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### Book Review - Middle Income Access to Justice

Benjamin H. Barton

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*Middle Income Access to Justice* ed. by Michael Trebilcock,  
Anthony Duggan, Lorne Sossin (review)

Benjamin H Barton, Helen Lockett, Charles Lockett

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## BOOK REVIEW

*Middle Income Access to Justice* MICHAEL TREBILCOCK, ANTHONY DUGGAN, & LORNE SOSSIN, eds Toronto: University of Toronto Press, 2012\*

### I Introduction

America and Canada are in the midst of matching legal crises (3–23). Members of the Canadian and American middle class find their lives increasingly governed by complicated laws and regulations – from domestic matters of child rearing and marriage to school discipline to the terms and conditions of their employment. When disputes arise in these areas, more and more of them are settled in courts or court-like processes, where it is frequently helpful or even necessary to hire a lawyer for assistance. Yet, in both countries, hiring a lawyer is prohibitively expensive and legal aid is only for the very poor. Access-to-justice issues for the middle class are present all over the developed world, but America and Canada seem to have it worse than most other rich countries (27–54).

*Middle Income Access to Justice* is a thoughtful and thought-provoking response to this ongoing crisis. On the one hand, it is a broad-ranging and international (common law) look at this problem and its solutions, with leading experts from Australia, America, Canada, England, and Wales all chiming in.

On the other hand, the book is a ‘deep dive’ into one particular jurisdiction, Ontario. The heart of the book is a collection of essays that directly address middle income access to justice in Ontario. These essays are quite comprehensive. They detail the broad contours of the problem (working from a 2009 survey on legal needs [55–91]) and also break the problem into its constituent parts, with specific chapters on family law (413–9), employment law (450–84), and consumer law (485–519). Several essays provide innovative solutions, including two chapters detailing possible public/private partnerships to provide legal insurance to middle-class Ontarians (246–67, 385–410).

\* Subsequent references appear parenthetically in the text.

The present book review is largely positive, with PART II offering praise for the specificity of the Ontario chapters and the quality of the judicial and academic participation. Canada, in general, and Ontario, in particular, is making access to justice for the middle class a priority in a manner that is an example to the rest of the common law world.

PART III offers some criticism with respect to what *Middle Income Access to Justice* leaves off of the table. In particular, the book almost completely ignores what I consider to be the single most exciting recent development in access to justice: the use of technology and the Internet to provide legal advice and interactive forms and to streamline, or even replace, traditional forms of dispute resolution.

The book is also eerily quiet about the roots of the crisis, which is awkward in a book that so assiduously describes the problem and offers so many possible solutions. Canadian and American lawyers are remarkably self-regulated, which unsurprisingly results in the market for legal services' being dominated by lawyers and non-lawyers' being largely frozen out. These regulations are at least part (and maybe all) of the reason why middle-class consumers have less access to legal advice and assistance in Canada and the United States than in the United Kingdom or European civil law jurisdictions.

## II *The advantages of focusing on Ontario*

*Middle Income Access to Justice* is an interesting hybrid, combining a collection of academic think pieces about access to justice for the middle class and very specific essays about Ontario. In some places, this is unwieldy. Some academic readers who do not live in Ontario will get bogged down in the details of the various court structures, legal aid programs, and politics of a specific jurisdiction. Some readers who care more about the nuts and bolts of Ontario will likewise be impatient with some of the more general, or international, treatments of the subject. Nevertheless, taken as a whole, the collection of essays is quite effective.

*Middle Income Access to Justice* is much more than a collection of Ontario position papers. It includes some of the leading academic lights on this topic. Rebecca Sandefur and Russell Engler are two of the most respected American scholars working in this area, Justin Malbon fills the same role in Australia, and Roger Smith has spent his entire career working on these issues in the United Kingdom. And, as noted below, the three Canadian editors who organized the book are more than just experts in access to justice. They are three of the best known legal academics in Canada, full stop. These different scholars present a thorough overview of the problem (at least in the common law world) and some

potential solutions. The American academic discussion of these issues is too often parochial,<sup>1</sup> so the Canadian reflex to look throughout the common law world for examples and solutions is particularly welcome.

