Libraries* <[guides.nyu.edu/posters](http://guides.nyu.edu/posters)> [NYU]. <sup>5</sup> AJE, *supra* note 1.

**vi. Include citations**

When students use information from a source, they must appropriately credit that source.<sup>119</sup> Students must acknowledge the sources they relied upon somewhere on their poster—typically at the bottom. Using footnotes for citations can help save space on the poster.

**C. Drafting an outline**

Before students actually begin to create their design, they should draft their content and sketch a rough idea of what their poster will visually look like. This will help students organize their thoughts and decide how they want to communicate information to the reader before creating the finished product that they will present to the class.

## 2. Preparing a presentation

As a group, students will present their poster to the whole class. Presentations should be between five and ten minutes long—this will vary depending on the number of groups and the allotted class time. Everyone in the group must take a turn speaking.

Students should think of this presentation as a persuasive exercise: they should pretend that they are pitching their app idea to a developer in the hopes that the developer will fund and create their design. Therefore, students should market their app idea as a worthwhile investment.

**A. Presentation Requirements**

All group presentations must include the following sections:

1. An introduction of the group members
2. The name of their app
3. What legal need their app addresses
  - Students must use facts and statistics in this section to support their explanation
  - Students may also want to tell a story to humanize their apps purpose
4. Why their app is needed and why it is a good idea
5. What exactly the app will do
  - Students must include a step-by-step breakdown of how their app will function

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<sup>119</sup> NYU, *supra* note 4.

## **B. Presentation tips**

Below are a few useful tips that will help students prepare for and deliver an effective, engaging and persuasive presentation.

### **i. Know the content—practice, practice, practice!**

The most important way to prepare for a presentation is to make sure that you know your content.<sup>120</sup> Often, when people feel nervous about delivering a presentation, it is because they are not yet familiar with the content that they are presenting.<sup>121</sup>

The best way for students to overcome this barrier is to make sure that they are familiar with the content and practice what they are going to say during the presentation.

### **ii. Don’t read from a script**

Reading from a sheet of paper is not an engaging way to present. While it is useful to write out speaking points when preparing for and practicing a presentation, students should not use any written materials, other than their poster, when presenting to the class. By not relying on a script, students will speak more conversationally to the audience and better hold the attention of their peers throughout the presentation. If students are concerned that they will forget important content, they can use cue cards with short bullet points.

### **iii. Use facts and statistics**

Students must support why their app is needed by using facts and statistics. For example, statistics that indicate the prevalence of their legal issue will demonstrate the urgency of their proposed problem.

If students can find statistics that suggest the functions of their app are effective for increasing access to justice, this would also be helpful to include in the presentation. For example, if a group’s app focuses on providing legal information in a variety of languages, statistics that indicate that people use legal services more when they are available in their language would help demonstrate their app’s utility.

### **iv. Tell a story**

In addition to using statistics, students may also choose to tell a story that humanizes and emphasizes the need for their app. Stories are an incredibly persuasive public speaking tool.<sup>122</sup>

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<sup>120</sup> Amy Wolf, “5 public speaking tips from TEDxPortland speaker coach” (8 April 2016), online: *The Oregonian channel on YouTube* <[www.youtube.com/watch?v=JNOXZumCXNM](http://www.youtube.com/watch?v=JNOXZumCXNM)> [Wolf].

<sup>121</sup> *Ibid.*

<sup>122</sup> Jennifer Aaker, “Persuasion and the Power of Story: Jennifer Aaker (Future of StoryTelling 2013)” (14 September 2013), online: *Future of StoryTelling channel on YouTube* <[www.youtube.com/watch?v=AL-PAzrpqUQ](http://www.youtube.com/watch?v=AL-PAzrpqUQ)> [Aaker].

Telling a story early into or at the beginning of a presentation is an effective way to capture the audience’s attention. Stories also appeal to peoples’ emotions and are therefore very persuasive.

There are many studies that back the effectiveness of storytelling. Some studies even suggest that well-told stories are more memorable than statistics.<sup>123</sup> In one study, only 5% of students remembered the statistics that were told during a presentation, but 63% remembered the story that was told.<sup>124</sup> In another study, it was discovered that people are more likely to buy from a person or organization whose story they believe in.<sup>125</sup> This speaks to the persuasive power of storytelling.

