

Millennials, Technology and Access to Justice in Ontario



TAG

The Action Group
on Access to Justice
Groupe d'action
sur l'accès à la justice



The Action Group on Access to Justice

The Action Group on Access to Justice (TAG) was established by the Law Society of Upper Canada in 2015 to facilitate better coordination and collaboration across the justice sector. It is funded by the Law Foundation of Ontario and the Law Society of Upper Canada.

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Background

Millenials want tech-based solutions for accessing the justice system

On behalf of The Action Group on Access to Justice (TAG), Abacus Data conducted an extensive online province-wide study of Ontario Millennials (aged 18 to 36) on their perceptions surrounding digital justice initiatives and accessibility to the legal system. The survey was conducted with a representative sample of 1,000 Ontario residents aged 18 to 36, from September 20 to 27, 2017.

TAG has chosen to study Millennials because they are a generation of digital natives – they are comfortable with digital innovations and are most likely to adopt disruptive technology in a wide array of industries. We believe that this segment would make up the clear majority of “early adopters” for digital justice initiatives because our research reveals that they are the generation most likely to be comfortable transitioning from a traditionally non-digital approach to online, motivated by their desire for convenience, cost-savings and choice.

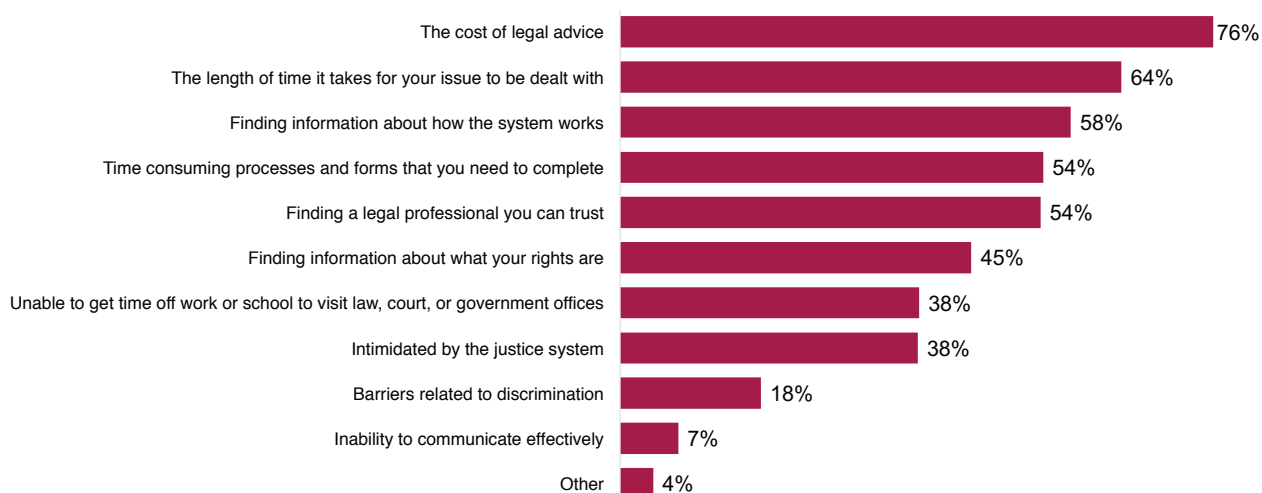
Millennials’ use of technology has come to define their generation. Not only are they daily users of a plethora of social media tools, their purchasing habits are steadily migrating to the digital world, and they have also digitized day-to-day tasks such as banking, remote work, and fitness tracking. Now, technology is poised to disrupt the way Ontario residents perceive and engage with the legal professions and the justice system.

The following findings from the study provide helpful insights and contribute to key questions that access to justice and legal technology advocates may be asking: Are Ontario Millennials ready for disruptive services in justice? Why would Ontario Millennials seek justice through technology? What are potential challenges to the adoptions of digital justice initiatives?

Biggest issues are cost, time and perceived lack of legal information resources

Respondents who felt it would be difficult to access Ontario's justice system as a whole were asked what factors impacted this view. Overall, (76%) of those who felt the system was difficult to access cited cost as a factor. The majority, (64%), noted the time it takes for an issue to be dealt with, and (58%) said the challenge was in finding information about how the system works. About one in five (18%) Ontario Millennials who felt the system was difficult to access felt that they would face barriers related to discrimination such as a disability, language issues, race, ethnicity, gender, a record of offences, or sexual orientation.

