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Chantelle Cseh Speaks About iPad Trials at OBA's 2018 Institute

At the Ontario Bar Association's Institute 2018 earlier this month, Davies partner [Chantelle Cseh](#) spoke on a panel titled "The Courts: Moving Towards a Paperless World." The panel also included Justice David Brown from the Court of Appeal for Ontario and Christopher Johns, executive director in the Ministry of the Attorney General's innovation office, and was part of the OBA Institute's civil litigation program on the subject of "Keeping Up With the Times: How to Survive and Thrive in the Age of Digital Litigation."

An [article](#) published this week in *The Lawyer's Daily* featured Chantelle's presentation, in which she described her experiences conducting and consulting on paperless "iPad trials" over the past several years. "What I've learned is if there are no rules, make your own rules and let somebody tell you [that] you can't do it. And so far, we've had good success."

Given the relative novelty of iPad trials and the absence of formal rules of procedure or practice directions respecting how such trials are to be conducted, she stressed that it's vital for counsel to take the initiative and create their own "rules of play." "What we've done is we've drafted a protocol, which is our own set of rules and we negotiate between the parties. So when we suggest an electronic trial, we say 'this is how we are going to do it. Happy to hear your suggestions. If you have any questions about any of the points we can discuss them.'" Copies of the agreed-upon protocols are distributed to the trial judge and court staff so everybody knows the ground rules going in.

Chantelle believes there are several advantages to using tablets. In addition to improving efficiency, reducing trial time and being user-friendly, she argues that electronic trials – and those using iPads in particular – provide a more effective means of presentation in the courtroom, which gives clients a leg up from an advocacy perspective. Importantly, conducting electronic trials of all types just makes sense from a workflow point of view. "Clients nowadays are engaging digitally. You don't get as many banker's boxes of documents delivered to your office. Now you get documents sent to you on Dropbox or email. It doesn't make a great deal of sense to receive all this information electronically just to transfer it into a hard copy format."