Legal and ethical implications of new technologies for the administration of justice

Access to court information plays a significant role in social development and Rule of Law: it obviously enhances judicial transparency, increases public confidence, rationalizes practice of law, answers questions about details in notable court trials, solves axiological legal gaps (mainly new technology related cases), allows journalistic work and makes academic research on courts' performance and prediction available.

In many countries the Freedom of Information Laws are not applicable to court information or, if they are applied, are not adequate; in return the incorporation of new technologies have generated many forms of massive dissemination of court information either in judicial websites or through registers.

However, it is appreciated that many designs fail to resolve the tension with other rights, mainly with privacy and judicial independence. In this session, several examples of dissemination of court information are analyzed in detail, leading to the conclusion that there is not a unique design (as has been attempted in some countries) but that each type of case requires a design that balances the public interest. It will show how, in some countries, the abuse of anonymization complicates this process.

Other issues related to the incorporation of technology to the administration of justice are also analyzed: such as the need to improve the quality of data, the generation of public versions, and risk analysis previously to dissemination.
Speaker

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In Mexico he has been a consultant for the Electoral Court of the Federation on systematization of international case law on transparency; at AMIJ (Mexican Association of Justice administrators) consultant for the justice reform project of the State of Colima; consultant on presumption of innocence in juvenile justice at the State of Morelos; and consultant with the INAI (Mexican FOI authority) for the systematization of the Ibero-American case law on protection of personal data.

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