

THE IMPACT OF ARTIFICIAL INTELLIGENCE AND SOCIAL MEDIA ON LEGAL INSTITUTIONS

44th ANNUAL CONFERENCE | For all members of the legal community

CIAJ

Canadian Institute
for the Administration
of Justice

Listening. Learning. Leading.

October 16–18, 2019 • Le Bonne Entente Hotel (Salle de bal) • Quebec City



Co-Chairs

Mr. Patrick A. Molinari
Ad. E., FRSC
Lavery Lawyers
President, CIAJ

The Honourable Justice
James O'Reilly
Federal Court
First Vice-President, CIAJ

This bilingual conference with simultaneous interpretation will address the way in which Canada's justice system is transformed by artificial intelligence and social media at differing levels. Experts in law, policy, sociology, communication, criminology, computer science, new technologies and social media will present a multidisciplinary analysis of the challenges at hand. About 30 speakers will discuss systemic issues, difficulties in the courtroom, philosophical considerations, necessary future improvements, and much more!

Participation at this conference is approved under Section 41 (1) of the Judges Act.

This program is offered by an accredited provider of professional content and is accredited in provinces where CLE requirements for lawyers are mandatory.

Main
Partner



SMART & BIGGAR

lavery
Lawyers

OVERVIEW*

The 2019 annual conference on the impact of artificial intelligence and social media on legal institutions is taking a hard, critical look at the challenges that courts and the legal profession must face in order to maintain public confidence in the administration of justice.

Our relationship with information is being disrupted by technology: our means of communication are evolving, information is flowing in a network of complicated channels, and language is changing with the plethora of acronyms and emoticons that arise every day.

Artificial intelligence designers are proposing inventions that assist with human decision-making. Documentary evidence today includes screen shots, the traceability of which is questionable. The legal guarantees for reputation and privacy protection are colliding with information dissemination and the use of it for often questionable purposes.

How can courts and the legal profession evolve and adapt to new technologies to ensure that they remain consistent in their mission to promote and protect the administration of justice?

**Please note that the program is subject to change.*

PLANNING COMMITTEE

Co-Chairs

Mr. Patrick A. Molinari, Ad. E., FRSC, Lavery Lawyers; President, CIAJ
The Honourable Justice James O'Reilly, Federal Court; First Vice-President, CIAJ

Members

Professor Benjamin Alarie Osler Chair in Business Law Faculty of Law, University of Toronto Co-Founder and CEO, Blue J Legal	Ms. Christine O'Doherty Lawyer, Executive Director, CIAJ
Mr. Neil Bouwer Vice President, Policy and Innovation Services Canada School of Public Service, Ottawa	The Honourable Justice P. Colleen Suche Manitoba Court of Queen's Bench Second Vice-President, CIAJ
The Honourable Justice Frances Kiteley Superior Court of Justice, Ontario	Professor Pierre Trudel Centre de recherche en droit public (CRDP) Faculty of Law, Université de Montréal
Mr. Eric Lavallée Partner and head of Legal Lab on Artificial Intelligence, Lavery Lawyers, Sherbrooke	Professor Martine Valois, Ad. E. Faculty of Law, Université de Montréal Faculty Advisor, CIAJ
	Professor Nicolas Vermeys Faculty of Law, Université de Montréal

WEDNESDAY, OCTOBER 16

8:00 – 8:30 am **REGISTRATION AND CONTINENTAL BREAKFAST** (Foyer Garneau)

8:30 – 8:40 am **LAND ACKNOWLEDGEMENT AND WELCOME REMARKS**

- Co-Chairs*
- Elder Raymond Gros-Louis, *Huron-Wendat First Nation, Wendake, QC*
 - Mr. Patrick A. Molinari, Ad. E., FRSC, *Lavery Lawyers; President, CIAJ*
 - The Honourable Justice James O'Reilly, *Federal Court; First Vice-President, CIAJ*

8:40 – 9:00 am **INTRODUCTORY REMARKS**

- Mr. Aneurin Thomas, Executive Director, *Law Commission of Ontario*

9:00 – 10:30 am **PANEL ONE | The Risks and Rewards of Emerging Technologies**

How do artificial intelligence and social media affect the legal system, and at which points do they intersect? This panel will explain the fundamentals of artificial intelligence and how social media transforms the way we look at the legal system. These new technologies continue to advance, transforming all aspects of society. Is the legal system ready to face the implications of such changes in the way we adjudicate?