Given that students’ apps are about helping people access justice, it would be incredibly effective for students to tell a story that exemplifies the legal problem they are trying to address. Students could do this by trying to find a news article about someone personally impacted by the group’s chosen legal problem, and telling their story.

#### **v. Keep eye contact**

Student should use eye contact to establish a connection with their audience and to hold listeners’ attention.

It is often recommended that presenters maintain eye contact for three to five seconds at a time.<sup>126</sup> This may feel like a long time for the presenter, but doing so communicates confidence and authority to the audience.<sup>127</sup>

#### **vi. Be aware of body language**

Body language can drastically impact overall presentation skills. Standing up straight and speaking clearly and loud enough to be heard at the back of the room is the first step to becoming an effective public speaker.

In addition, many presenters often don’t know what to do with their hands while speaking publicly. The best strategy is for presenters to use their hands to gesture and emphasize their speaking points—but not so much so that it is distracting to the audience.<sup>128</sup>

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<sup>123</sup> *Ibid.*

<sup>124</sup> *Ibid.*

<sup>125</sup> *Ibid.*

<sup>126</sup> Wolf, *supra* note 7.

<sup>127</sup> *Ibid.*

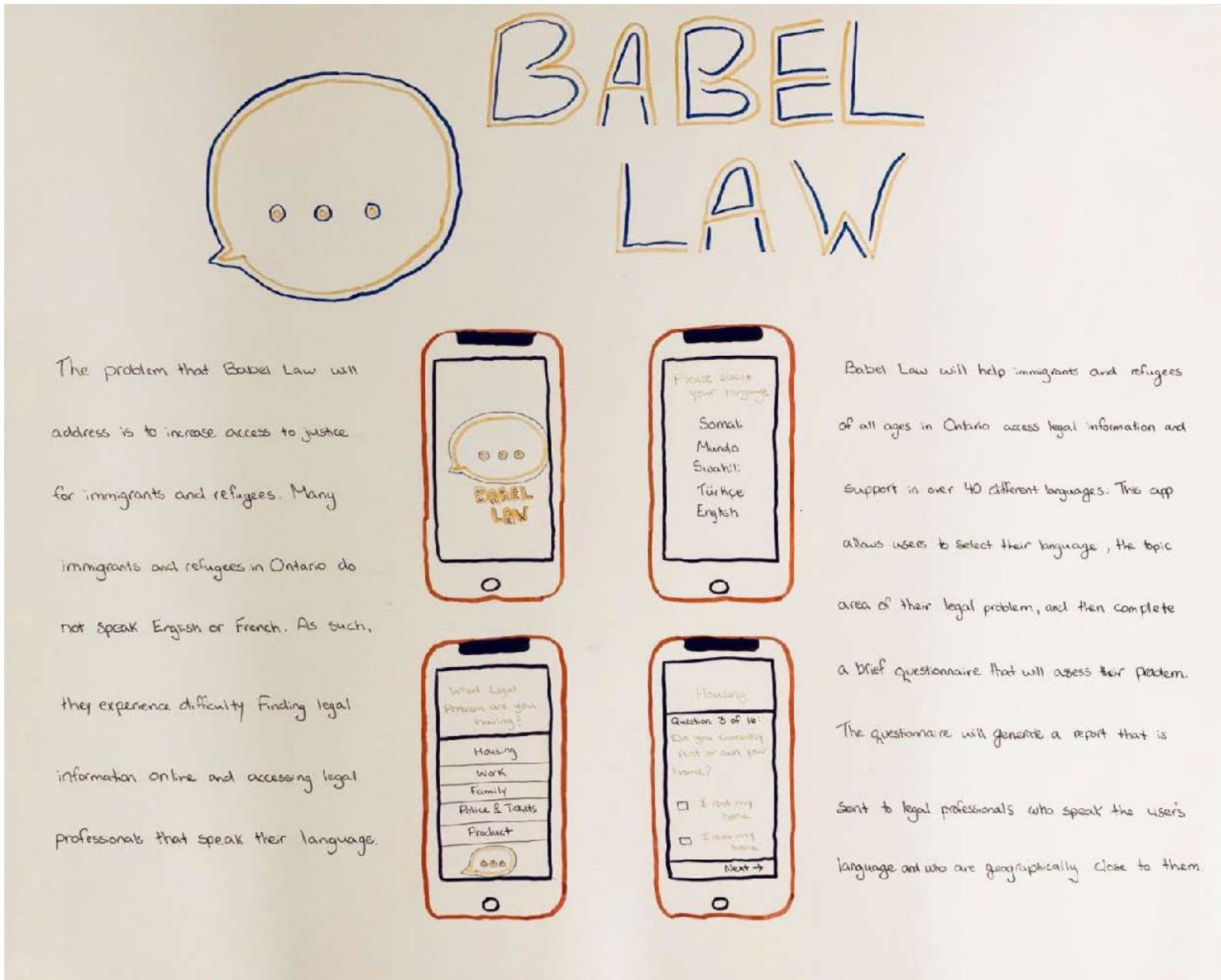
<sup>128</sup> *Ibid.*

When not using their hands for emphasis, students should simply let their arms relax by their side.<sup>129</sup> It is important to feel comfortable, confident, and focused on your content; good body language is what feels natural to you.

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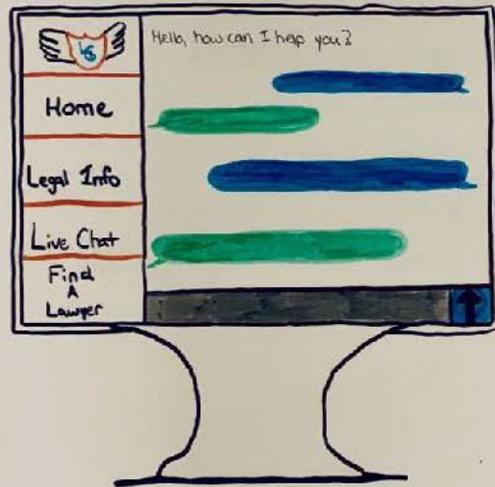
<sup>129</sup> *Ibid.*

### 3. Sample Poster Designs





# Legal Guardian



Legal Guardian is a web-based and mobile app that tells youth between 12-29 years old their legal rights and provides live legal support.

Too many young people do not know their legal rights and do not have access to legal support. Legal Guardian is an online database that provides information about young peoples' legal rights. Legal Guardian also provides live chat-bots powered by artificial intelligence that answers young peoples' legal questions regarding several areas of the law.