The Ontario portion of the book also serves several salutary functions. First, it limits even the academic discussions to what might actually be accomplished. The literature on middle income access to justice is often dogged by what I call the ‘I wish I had a pony’ problem:<sup>2</sup> it dwells on unrealistic solutions that would require either massive influxes of government money, a new constitutional right to legal services for the middle class (which is unlikely in Canada or America), or some combination of the two. Because the book is partially meant to provide real solutions to a real problem in a real locality, there is a frank admission that ‘increasing public funding for legal aid on the scale required to serve the civil justice needs of the middle class, on a sustainable basis, is an economic and political non-starter’ (386).

Second, it grounds the discussion of the problem. Law, like real estate, is often all about location, location, location. Rather than dealing with generalities in a description of the crisis and its solutions, *Middle Income Access to Justice* challenges the reader to consider a list of actual solutions to specific issues in a particular setting. For example, the first full chapter of the book is a thorough and very helpful overview of the state of the empirical survey work on these issues, comparing the results of twenty-three different surveys from thirteen different countries (27–54). This chapter is the best and most thorough review of this literature that I know of, and for anyone interested in these issues is a must read.

The next chapter offers comparative survey data from Ontario (55–87), which helps refocus the reader’s attention away from the broader contours of the problem and its solutions all over the world to a more manageable question: what does the problem look like in Ontario? By itself, this chapter would be interesting, but as a follow-up to the review of the studies from all over the world it is strangely compelling: our understanding of Ontario’s particular challenges is greatly deepened by our understanding of other jurisdictions.

Third, the focus on Ontario has brought some heavy hitters to the table. The Right Honourable Beverly McLachlin, PC, Chief Justice of

1 See e.g. a recent 100 per cent American law review symposium on *Justice, Lawyering, and Legal Education in the Digital Age* (2012) 88 Chicago-Kent L Rev 687.

2 This name comes from a famous *Calvin and Hobbes* comic strip, where Susie Derkins is lamenting how mean Calvin is to her and wishing that she had a hundred friends and Calvin was all alone. The strip ends with Susie rolling her eyes and saying ‘and as long as I’m dreaming, I’d like a pony’; *Calvin and Hobbes* (13 January 1987), online: GoComics <<http://www.gocomics.com/calvinandhobbes/1987/01/13>>.

Canada wrote the Foreword (ix-x) and presented the keynote address at the conference.<sup>3</sup> She was a fitting speaker: she has been a passionate advocate on access to justice issues since her appointment.<sup>4</sup> The editors are three of the best known legal academics in Canada, and the world for that matter. Trebilcock is a leading law and economics scholar, Duggan is a well-known expert in commercial law in Canada and Australia, and Sossin is currently serving as the Dean of Osgoode Hall Law School.

To an American, it is as if Richard Posner, Bernard Black, and Martha Minnow co-edited a book on access to justice for the middle class, with a forward by John Roberts. Not bloody likely. But in Canada, the problem is high profile enough to draw the highest level of attention. It is also refreshing to see academics from *outside* of the access to justice bubble involved and providing innovative solutions. In comparison to the United States, Canada is extraordinarily serious about studying and even solving this issue.<sup>5</sup>

### III *A few things they missed*

*Middle Income Access to Justice* does a good job of including America, Australia, and the United Kingdom in its discussion. It also offers a number of very strong and specific solutions. Some of these solutions will be familiar to experts in the area: trying to adjust the law up front to avoid legal entanglements (so called ‘front end strategies’ 95–141), the use of non-lawyers to assist (145–72), revision of various court processes (413–519), pursuing what Americans call a civil-*Gideon* right in certain types of cases (152–4), and encouraging unbundling (193–221). The book also offers more unusual suggestions, notably Choudhry, Trebilcock, and Wilson’s suggestion of a government-supervised private market for legal expenses insurance (385–410). Because of the focus on

3 For a full video of her remarks, see The Right Honourable Madam Chief Justice Beverley McLachlin, Keynote Speaker, Presentation to the Access to Civil Justice Colloquium, the Munk School of Global Affairs and the Faculty of Law, University of Toronto, (10 February 2011), online: Munk School of Global Affairs <<https://hosting2.desire2learncapture.com/MUNK/1/Watch/219.aspx>>.

4 See e.g. ‘Canada’s Top Judge Slams “Inaccessible Justice,”’ *CBC News* (18 August 2013), online: CBC News <<http://www.cbc.ca/news/canada/saskatoon/canada-s-top-judge-slams-inaccessible-justice-1.1306993>>.