- Chair*
- The Honourable Justice P. Colleen Suche, *Manitoba Court of Queen's Bench; Second Vice-President, CIAJ*
- Speakers*
- Associate Professor Derek Ruths, *Computer Science, McGill University; Director and Chief Data Scientist, McGill Centre for Social and Cultural Data Science*
 - Ms. Jennifer Stairs, *Communications Director, Executive Office of the Judiciary, Nova Scotia*
 - The Honourable Justice Lorne Sossin, *Superior Court of Justice, Ontario*

10:30 – 10:50 am **BREAK**

10:50 am – Noon **PANEL TWO | Does Social Media Pose a Threat to Our Democracies and to the Rule of Law?**

Absent filters that separate fact from fiction, social media can become the most powerful propaganda tool the world has ever seen. This panel will discuss how social media presents several challenges for our judicial system. Trials are based upon facts—what can be established by proof—not unsupported allegations. Evidence, likewise, is admitted based upon relevance and reliability and excluded when prejudicial impact eclipses materiality. The case law is remarkably consistent across jurisdictions in characterizing the information posted on social networking sites (such as Facebook) as documents or records with potential relevance in litigation.

- Chair*
- The Honourable Chief Justice Marc Richard, *Court of Appeal for New Brunswick*
- Speakers*
- Professor Pierre Trudel, *Faculty of Law, Université de Montréal*
 - The Honourable Justice Peter D. Lauwers, *Court of Appeal for Ontario*
 - The Honourable Justice Frances Kiteley, *Superior Court of Justice, Ontario*

Noon – 1:15 pm **LUNCH**

1:15 – 2:30 pm **PANEL THREE | How Will Technology Alter the Truth-Seeking Process and Its Legitimacy?**

The fragmentation of information and communication ecosystems on social media, the rise and tolerance of “alternative facts,” and the erosion of well-resourced journalism, have together undermined the idea that there is an authoritative source of information and debate on questions of public significance. Moral debate takes place in this fragmented and polarizing information ecosystem, amongst like-minded people. The courts and judicial decision-making will not be immune from these changes.

The truth-seeking process of the courts will become increasingly subject to scrutiny and reproach because of the role that the judiciary will play in maintaining respect for the courts and managing the impact of new technologies in decision-making. How can an impartial jury be formed in high-profile cases? How can jurors separate what they have seen, read, or heard on social media from the evidence presented in court? How are trial leaks contained?

- Chair* • The Honourable Justice Georgina Jackson, *Court of Appeal for Saskatchewan*
Speakers • The Honourable Justice Sophie Bourque, *Superior Court of Québec*
 • Mr. Mark J. Sandler, *Criminal Defence Lawyer; Senior Partner, Cooper, Sandler, Shime & Bergman LLP, Toronto*
 • Mr. Yves Boisvert, *Blogger and Columnist at La Presse, Montreal (QC)*

2:30 – 2:50 pm BREAK

2:50 – 4:00 pm PANEL FOUR | Value Extraction from Data Collection: Will We Be Needing Lawyers in the Digital Era?

The information aggregated through AI learning systems allows companies to develop algorithms that could assist in decision-making. The panel will discuss how these systems extract expert information through raw data, transferring the valuable expert knowledge into AI systems, without paying for the expert information. Such a discussion is critical for a profession that is valued for its knowledge, expertise and ability to consolidate information. Will law firms or government legal services require fewer lawyers, articling students and associates to draft contracts, legislation or regulations?