## Module 5: Pitching Access to Justice Apps

### 1. Giving Feedback

When giving feedback on someone’s performance, it is important to “focus on behaviour, not character”.<sup>130</sup> Critiquing character involves making assumptions about why someone is behaving in a certain way, such as criticizing work ethic, while focusing on behaviour lets the recipient know exactly what they did that was effective or ineffective without the feedback turning into a personal attack.<sup>131</sup> Specific language “framed in the language of behaviour” can lead to a plan forward for the recipient to improve or maintain their performance.<sup>132</sup>

The value of being specific extends to the recipient of feedback as well. Rather than asking “Do you have any feedback for me?” try asking “What’s one thing I could improve?” or “What’s one thing I could have done better in that presentation?” to make clear what a speaker is being asked to give feedback on.<sup>133</sup> The type of feedback might be appreciation and acknowledgement, evaluation of performance on a specific task, or general coaching about how to improve and learn.<sup>134</sup>

Some researchers suggest that negative critical feedback is not as useful to recipients; they point out that all feedback is filtered through the speaker’s personal biases and understanding.<sup>135</sup> Positioning your feedback as coming from your personal feelings and emotions—“it sounds to me like...”—rather than as an objective standard—“this is no good”—helps the recipient parse through the personal bias to find something useful and applicable to themselves.<sup>136</sup>

“Recognizing, reinforcing, and refining” the skills someone already has tends to be more useful to a recipient’s learning than identifying a perceived lack of skill.<sup>137</sup> This ability of a speaker to reinforce good behaviour is expressed by Dr. Ivan Joseph with the phrase “catch them when they’re good”.<sup>138</sup> Strong negative feedback can in fact impair learning because our brains learn best based on our own sense of what we are doing well.<sup>139</sup>

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<sup>130</sup> 1 Achieve Centre for Leadership & Workplace Performance, “How to Give Fair Feedback”, online: *Achieve Centre* <<https://ca.achievecentre.com/blog/how-to-give-fair-feedback/>>.

<sup>131</sup> *Ibid.*

<sup>132</sup> *Ibid.*

<sup>133</sup> Carolyn O’Hara, “How to Get the Feedback You Need”, (15 May 2019) *Harvard Business Review*, online: *Harvard Business Review* <<https://hbr.org/2015/05/how-to-get-the-feedback-you-need>>.

