

INTRODUCTION TO ESSAYS ON TECHNOLOGY IN COURTROOMS AND JUDICIAL CHAMBERS

Welcome to our second online volume of the *Legal Writing: The Journal of the Legal Writing Institute*. It has been more than fifty years since Marshall McLuhan first proposed that “The medium is the message,”¹ and scholars have been teasing out the multiple ways in which we share a reciprocal relationship with that which surrounds us ever since. We at the Journal have also been curious about how changing to an online presence shapes our publication. Our essays for our first online volume explored the ways in which new technologies have been changing how lawyers and judges research.

Those essays helped us think about everything from transformative changes in control over the research process and organization of legal sources to those research principles that endure unchanging in a new landscape. They were both thoughtful and thought provoking, and we invite you to the website to read or re-read them.

For this volume, we continue to examine the impact of new technologies on the practice of law and the justice system. This time we are delighted to have essays from three distinguished jurists, giving us three distinct perspectives on technology in their courtrooms and chambers. You will find these essays, like the ones in the previous volume, are instructive and insightful.

Judge Robert N. Davis, in “Redefining the Workplace: Technology and the Modern Judicial Chambers,”² embraces the changes technology brings. He describes the burdens imposed by the paper system the court employed when he first arrived, and how as a former academic, he found it surprising. He examines the “sea change” to the workplace environment, such as judges and staff no longer being tied to a physical location, and how technology streamlines the comment and review process. Judge Davis applauds how these changes can give those who work in the

1. Marshall McLuhan, *UNDERSTANDING MEDIA: THE EXTENSIONS OF MAN* 7 (1964).

2. Robert N. Davis, *Redefining the Workplace: Technology and the Modern Judicial Chambers*, 21 *LEGAL WRITING* 3 (2016).

system an opportunity for a better work/life balance without sacrificing efficiency or productivity. He foresees even more revolutionary changes, and embraces the revolution.

Judge James E. Massey, in “Reading, Writing, and Listening in the Bankruptcy Courts,”³ explores how three specific changes in technology have improved how busy bankruptcy courts do business. The three changes—electronic case files, court websites, and electronic reporting of court proceedings—mirror the “reading, writing, and listening” of the title of the essay. Judge Massey discusses the advantages and disadvantages of reading electronic case files on a monitor. He also points out the expanding access benefits of well-developed court websites, and their positive effect on legal research. Finally, the essay addresses how recording court proceedings makes it clearer how important it is that attorneys and judges learn to listen. This essay should be required reading for anyone training students today.

Finally, Judge Jean Rosenbluth, in “Paper Versus Pixels: Please Don’t Take My Pencil Away,”⁴ brings a different perspective—that of someone who is reluctant to abandon reading in hard-copy. Judge Rosenbluth’s essay will resonate with many of us who came to the law because we love the “feel of paper,” “scribbling notes in the margins,” or “the sort of meaningless satisfaction in seeing that my margins are even and my headings are properly formatted.”⁵ Judge Rosenbluth’s name may be familiar for reasons beyond her work as a jurist. Although she has been on the bench since 2011, some of our readers may remember her as a friend and active member of the Legal Writing community from her days teaching at the University of Southern California Gould School of Law.

3. James E. Massey, *Reading, Writing, and Listening in the Bankruptcy Courts*, 21 LEGAL WRITING 11 (2016).

4. Jean Rosenbluth, *Paper Versus Pixel: Please Don’t Take My Pencil Away*, 21 LEGAL WRITING 15 (2016).

5. *Id.* at 16.

We are excited to publish this new set of essays exploring our relationship with technologies, old and new. We think these essays illuminate the complex interaction between the medium and the message, and that you will enjoy them.

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