

## THE LAWYER'S DAILY

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### Information Technology

## New app helps self-represented N.S. litigants navigate small claims court

By **Donalee Moulton**

(November 29, 2017, 8:40 AM EST) -- Self-represented litigants in Nova Scotia now have a big advantage when it comes to navigating small claims court. The Legal Information Society of Nova Scotia (LISNS) has developed an app — believed to be one of only seven legal apps in the country — to provide insight and easy-to-understand legal information for those considering an action in small claims court.



Heather de Berdt Romilly, Legal Information Society of Nova Scotia

"Through the small claims court app, self-represented litigants are easily able to find information which is currently spread across many different locations. The app helps a person get oriented to their particular focus and find the resources that are appropriate for their case. In this way, it provides peace of mind and the confidence in choosing a direction," said LISNS executive director Heather de Berdt Romilly.

It also helps to address a lack of preparedness by a significant number of self-represented individuals coming to small claims court. That reality prompted Gavin Giles, the chief adjudicator of the court, to reach out to LISNS to resolve gaps identified by adjudicators and enable people to better prepare.

The app was developed in recognition of the way people access information today. "Simplicity is key to the app," said de Berdt Romilly. "It is mobile friendly and identifies information according to five key categories." Those categories include how to start a claim and how to present a case in court.

The approach is not to overwhelm users with information. Instead of reams of text, there are links to existing resources. A unique feature is the app's location on the LISNS website, [smallclaims.legalinfo.org](http://smallclaims.legalinfo.org), so people can easily be triaged to real-person supports including the society's Livechat, e-mail and telephone helpline. These all link through to lawyer and mediator referral services where half-hour consultations are available for a \$20 fee.

Such direct support "has been demonstrated to be very valuable to people in conflict, so the app permits the leveraging of the best quality helping approaches at minimal cost," said de Berdt Romilly.

In addition, the app is part of a pilot project at the small claims court in Halifax. For the month of November, students from the Schulich School of Law at Dalhousie University will be available at the courthouse to provide in-person assistance to self-represented litigants. The pilot will help identify the benefit of in-person assistance with using the small claims court app and the findings will inform how public navigator programs are developed for other areas where few resources are currently available.

An app was a logical choice for LISNS to create. Last year the society released a free wills app developed in partnership with IT students at Saint Mary's University. "That experience was so positive ... we felt emboldened to use a similar model to address gaps in the small claims court process," said de Berdt Romilly.

According to research conducted at the University of Ottawa law school, only six legal apps had been developed in Canada prior to the small claims court app. (LISNS free wills app is the only one to be developed entirely through social enterprise without private sector or any additional cost to taxpayers.)

This is unlikely to be the last app to be launched by LISNS. The society has been approached by other adjudicative bodies regarding possible projects and a power of attorney app is currently under development. This is in direct response to requests the society has received through its helpline, particularly from health care workers.

The need for information is great, but the society's resources are limited, stressed de Berdt Romilly. "Against the backdrop of our innovation is that fact that LISNS does not have any budget for this work, and we operate on a shoestring budget that does not fully support our needs."

The society is hopeful others will continue what it has started. "We believe our work provides a template for other jurisdictions where similar supports to do not exist," said de Berdt Romilly.

The small claims court app will also help everyone in the justice system, she added. "A better informed self-represented litigant is better for lawyers, the court and the self-rep. A self-rep who is not well informed slows the entire system down for everyone involved including the self-rep and can foster further unnecessary conflict."

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