

# JOURNAL OF JUDICIAL ADMINISTRATION

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## ARTICLES

### **Trying serious offences by judge alone: Towards an understanding of its impact on judicial administration in Australia – Fiona Hanlon**

Criminal trial before a judge sitting alone without a jury for serious offences is not novel in most Australian jurisdictions. Despite this, it has not been the subject of sustained study in terms of its impact on judicial administration. This article identifies some issues and calls for further research in order to better understand the current and potential impact of judge-alone trials on judicial administration in Australia. .... 137

### **Courting justice beyond the cityscape: Access to justice and the rural, regional and remote magistrates' courts – Bridget Harris, Lucinda Jordan and Lydia Phillips**

The lower courts in Australia are important spaces. These "people's courts" handle the majority of civil and criminal matters and can profoundly shape perceptions, not only of the courts but of the criminal justice system at large. Lower courts play a key role in educating and guiding court workers and are places where innovative practices are pioneered and social change is pursued. Despite their significance there has been little review of the lower courts, even less of courts beyond the cityscape. In this article the authors explore the history, role and operations of lower courts in rural, regional and remote Australia to assess how the courts respond to the needs and diversity of different community groups and regions; they identify barriers to justice and signal emerging areas of research. .... 158

### **Affordable costs in civil litigation – Dr Andrew J Cannon AM**

Cost shifting policies have a profound effect on the way that litigation is conducted. To maintain a Rule of Law it is essential that courts are affordable. For court systems to provide affordable and efficient litigation processes they must have appropriate cost incentives to encourage that approach in the litigants and their advisors. This article describes a cost rule and scale that does so by providing fixed rate proportionate costs for each of the stages of the litigation to encourage efficient and proportionate use of court processes. A system of offers to encourage plaintiffs to accept a discount and defendants to actually pay any judgment sum are included. Importantly, litigants who exaggerate their claims, defences and counterclaims are penalised under the cost formula. .... 171

### **Summoned by social media: Why Australian courts should have social media accounts – Marilyn Krawitz**

Millions of people and organisations benefit from using social media. Court staff can also benefit from using it. In particular, they can inform the public about recent judgments and about how courts function. At this point, few courts in Australia, Canada and the United Kingdom use social media. This article examines why. Ultimately, it argues that Australian court staff should consider using social media to increase confidence in the judiciary. .... 182