<sup>134</sup> *Ibid.*

<sup>135</sup> Marcus Buckingham & Ashley Goodall, “The Feedback Fallacy”, (March-April 2019) *Harvard Business Review*, online: *Harvard Business Review* <<https://hbr.org/2019/03/the-feedback-fallacy>>.

<sup>136</sup> *Ibid.*

<sup>137</sup> *Ibid.*

<sup>138</sup> Ivan Joseph, “The Skill of Self Confidence”, (13 January 2012) TEDxRyersonU, online: *Youtube* <<https://www.youtube.com/watch?v=w-HYZv6HzAs>>.

<sup>139</sup> Buckingham & Goodall, *supra* note 4.

| <b>The Right Way to Help Colleagues Excel<sup>140</sup> 11</b> |   |
|--|---|
| <b>INSTEAD OF</b>  | <b>TRY</b>  |
| Can I give you some feedback?                                  | Here’s my reaction.   |
| Good job!  | Here are three things that really worked for me. What was going through your mind when you did them?              |
| Here’s what you should do.                                     | Here’s what I would do.   |
| Here’s where you need to improve.                              | Here’s what worked best for me, and here’s why.   |
| That didn’t really work.                                       | When you did x, I felt y or I didn’t get that.  |
| You need to improve your communication skills.                 | Here’s exactly where you started to lose me.  |
| You need to be more responsive.                                | When I don’t hear from you, I worry that we’re not on the same page.  |
| You lack strategic thinking.                                   | I’m struggling to understand your plan.   |
| You should do x [in response to a request for advice].         | What do you feel you’re struggling with, and what have you done in the past that’s worked in a similar situation? |

## 2. Asking Questions

For students to ask good questions of their colleagues, it is helpful to remember the six requirements from Module 4 each group had to address with their poster presentation:

1. Name of their app
2. A drawing or sketch of their app’s logo
3. A drawing or sketch of the home screen of their app
4. What problem their app will solve
5. How their app will solve this problem
6. Who the app’s target users are

Think of follow-up questions to get more details on why and how each group answered the six requirements in the ways that they did. Examples of follow-up questions might include:

<sup>140</sup> *Ibid.*

1. **Name of their app**
  - Why did you choose the name of your app?
  - How does the name reflect the app’s purpose?
2. **A drawing or sketch of their app’s logo**
  - How does the app’s logo relate to its purpose?
  - How does the app’s logo connect to its target users?
3. **A drawing or sketch of the home screen of their app**
  - What are the accessibility requirements you considered when designing the home screen?
  - How will the home screen make it easy to access your app’s key functions?
4. **What problem their app will solve**
  - Why is this problem necessary to address?
  - Why is an app the answer to solve this problem?
  - How can a user learn more about the legal problem that the app will solve?
5. **How their app will solve this problem**
  - How will the app have a sustainable business model?
  - Will the app be free or paid?
  - Will the app direct users to other legal services?
6. **Who the app’s target users are**
  - How will the target users find out about the app?
  - Are there competitor apps that offer the same service to the same group of target users?
  - Does this target group have specific needs from an app?

## 3. App Development for Youth

Mobile app development is a means through which youth can use digital skills to develop solutions to local community challenges.<sup>141</sup>

### A. Resources

**TakingITGlobal** is a Canadian charity that offers programs, grants, and mentorship to youth by bringing “technology and world issues to the classroom”.<sup>142</sup> One of TakingITGlobal’s initiatives is the #RisingYouth Community Service Grants. These grants are designed to help youth create projects that give back to their communities.<sup>143</sup> The #RisingYouth Take Action Guide provides a

<sup>141</sup> UNESCO, “YouthMobile 2018 Report”, online: *UNESCO* <[https://en.unesco.org/sites/default/files/youthmobile\\_report\\_2018.pdf](https://en.unesco.org/sites/default/files/youthmobile_report_2018.pdf)>.

<sup>142</sup> TakingITGlobal, “About TakingITGlobal”, online: *TakingITGlobal* <<https://www.tigweb.org/about/>>.