5 Nor has the issue faded from view. 2013 saw another comprehensive and very well done report on the issue; see Action Committee on Access to Justice in Civil and Family Matters, *Access to Civil and Family Justice: A Roadmap for Change* (Ottawa: Action Committee on Access to Justice in Civil and Family Matters, 2013), online: Canadian Forum on Civil Justice <[http://www.cfcj-fcjc.org/sites/default/files/docs/2013/AC\\_Report\\_English\\_Final.pdf](http://www.cfcj-fcjc.org/sites/default/files/docs/2013/AC_Report_English_Final.pdf)>.

Ontario, each of these solutions is presented in unusual specificity for this type of book and that is meant as the strongest praise. Without specifics, listening to academics (including me!)<sup>6</sup> speculate about what might be done or what should be done is often useless, and *Middle Income Access to Justice* is the exact opposite. It is thus hard to criticize the book too harshly for missing out on other possible solution categories, but the book's relative silence on the use of technology or on the United Kingdom and Australia's deregulation of the legal profession is puzzling and unfortunate.

#### A TECHNOLOGY

*Middle Income to Justice* includes a very comprehensive, fifteen-page index (541–56). The index's entry for 'access to lawyers' covers half of a page, as do the entries for 'employment law,' 'family law,' and 'access to justice.' These are certainly important topics and they are, indeed, well covered in the book. By comparison, there are no index entries for 'computer,' 'computerization,' 'online legal services,' or 'Internet.' This is not because of an error in indexing; these topics are covered, if at all, in a very cursory manner. In spots, the book even disparages technology assisted self-help (see e.g. 249).

This lack of interest in technology is somewhat explained by the nature of the Canadian and American legal professions. Our lawyers and judges seem to be eternally behind the technology curve. From at least the time of Charles Dickens' *Bleak House*, common law lawyers and judges have been naturally averse to change, at least partially because the common law system itself is inherently conservative at heart. The common law system continuously looks to the past (precedent) to decide what should be done in the future. Clear breaks with past practices or radical rewritings of legal regimes are strongly disfavoured. Change comes via accretion and long study and time, if at all. Technological change is no exception. Legal professions and judiciaries all over the common law world have been slower to adapt than other professions, like medicine, engineering, or accounting.<sup>7</sup>

For example, British legal futurist Richard Susskind has predicted a computer-led revolution in legal services and court processes for years. His biggest disappointment? The slow pace of change in British courts.<sup>8</sup> Likewise, consider US Chief Justice John Roberts's 2014 Year-End Report

6 See Benjamin Barton, *Glass Half Full*, Oxford [forthcoming in 2015] is probably the most recent example.

7 See e.g. Ezra Dodd Church, 'Technological Conservatism: How Information Technology Prevents the Law from Changing' (2004) 83 Tex L Rev 561.

8 Richard Susskind, *Tomorrow's Lawyers* (Oxford: Oxford University Press, 2013) at 92–5.

on the Federal Judiciary. The report includes a lengthy explanation of why American ‘courts will often choose to be late to the harvest of American ingenuity.’<sup>9</sup> Why ‘choose’ to move slowly on technology? This is because, ‘like other centuries-old institutions, courts may have practices that seem archaic and inefficient – and some are. But others rest on traditions that embody intangible wisdom.’<sup>10</sup> Roberts compares the technology race to the race between the tortoise and the hare, with the hare symbolizing advocates of new technologies and the victorious tortoise our wisely reticent judiciary.<sup>11</sup>

Similarly, *Middle Income Access to Justice* includes a chapter by Justice George Czutrin of the Ontario Superior Court of Justice that expresses scepticism about the possibility that technology might assist self-represented litigants:

Self-help kits, material, the Internet, and videos do not replace a well-informed family lawyer giving advice and properly representing parties. Some materials intended to inform a person, who then chooses to proceed without counsel, may create more problems rather than help . . . How to disclose evidence, present a case, call a witness, and interpret the law is not easily taught in a short time frame, in particular when someone is attempting to understand and look for solutions for their own personal issues. (321)<sup>12</sup>

In light of this judicial reticence, it is understandable that a book so grounded in what might actually be done, given the various stakeholders in Ontario, would soft sell purely technology-driven solutions. Nevertheless, it leaves a hole in an otherwise excellent book.