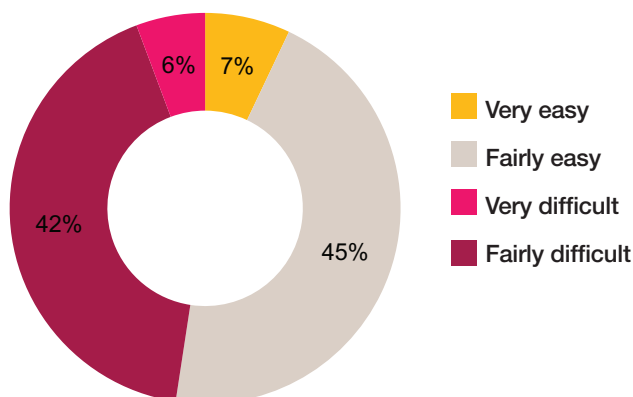
FIGURE 1
Difficulties Accessing Justice System
Respondents Are Inhibited in Accessing the Justice System By:



Many Ontario Millennials think it's hard to find information and solve their legal issues

Respondents were asked how easy or difficult it would be for them to get information to solve a legal issue through Ontario's justice system. Almost half of Millennials (48%) think it would be difficult to find legal information to solve their issue. However, few (6%) felt it would be "very difficult."

FIGURE 2
Access to Legal Information
If you had a legal problem to deal with, do you think it would be very easy, fairly easy, fairly difficult, or really difficult to get legal information and solve the legal issue through Ontario's justice system?



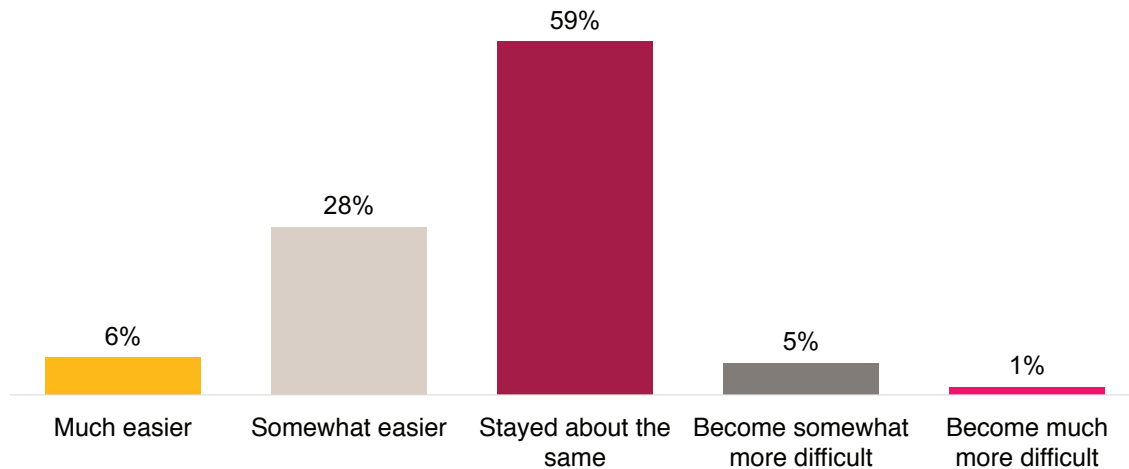
Most Ontario Millennials feel there has not been much improvement in the accessibility of legal information. One in three feel accessing legal information has become easier

Respondents were asked if they thought accessing legal information and support has become easier, harder or stayed about the same over the last few years. Almost two-thirds (65%) say that access has stayed about the same or become more difficult. The remainder (34%) think accessing legal information and support has become at least somewhat easier.

FIGURE 3

Change in Access to Legal Information

In the past few years, do you think accessing legal information and support has become much easier, somewhat easier, stayed about the same, become somewhat more difficult, or become much more difficult for someone like you?