- Chair* • The Honourable Justice Peter Willcock, *Court of Appeal for British Columbia*
Speakers • Mr. Alain Lavoie, *President and Co-Founder, Irosoft*
 • Mr. Eric Lavallée, *Partner, head of Legal Lab on Artificial Intelligence, Lavery Lawyers, Sherbrooke*
 • Professor Benjamin Alarie, *Osler Chair in Business Law, Faculty of Law, University of Toronto; Co-Founder and CEO, Blue J Legal*

4:00 – 4:30 pm CIAJ 2019 ANNUAL GENERAL ASSEMBLY

4:30 – 5:00 pm PRESENTATION OF THE CHARLES D. GONTHIER RESEARCH FELLOWSHIP

- Professor Ignacio Cofone, *Faculty of Law, McGill University*
 "Regulating Algorithmic Transparency in the Administration of Justice"

5:00 – 7:00 pm "RED CARPET MOVIE NIGHT" NETWORKING COCKTAIL (Cash bar)

THURSDAY, OCTOBER 17

8:00 – 9:00 am CONTINENTAL BREAKFAST

9:00 – 10:30 am PANEL FIVE | Protection in the Internet Era: Privacy, Defamation and Online Reputation

This panel will address the strains on the right to privacy produced by the fast evolution of new technologies. Along with data protection and security, the panellists will reflect on the role of the law of defamation in an environment of poor-quality information and distributed information ecosystems. How fragile have our online reputations become in the age of the internet?

- Chair* • The Honourable Judge Catherine Pilon, *Court of Québec*
Speakers • Mr. Frédéric Letendre, *Co-Founder, Yulex Attorneys and Strategists*
 • Associate Professor Pierre-Luc Déziel, *Droit des technologies de l'information, Faculty of Law, Université Laval, Quebec City*
 • Dr. Sue Gratton, *Counsel, Law Commission of Ontario*

10:30 – 10:50 am BREAK

10:50 am – 12:15 pm **PANEL SIX | Decision-Making and Artificial Intelligence: What Are the Ethical Challenges That Arise? Can the Independence of Decision Makers Be Preserved?**

This panel will address the progress, perils and control measures of assistance in decision-making. It will deal with the social acceptability of new technologies and the perception of decision makers of the arrival of these new tools. The panel will ponder about the impact of technologies on diversity and fairness, through the prism of systemic bias issues. Are we satisfied that the public accepts the independence of the judiciary and of tribunals? This session will look broadly at independence issues and will explore the answers that law and ethics can already offer.

Chair • The Honourable Justice James O'Reilly, *Federal Court; First Vice-President, CIAJ*
Speakers • Dean Hugo Cyr, *Faculté de science politique et de droit, UQAM*
• The Honourable Justice David M. Masuhara, *Supreme Court of British Columbia*
• Ms. Mélanie Raymond, *Administrative Decision-Maker*

12:15 – 1:30 pm **LUNCH**

1:30 – 2:45 pm **PANEL SEVEN | Impact of New Technologies on Procedural Fairness**

The appropriate scope of the use of sophisticated computer programs by government agencies is likely to be one of the most important topics in administrative law and administrative justice in the next decade. This panel will discuss how administrative law decision makers are using algorithms to collect overpayments of welfare benefits, to fix accurate sentences and conditions of release for prison inmates. This session will also explore how simple AI systems are being used to triage incoming legal claims and issues to improve access to justice, procedural fairness and general tribunal operation.

Chair • Mr. David A. Wright, *Chair, Law Society Tribunal, Law Society of Ontario*
Speakers • Professor Jennifer Raso, *Faculty of Law, University of Alberta*
• Ms. Lauryn Kerr, *Legal Counsel, Civil Resolution Tribunal, British Columbia*
• Mr. Neil Bouwer, *Vice President, Policy and Innovation Services, Canada School of Public Service*

2:45 – 3:00 pm **BREAK**

3:00 – 3:10 pm **UNVEILING OF THE CHRISTINE HUGLO ROBERTSON ESSAY PRIZE**

3:10 – 4:30 pm **PANEL EIGHT | Student Panel: Vulnerability and Control: Deepfakes, Image-Based Abuse and Online Harm**

What kinds of harms arise in the age of the internet, social media and artificial intelligence? Is online harm a new kind of violence, or a symptom of existing social problems affecting vulnerable people? This panel will consider the legal gaps that permit online harm to occur and the extra-legal solutions people take to redress them. Is law an effective tool to solve the societal, ethical and legal problems presented by "deepfakes," "revenge porn," "disinformation" and "spyware?" How can we balance the freedom of expression with the protection of the public?