All over the world, technology is transforming formerly human driven processes into computer-driven processes. In the industrial revolution,

9 Nancy Scola, ‘Courts “Choose” to Lag Behind on Tech, Says Chief Justice Roberts,’ *The Washington Post* (2 January 2015), online: [Washingtonpost.com](http://www.washingtonpost.com/blogs/the-switch/wp/2015/01/02/courts-choose-to-lag-behind-on-tech-says-chief-justice-roberts/) <<http://www.washingtonpost.com/blogs/the-switch/wp/2015/01/02/courts-choose-to-lag-behind-on-tech-says-chief-justice-roberts/>>; Chief Justice of the Supreme Court of the United States, *2014 Year-End Report on the Federal Judiciary* (31 December 2014), online: [Supremecourt.gov](http://www.supremecourt.gov/publicinfo/year-end/2014year-endreport.pdf) <<http://www.supremecourt.gov/publicinfo/year-end/2014year-endreport.pdf>>.

10 Ibid at 11.

11 If you are interested at all in judicial technophobia, definitely read the whole report. Roberts is the titular head of the entire federal judiciary and thus one of the world’s most influential thinkers on this topic. And he blithely dismisses technological advances as here today and gone tomorrow and actually celebrates judicial reluctance to change with the times.

12 One of the most frustrating aspects of this flavour of scepticism is that it seems to accept the current level of procedural and legal complexity as a given, rather than as part (or all) of the underlying problem. Technology would be more helpful to self-represented litigants if the process as a whole were more helpful, a point this book makes repeatedly in other chapters (see e.g. 413–39).



manufacturing replaced artisan production. Instead of an army of individual tailors or shoemakers, we had factories that mass-produced clothing or shoes faster and at a fraction of the price. In the information age, knowledge work that can be standardized and commoditized is being taken from expensive humans and transferred to computers or outsourced.<sup>13</sup>

Lawyers, law professors, and judges ignore these trends at their peril. It may be that unbundled legal services or public/private insurance for legal services or hiring more human mediators and case managers in family court are part of the answer to middle income access to justice, but these solutions are very old school and human driven.

In fact, most of the solutions suggested by the book are so technology neutral that they could have been proposed fifty years ago. For example, Roger Smith's excellent chapter on legal aid programs in England and Wales notes that, in the United Kingdom, call-in advice centres and informational web sites run by the Citizens Advice Bureaux serve millions every year, obviating much of the need for in-person advice centres like Ontario's community legal clinics (178–80). Smith's chapter draws a sharp contrast between Canada's in-person and lawyer/paralegal driven legal clinics and the United Kingdom's more tech-savvy use of the phone and the Internet to deliver legal advice.

The strange part is that Canada itself has hardly failed to embrace technological innovation in law. To the contrary, Canada has been a leader in the push to computerize court processes and lawyering. British Columbia, for example, has been called 'the Silicon Valley for the justice sector.'<sup>14</sup> British Columbia was the first government to hire *Modria*, the best known provider of online dispute resolution ('ODR') services. *Modria* is the brainchild of Colin Rule, who helped create the online dispute resolution programs for *eBay* and *PayPal*.<sup>15</sup> The *eBay* process proved exceptionally successful, eventually handling up to 60 million disputes a year and settling approximately 90 per cent of them with no human input on the company side.

13 For an excellent overview on these issues in the context of American education, see Glenn Harlan Reynolds, *The New School* (New York: Encounter Books, 2014).

14 Jin Ho Verdonschot, 'Justice Innovation from British Columbia: Built from the Justice Needs of Its Users' (22 September 2014) (Blog post), online: Updates for the Justice System <<https://jinhov.wordpress.com/2014/09/>>.

15 Eric Johnson, 'Modria Wants You to Settle Your Workplace Problems (and Even Patent Disputes)' (24 November 2012), online: All Things D <<http://allthingsd.com/20121124/modria-wants-you-to-settle-your-workplace-problems-and-even-patent-disputes-online/>>.