Almost two-thirds (65%) of Ontario Millennials would prefer looking for legal information in person versus online

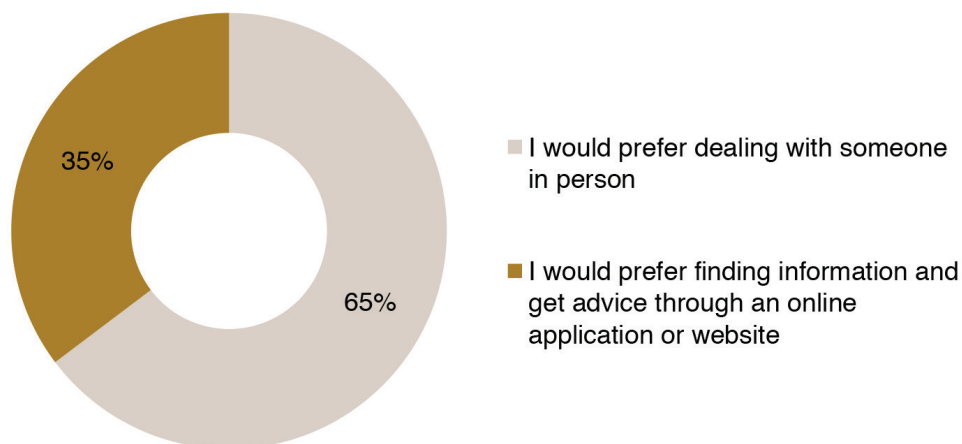
Respondents were asked if they would prefer an in-person or digital approach to obtaining legal information. Almost two-thirds (65%) of Millennials would prefer getting legal information in person, while the remaining 34% would prefer to get it online.

This result should not be interpreted as a signal to the justice sector to halt development of digital justice initiatives. Instead, it should be viewed as an indication that Millennials value expert guidance. Given that this group are daily users of technology, these findings point to the need for a more comprehensive understanding of how digital and in-person approaches can be combined to best meet Millennial legal needs.

FIGURE 4

Legal information in person or online

If you were looking for legal information, which of the following comes closest to your view?



More Millennials have sought legal information online, but many reach out to lawyers, public libraries, legal aid, or paralegals for information

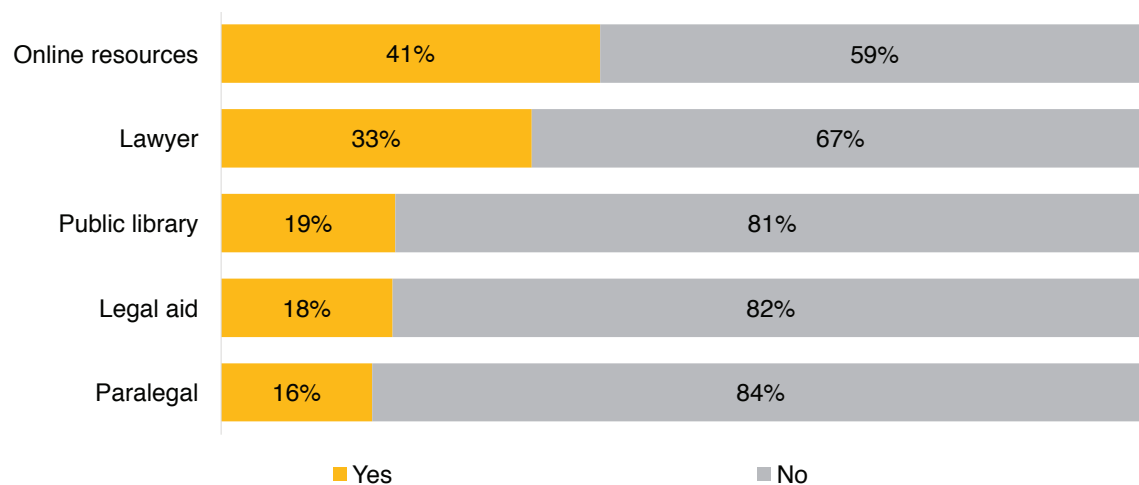
Millennials seek most information online — searching for legal information or help is no different. Respondents were asked where they sought legal information if they ever had to address a personal legal matter. About 4 in 10 (41%) Ontario Millennials have sought legal resources online, which is more than have talked to a lawyer (33%), sought legal information at a public library (19%) or engaged legal aid (18%) or a paralegal (16%).

Analyzing the data more comprehensively, we find that (54%) of Ontario Millennials have sought legal information from at least one of these sources, (37%) have used multiple sources and only (17%) have used just one source. Just (6%) of respondents said that they have used all these sources to search for legal information.

FIGURE 5

Addressing Personal Legal Matters

Have you ever had to address a personal legal matter where you sought legal information for a legal problem through any of the following?