Chair • Ms. Eve Gaumond, *Law Student, Faculty of Law, Université Laval, Quebec City*
Speakers • Ms. Yuan Stevens, *Legal Researcher on Computer Security and AI*
• Mr. Nareg Froundjian, *Lawyer, Technology Law*
• Ms. Suzie Dunn, *PhD candidate and part time professor, Faculty of Law, University of Ottawa–Common Law Section*

4:30 – 5:00 pm **UNVEILING OF THE JUSTICE MEDAL**

5:00– 7:00 pm **NETWORKING COCKTAIL** *Sponsored by Smart & Biggar*

FRIDAY, OCTOBER 18

8:00 – 9:00 am **CONTINENTAL BREAKFAST**

9:00 – 10:30 am **PANEL NINE | Increasing Sources of Information and Integrity of the Law**

The rules of evidence are most likely to be called upon to fit new technologies. This panel will identify some of the challenges that are presented to the courts and identify techniques or suggestions for coping. Are laws of evidence still suitable, without radical transformation, to cope with new technologies? Could their application be affected when challenged with technological evidence?

*Chair
Speakers*

- The Honourable Justice Julie Dutil, *Court of Appeal of Quebec*
- Ms. Laurence Bich-Carrière, *Associate, Lavery Lawyers*
- Professor Nicolas Vermeys, *Faculty of Law, Université de Montréal*

10:30 – 10:45 am **BREAK**

10:45 – Noon **PANEL TEN | Has the Audience for Judicial Decisions Changed? To What Extent Should Public Opinion Affect Judicial Decision-Making? Do Modern Communication Techniques Affect How Judges Decide Cases?**

To what extent must we critically examine the procedure and methods of judging and how we communicate our decisions? This panel will look at how judges explain their decisions and whether they should change. It will look at judgment writing as well as communicating and disseminating decisions. Should courts expand media coverage of what they do? This panel will also discuss how legal institutions must remain relevant.

*Chair
Speakers*

- Mr. Patrick A. Molinari, Ad. E., FRSC, *Lavery Lawyers; President, CIAJ*
- Professor Charles Moumouni, *Information and Communication Department, Université Laval; Legal Counsel, DS Lawyers Canada*
- The Honourable Chief Justice Lucie Rondeau, *Court of Québec*
- The Honourable Justice Michele H. Hollins, *Court of Queen's Bench of Alberta*

Noon – 12:10 pm **UNVEILING OF THE 2020 CONFERENCE STUDENT VIDEO WINNER**

CLOSING REMARKS

Co-Chairs

- Mr. Patrick A. Molinari, Ad. E., FRSC, *Lavery Lawyers; President, CIAJ*
- The Hon. Justice James O'Reilly, *Federal Court; First Vice-President, CIAJ*

REGISTRATION FORM
CIAJ'S 44th ANNUAL CONFERENCE: "The Impact of Artificial Intelligence and Social Media on Legal Institutions"
October 16–18, 2019, Le Bonne Entente Hotel, Quebec City

Please use the secure online form: www.ciaj-icaj.ca/en/upcoming-programs/2019-annual-conference/
Or: complete the form below and return it with your payment.

Surname:

First Name:

Title:

Organization:

Address:

.....