*Modria* licensed the *eBay* program and has set out to replace expensive, human-driven dispute resolution with modular, computer-driven mediation. British Columbia hired *Modria* to design an ODR process for consumer complaints to its consumer protection bureau.<sup>16</sup> Consumers with a complaint about a business are asked to try ODR. If they agree, Consumer Protection British Columbia contacts the business and invites them to participate. From there, the *Modria* ODR platform takes the consumer and the business through a series of online steps designed to clarify the nature of the dispute and to suggest negotiated settlements. The process has been successful enough that *Modria* now provides a similar process for property tax disputes in some large US counties, including Davidson County, TN (Nashville); Orleans Parish, LA (New Orleans); and Durham County, NC.<sup>17</sup>

Likewise, the Cyber Justice Laboratory at the University of Montreal's Faculty of Law is one of the world's most advanced computerized courts. Created in 2010, it cost over \$6 million and features state of the art 3D projection, integrated touch screens, and its own open source software program.<sup>18</sup> Information technology students from both the University of Montreal and McGill are part of a multi-disciplinary team working with the lab on software development and, as of the time of writing, they are supported by 36 social scientists in 20 universities and research centres in Canada, the United States, and Europe.<sup>19</sup>

Moreover, the private sector is working hard to fill the void left by expensive lawyers and reticent courts. In the United States, there has been an explosion in investment in legal start-ups. In 2012, legal tech start-ups took in an estimated \$66 million in venture capital. In 2013, that amount was \$458 million.<sup>20</sup> Progress has been slower in Canada, but a quick peek at *Legalzoom.ca* establishes that innovation will not stall at the border.

16 Consumer Protection BC, *Resolve Your Dispute* (online tool), online: Consumer Protection BC <<http://www.consumerprotectionbc.ca/odr>>.

17 Modria Resolution Center, *Property Assessment Appeals* (online tool), online: Modria <[http://modria.nfshost.com/?page\\_id=1296](http://modria.nfshost.com/?page_id=1296)>.

18 See Kathryn Leger, 'Montreal Law School Develops Virtual Courtroom,' *The National Post* (23 December 2010), online: National Post <<http://www.nationalpost.com/related/topics/Montreal+school+develops+virtual+courtroom/4020137/story.html>>

19 See Cyberjustice Laboratory, 'The Laboratory,' online: Laboratoire de Cyberjustice Laboratory <<http://www.cyberjustice.ca/en/laboratoire/presentation/>>.

20 Joshua Kubicki, '2013 Was a Big Year for Legal Startups; 2014 Could Be Bigger' *Tech Cocktail* (14 February 2014), online: Tech.co <<http://tech.co/2013-big-year-legal-startups-2014-bigger-2014-02>>.

## B REGULATORY CHANGE

*Middle Income Access to Justice* does a masterful job of describing the parameters of the problem and laying out various solutions. One puzzling omission, however, is a discussion of the genesis of the problem. Why are legal services too expensive for the middle class in America and Canada? And why is this problem less acute in the United Kingdom and continental Europe?

Scholars in America and Canada have placed at least some of the blame on the regulatory environment in those countries. In Canada and America, the legal professions are almost wholly self-regulated. Noel Semple's excellent forthcoming book, *Legal Services Regulation at the Crossroads: Justisia's Legions* argues that the Canadian legal profession is the world's most self-regulated.<sup>21</sup> I have argued the same about the American legal profession.<sup>22</sup> Regardless of who is correct, it is apparent that between Canadian law societies and America's bar associations (and state supreme courts), the North American legal profession has an unusual amount of self-regulatory authority. One result of this control is strong bans on competition with lawyers and strong and expensive requirements for entering the profession. The American lawyer's monopoly on granting legal advice, for example, is one of the main reasons Roger Smith suggests that the United Kingdom's Citizen's Advice Bureaux has not been transplanted to the United States (177–8).

The book's relative silence on regulatory issues is doubly puzzling because our closest common law brethren, the United Kingdom and Australia, are in the midst of radically revamping and shrinking the regulation of their legal professions, at least partially to address middle income access to justice issues. The full scope of these many changes are beyond the scope of this review,<sup>23</sup> but suffice it to say that, in the twenty-first century, England has radically deregulated its market for legal services, making it the freest in the developed world. In 2003, Sir David Clementi, a non-lawyer, led an independent review of the regulatory framework for legal services in England and Wales. The report suggested a massive regulatory overhaul and a deregulation of most of the market. In 2007, the Legal Services Act became law. The Act allows non-lawyers to provide legal advice, allows lawyers to organize in alternative business

<sup>21</sup> Noel Semple, *Legal Services Regulation at the Crossroads: Justisia's Legions*, Elgar [forthcoming in 2015] [Semple].

<sup>22</sup> Benjamin H Barton, *The Lawyer-Judge Bias in the American Courts* (New York: Cambridge University Press, 2011).