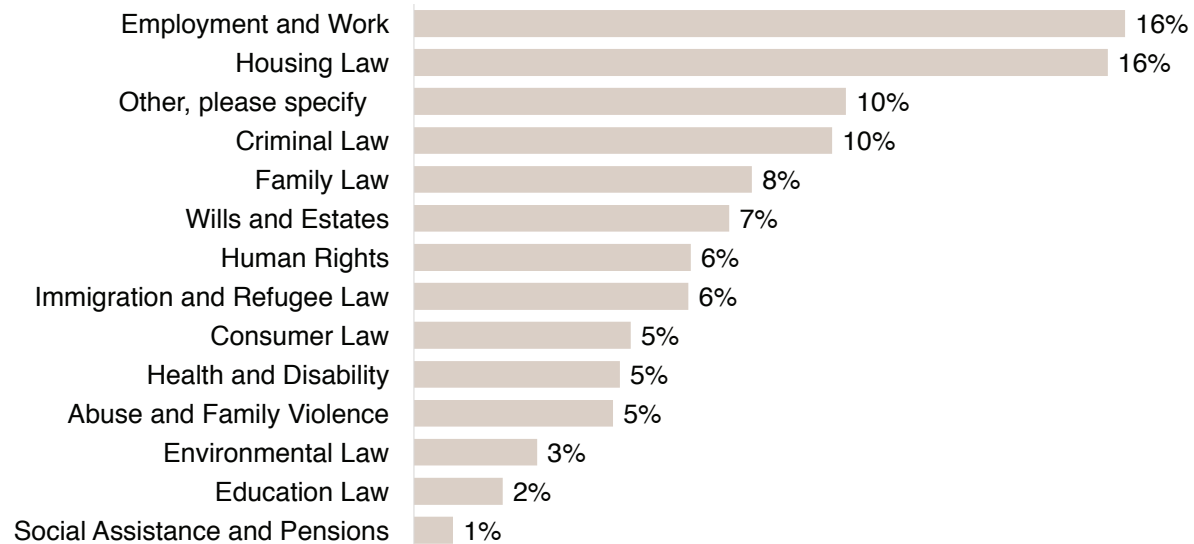


The most frequent legal challenges experienced by Ontario Millennials were employment and work-related matters (16%) and housing law (16%), which made up almost a third of the issues identified by survey respondents. Other issues cited by Ontario Millennials were split across areas including criminal and family law, wills and estates, and human rights issues.

FIGURE 6

Types of Legal Situations Experienced

Still thinking of that legal situation, what type of legal problem did you seek information for?



The greatest barrier to adopting digital legal services may be processes that require uploading of legal identification: Almost 3 in 10 (27%) of Ontario Millennials say they are uncomfortable uploading these documents online and would not use a service that required this process

Respondents were asked to imagine scenarios in which they were attempting to resolve legal matters, ranging from parking tickets to divorces to minor criminal offenses, and then rate how comfortable they would be performing certain processes to resolve their legal issues online.

The situations in which respondents were more likely to be uncomfortable included uploading legal identification such as a passport or driver's licence (27% said they would be too uncomfortable to do this online), uploading legal documents online (21%) and sharing personal information with online legal software (19%).

FIGURE 7
Dealing with Legal Matters – Speeding/Parking Ticket

Imagine you were looking to resolve a minor legal matter like a speeding or parking ticket. How comfortable would you be with each of the following processes to resolve this legal situation online?



Single women, those with lower educational attainment and from lower income households, and those living in rural communities were the most likely to be uncomfortable with these processes.

Respondents who said they were uncomfortable with a process were also asked what the reason for their discomfort was. The majority of those uncomfortable with uploading legal identification cited identity theft as their main cause of concern, while uploading legal documents or personal information in general were seen more as privacy concerns.

FIGURE 8

Primary Concerns with Sharing Information Online

Why would this process make you uncomfortable? Please choose the most important option.