Postal Code: Email:

Telephone: Fax:

I am fluent in: ☐ English ☐ French ☐ English & French
(Simultaneous translation is provided throughout the conference)

REGISTRATION FEE – Early Bird Rate until August 1, 2019
(Breakfasts, coffee breaks, luncheon, and conference material included)

☐ CIAJ members **\$895** ~~\$795~~ ☐ non-members **\$1,045** ~~\$945~~

☐ Young lawyers (5 yrs or less) members **\$625** ~~\$525~~ ☐ non members **\$725** ~~\$625~~

☐ Students **\$75** (enrolled full-time at Canadian universities)

I WILL ATTEND THE NETWORKING COCKTAILS (5 TO 6:30 PM):

Wednesday, Oct. 16 ☐ Yes ☐ No – Thursday, Oct. 17 ☐ Yes ☐ No

I will be accompanied by guest(s) ☐ Yes ☐ No

Name of guest(s)

.....

Do you, or your guest(s), have any dietary restrictions? ☐ Yes ☐ No

Which?

PAYMENT BY:

☐ Cheque ☐ Am Ex ☐ Visa ☐ MasterCard

Card No: Exp. Date:

Name on the card:

Security Code: Signature:

☐ **I wish to subscribe to CIAJ's electronic newsletter**

BECOME A MEMBER!

Save up to \$150 on programs and earn CPD hours

The Canadian Institute for the Administration of Justice (CIAJ) is a non-profit organization which promotes excellence and leadership in the administration of justice through knowledge, learning and the exchange of ideas. CIAJ offers education and research programs and provides a forum for everyone interested in the administration of justice.

Through participation of its members, CIAJ helps preserve a strong and independent judiciary.

Membership Categories and Fees

☐ **Individual** **\$150**

This membership fee is recoverable by federally-appointed judges under S. 27(1) of the Judges Act. Provincial and territorial judges, other judicial officers and board and tribunal members may be entitled to reimbursement through judicial or other professional allowances.

☐ **Young Lawyer** **\$100**

Young Lawyers (5 years or less) have the same benefits as individual members.

☐ **Retired Person** **\$75**

Members retired from their profession have the same benefits as individual members.

☐ **Student** **\$10**

Members enrolled as full-time students at a Canadian University or the Bar have the same benefits as individual members.

☐ **Institutional** (variable fee: www.ciaj-icaj.ca/en/membership/)

Donation

To support our mission, you may also choose to become a CIAJ contributor. You will be issued a tax receipt for a charitable donation (Registration number: 10686 1529 RR 0001).

Amount of donation: \$ _____

ACCOMMODATION:

A block of rooms has been reserved at Le Bonne Entente Hotel: 3400, Chemin Sainte-Foy, Quebec City (QC) G1X 1S6. Participants are required to make their own hotel reservations by September 16, 2019, to take advantage of the preferred rates (from \$179 to \$259/day).
Tel: 1-800-463-4390 / Website / **Group Code:** CIAJ2019

CANCELLATION POLICY:

- 30 days or more before the event: Administration fees of \$40
- 7 days or more before the event: 50% of registration fees
- Less than 7 days before the event: No refund
At any time, a participant may be replaced by another person without charge

TO REGISTER:

Please complete and return this form with your payment:

By mail:

Canadian Institute for the Administration of Justice
5950 Chemin de la Côte-des-Neiges, Office 450
Montreal, Quebec, Canada H3S 1Z6
Phone: 514-731-2855

By email:

ciaj@ciaj-icaj.ca

By fax:

514-731-3247

45th Annual Conference

INDIGENOUS PEOPLES AND THE LAW

October 21–23, 2020 • Vancouver

Online registration: <https://ciaj-icaj.ca/en/upcoming-programs/2020-annual-conference/>



Sacred Circle by Dylan Thomas

**SAVE
THE DATE!**

Contact us

Please contact us for more information about our organization, the benefits of membership and how you can assist us with our mission.

Canadian Institute for the Administration of Justice

5950 Chemin de la Côte-des-Neiges, Office 450
Montreal, Quebec H3S 1Z6

Tel.: 514-731-2855 | Fax: 514-731-3247 | Email: ciaj@ciaj-icaj.ca | www.ciaj-icaj.ca