<sup>23</sup> Interested readers should consider Semple, *supra* note 21, for an outstanding overview of these changes and a helpful comparison the approach of the United States and Canada.

structures, and creates a new consumer-driven licensing board and complaint system.<sup>24</sup> The biggest states in Australia have taken a similar approach.<sup>25</sup>

The results have been pretty encouraging. Slater and Gordon, a large Australian law firm, has become the first publicly traded law firm in a common law country. The firm posts revenue numbers and is owned by shareholders, not law partners. So far, Slater and Gordon has enjoyed rising valuations and no reported collapse under conflicts of interests.<sup>26</sup>

England has seen the announcement of supermarket lawyers, literally. The Co-Operative, a member-owned company that runs grocery stores all over the United Kingdom, has announced plans for a legal division that will offer everything from conveyancing to family law to wills at a discount and on site in some of their shops. British lawyers were not amused. In 2010, they led a protest against the commoditization of legal services, in which they dressed as grocers and gave out cans of baked beans marked: 'Legal services by supermarkets is as ridiculous as lawyers selling beans.'<sup>27</sup> And yet, the transition has been remarkably smooth so far.

We thus have a natural experiment among English-speaking common law jurisdictions. Canada and the United States remain wedded to a lawyer-run regulatory scheme designed to maintain a relatively strict lawyers' monopoly on legal services. Australia, England, and Wales have a much more wide open approach. It is still early, so it may be that deregulation will be harmful or of little assistance. For example, the United Kingdom's Lord Chief Justice has complained that, despite the regulatory changes, legal fees remain too high.<sup>28</sup> Nevertheless, in a comparative book on access to justice that features scholars from both the United Kingdom and Australia, it would have been helpful to have a broader comparative discussion of how to regulate (or deregulate) lawyers.

<sup>24</sup> *Legal Services Act 2007* (UK).

<sup>25</sup> *Legal Profession Act 2004* (NSW) (provided regulation in New South Wales and facilitated regulation for other states). For discussion and citations of other states' mirroring regulations and South Australia's differing regulation, see Laurel S Terry, Steve Mark, & Tahlia Gordon, 'Adopting Regulatory Objectives for the Legal Profession' (2012) 80 *Fordham L Rev* 2685 at 2696, n 50.

<sup>26</sup> Thomas D Morgan, *The Vanishing American Lawyer* (New York: Oxford University Press, 2010) at 167–9.

<sup>27</sup> Jane Croft, Michael Peel, & Martin Arnold, 'The Legal Sector's Own Big Bang' *Financial Times* (22 September 2010), online: [FT.com <http://www.ft.com/cms/s/0/d9e174ca-c68f-11df-8a9f-00144feab49a.html>](http://www.ft.com/cms/s/0/d9e174ca-c68f-11df-8a9f-00144feab49a.html).

<sup>28</sup> Martin Bentham, 'Brief Chat on Skype Would Slash Legal Fees, Says Lord Chief Justice' *London Evening Standard* (22 October 2013), online: [Standard.co.uk <http://www.standard.co.uk/news/uk/brief-chat-on-skype-would-slash-legal-fees-says-lord-chief-justice-8896958.html>](http://www.standard.co.uk/news/uk/brief-chat-on-skype-would-slash-legal-fees-says-lord-chief-justice-8896958.html).

IV *Conclusion*

Despite the omissions discussed above, *Middle Income Access to Justice* is a terrific overview of an international problem that will prove especially helpful in Canada and America. *Oedipus Rex* teaches us that sometimes our greatest strengths are also our greatest weaknesses, and this book's greatest strength is its attention to detail and setting. All politics are local, and to a certain extent, the solutions to access to justice issues in federal regimes like the United States and Canada must also be local. Thus, *Middle Income Access to Justice* is wise to focus in on one jurisdiction (Ontario). Nevertheless, this strength becomes a weakness when the book disregards or pooh poohs solutions that might not work in Ontario but are being tried elsewhere. Technology and deregulation, whether working separately or together, are among the most promising solutions to access to justice concerns throughout the developed world.

Still, the book is a testament to just how seriously Canada and Ontario are taking these issues. It begins with a call to arms from the Chief Justice of Canada and ends with a series of very thoughtful and comprehensive essays on options for Ontario. The authors and editors are to be commended for the depth of their analysis, the breadth of their proposed solutions, but especially for their passionate response to this most serious of problems.

*Benjamin H Barton, Helen and Charles Lockett*  
*Distinguished Professor of Law,*  
*University of Tennessee*