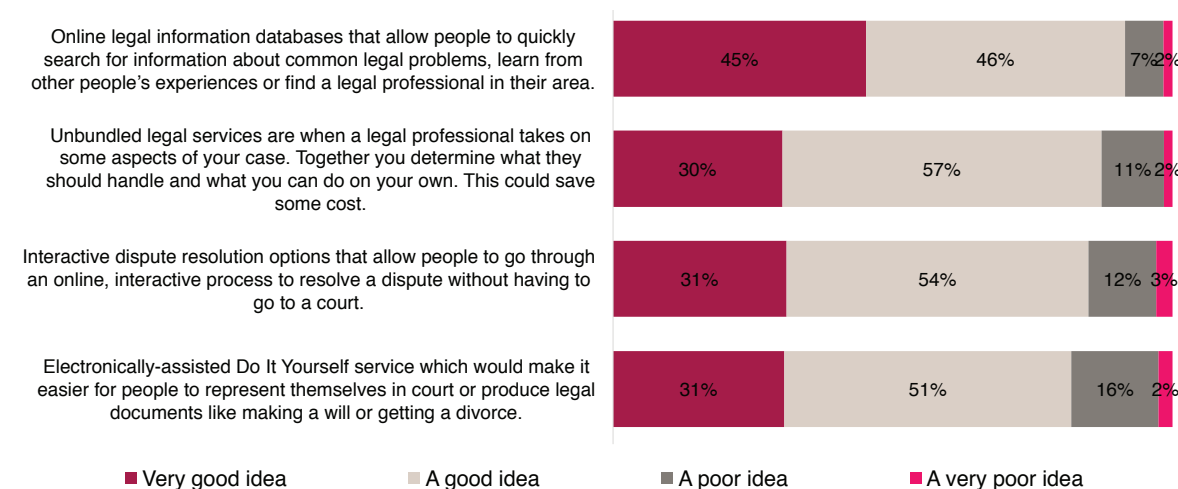
Self-serve online legal information databases are the most preferred initiative to improve access to justice

Respondents were asked to rate multiple access to justice initiatives. The most appealing initiative tested was an online legal information database that allowed citizens to quickly search for information about common legal problems, learn from other people's experiences, or find a legal professional in their area. Nine in ten (91%) respondents felt this initiative was a good or very good idea. However, all the initiatives we tested were popular among Ontario Millennials: unbundled legal services (87%), online interactive dispute resolution (85%) and electronically assisted Do It Yourself services (82%) were all seen as good or very good ideas.

FIGURE 9

Innovative Access to Justice Approaches

Tell us whether you think the following initiatives are a very good idea, a good idea, a poor idea or a very poor idea for improving access to justice



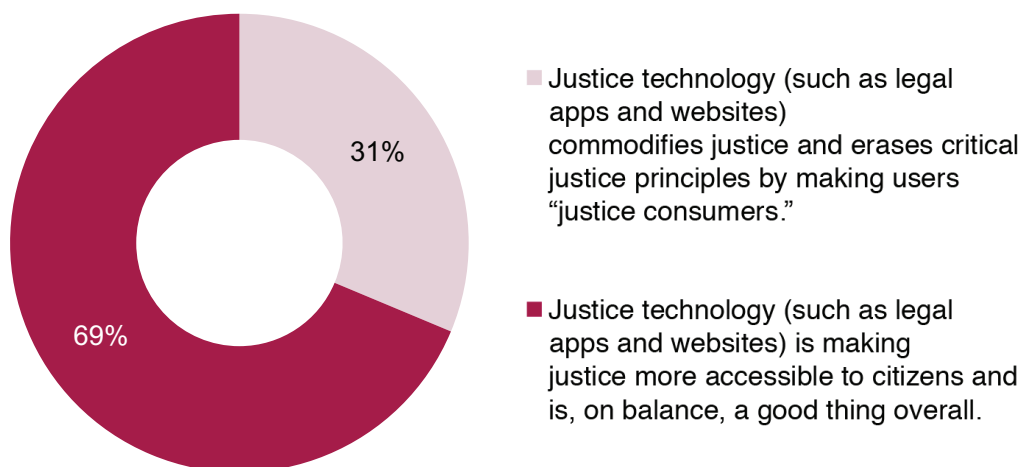
Finally, over two-thirds (69%) of Ontario resident Millennials believe advances in digital justice initiatives are a good thing overall

Respondents were asked if the potential benefits of digital justice initiatives outweighed the potential risks of these approaches leading to a commodification of justice. A large majority (69%) of Ontario Millennials do believe that the technology is a good thing overall, while the remaining (31%) are worried about the erosion of justice principles, concerned about the potential transformation of justice into a commodity.

Although the proportion of those philosophically opposed to potential digital justice initiatives is not insignificant, these objections may dissipate over time as the population becomes more comfortable with the services. While the potential for digital justice initiatives is high, its development must have an inclusive approach if the benefits are to be available to all Ontario residents. This will require careful monitoring and engagement to understand how these initiatives affect different populations — particularly low-income and/or equity seeking groups such as persons with disabilities, immigrants and refugees, Indigenous communities and transgender persons.