<sup>143</sup> TakingITGlobal, “#RisingYouth Community Service Grants Take Action Guide”, online: *TakingITGlobal* <[https://risingyouth.ca/files/Rising-Youth\\_Take-Action-Guide.pdf](https://risingyouth.ca/files/Rising-Youth_Take-Action-Guide.pdf)>.

useful walkthrough for students who want to develop their mobile app to address an access to justice issue.

The [Law Foundation of Ontario](#) provides small non-profit organizations with grants for projects that will improve access to justice.<sup>144</sup> While the Foundation does not fund individuals, students can partner with a non-profit organization to apply for funding to develop their app. In the course of researching their legal problem, students will learn about local organizations working to improve access to justice in their area of work. Pitching a plan to collaborate with these organizations to develop an access to justice app is a good extension of the skills developed in this module.

The [Ontario Trillium Foundation](#) has a Youth Innovations Stream through their Youth Opportunities Fund that fund youth-led initiatives.<sup>145</sup> The Youth Innovations Stream priorities projects that support marginalized populations and other goals that also promote access to justice.<sup>146</sup>

### **B. Support**

[Futurpreneur](#) is a Canadian non-profit organization that supports young entrepreneurs with financing, mentoring, and business tools.<sup>147</sup> While the organization only works with entrepreneurs age 18-39, high school students can keep Futurpreneur in mind if they want to turn their app idea into a successful business.<sup>148</sup>

[Actua’s Codemakers](#) or Digital Skills program provides resources for teachers to bring coding education into the classroom.<sup>149</sup> Classes who want to pursue their access to justice mobile app development as a group can find helpful resources here. Individuals can also participate in Actua’s camps or online activities at home, such as learning about AI.<sup>150</sup>

[Apps for Good](#) has resources for teachers to use in the classroom and students to use at home on topics ranging from app development to machine learning.<sup>151</sup> The organization is based in the UK, but has resources available for anyone to use.<sup>152</sup>

### **C. Development Platforms**

[Appy Pie](#) offers a mobile application builder, among other tools, that do not require knowledge of coding to use.<sup>153</sup> The platform can help students create a variety of functions to get their access to justice app into the Apple App Store or Google Play Store using a free trial.<sup>154</sup>

<sup>144</sup> The Law Foundation of Ontario, “Responsive Call for Applications” (20 December 2019), online: *Law Foundation of Ontario* <<https://lawfoundation.on.ca/news/responsive-call-for-applications/>>.

<sup>145</sup> Ontario Trillium Foundation, “Youth Opportunities Fund”, online: *Ontario Trillium Foundation* <<https://otf.ca/our-grants/youth-opportunities-fund>>.

<sup>146</sup> *Ibid.*

<sup>147</sup> Futurpreneur Canada, “About”, online: *Futurpreneur* <<https://www.futurpreneur.ca/en/about/>>.

<sup>148</sup> *Ibid.*

<sup>149</sup> Actua, “Digital Skills Program”, online: *Actua* <<https://www.actua.ca/en/programs/codemakers/>>.

<sup>150</sup> Actua, “Activities”, online: *Actua* <<https://www.actua.ca/activities/>>.

<sup>151</sup> Apps for Good, “Courses”, online: *Apps for Good* <<https://www.appsforgood.org/courses>>.

<sup>152</sup> *Ibid*; Vanessa Rhinesmith, “Fostering Innovation and Creativity in Youth Through App Development” (2011), online: *NetSquared* <<https://netsquared.org/blog/vanessa-rhinesmith/fostering-innovation-and-creativity-yout>>.

<sup>153</sup> Appypie, “Appmaker”, online: *Appypie* <<https://www.appypie.com/app-builder/appmaker>>.

<sup>154</sup> *Ibid.*

[Google’s AppSheet](#) lets users start with a familiar platform, such as Google Sheets or Microsoft Excel, to create an app without using code.<sup>155</sup> AppSheet is free to use to develop a prototype app.<sup>156</sup> Students who are familiar with coding may want to design their app in a coding language, such as Python, Swift, JavaScript, or others, that is familiar to them for greater flexibility.<sup>157</sup>

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<sup>155</sup> Appsheet, “How to Create an App”, online: *Appsheet* <<https://solutions.appsheet.com/how-to-create-an-app>>.

<sup>156</sup> *Ibid.*

<sup>157</sup> AppyPie, “Top Programming Languages for Mobile App Development” (26 May 2020), “ (26 May 2020), online: *Appypie* <<https://www.appypie.com/top-programming-languages-for-mobile-app-development>>.