FIGURE 10
Accessibility of the Justice System

Which of the following comes closest to your view?



Conclusion

Overall, it appears that the generation most likely to adopt innovative technologies and disruptive digital services is ready for an evolution in the justice sector. Almost half (48%) of Ontario Millennials say that they are having difficulty accessing legal information to solve their legal problems, mostly because of time, cost and convenience issues, and these problems cut across all demographic segments within the cohort. New digital initiatives that address these pain points are sure to capture the interest of this next generation of justice system users. A strong majority (69%) also believe legal technology is a good thing overall, indicating that most respondents are not morally opposed to its development.

Ontario Millennials face a diverse and fairly evenly distributed set of legal issues; however, legal technology that touches on housing law and employment matters will find a market among almost a third (32%) of young Ontarians. As Millennials age and face a broader range of potential legal issues, needs will likely change.

Our data also show that the sector faces several challenges as it evolves.

Although Millennials are some of the most voracious web browsers and some of the most comfortable using online search engines, awareness of digital justice initiatives is still lacking among the vast majority, with almost 9 in 10 (86%) Ontario Millennials are unaware of one free and comprehensive online legal resource *Steps to Justice*.

Ontario Millennials seem to be hearing about the few resources available through decidedly analog means. For example, respondents were almost two-times more likely to be aware of *Steps to Justice* if they had visited a paralegal, legal aid clinic or a public library, but only half as likely to be aware of the website if they had done an online search alone. This is important because online resources such as *Steps to Justice* are already paying dividends for Ontario Millennial perceptions of the justice sector: 61% of those who were aware of the website said that they thought accessing legal information and support has become at least somewhat easier in the past few years, compared to only 30% among those who were unaware of the site. Although TAG only tested the recall of one digital legal service, these findings certainly highlight the importance of raising awareness for these types of digital resources as they become available. Doing so would not only improve access to justice in the province, but would also improve perceptions about the justice system's overall accessibility, relevance, and approachability. All matters we highlighted as challenges facing the legal sector in the 2016 *Public Perceptions of Access to Justice in Ontario* report.

Another challenge in the development of digital justice initiatives is the preference younger residents have for face-to-face interaction. Despite being digital natives, almost two-thirds (65%) would prefer receiving legal information in person, compared to 35% who would prefer finding information and advice online. This should not be surprising considering the premium most people place on receiving accurate and helpful legal information; receiving or acting on poor legal advice could have major negative repercussions on our lives. One approach may

be for the justice sector to combine in-person processes with digital tools, allowing users to access legal information or other tools online prior to or after meeting with a legal professional. This could effectively respond to the Millennial appetite for legal technology and unbundled legal services. It would also align with established digital behaviour, such as the inclination to search online for information about a major purchase or health symptoms before engaging the appropriate expert.

The challenge now is for digital justice initiatives to entice citizens with cost and time savings significant enough to pique their interest, without sacrificing the credibility or reliability of useful and accurate legal information or advice. This type of transition has already been successful in the banking industry, where the perception of security and expertise is critical to gaining a client's trust, which bodes well for future digital justice tools.

Finally, there is discomfort among some Ontario Millennials with processes that they might encounter when using a digital legal service. Specifically, we see that over 6 in 10 (61%) Ontario Millennials are uncomfortable uploading legal identification such as a passport or driver's license, while almost half of this group would find it so uncomfortable that they would not use a service that required this. These concerns are driven by fears of identity theft, and digital legal technologies that require these types of processes will need to clearly convey that their systems and processes are highly secure in order to be deemed trustworthy.

Methodology

This survey was commissioned by the The Action Group on Access to Justice (TAG) and measures Ontario Millennials' perceptions of digital justice initiatives and accessibility to the legal system. The research was conducted by Abacus Data.

Our survey was conducted online with 1,000 Ontarians aged 18 to 36 from September 20 to 27, 2017. A random sample of panelists was invited to complete the survey from a large representative panel of over 500,000 Canadians, recruited and managed by Research Now, one of the world's leading providers of online research samples.

The Marketing Research and Intelligence Association policy limits statements about margins of sampling error for most online surveys. The margin of error for a comparable probability-based random sample of the same size is +/- 3.1%, 19 times out of 20. The data were weighted according to census data to ensure that the sample matched Ontario's population according to age, gender, educational attainment, and region. Totals may not add up to 100 due to rounding.



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