

## Bullfry fights for 'face time'

By Lee Aitken

Virtual courtrooms, smart contracts, PEXA and knowledge base technology will ultimately allow graduate lawyers to use their time more effectively. Graduates will be able to focus their time on more substantial and complex legal work and possibly gain more client face time. Virtual courtrooms will allow the graduate to work from their office on 'stand by' until the court is ready for their appearance.<sup>1</sup>

'This is Supreme Court calling, Supreme Court calling. Are you there, Mr Bullfry? Are you receiving me? Are you receiving me?'

'Yes, your Honour, loud and clear. I am here and looking for some face-time. We do not tolerate any Luddites in our chambers although a mishap on Tinder recently caused me a certain amount of matrimonial gene. Grindr and other social applications are banned during business hours. Will your Honour kindly go to Plaintiff's Document 134 in the electronic bundle. It is the PEXA document which was electronically filed recently in the LTI. Unfortunately, due to a fire wall breach someone(!) seems to have altered both the name of the registered proprietor and the mortgagee which, I will argue, attracts the operation of section 43A of the Act. As a result, the EFT settlement, so it would appear, has vastly enriched persons unknown in southern Cebu.'

'I am sorry, Mr Bullfry, the server at this end has gone down and my AustLII version of the Act appears to be out of date. Is the document itself in hard-copy?'

'I am afraid not, your Honour. The chief justice's latest practice direction (No 845(A2) of 2019) specifically states that 'no hard-copy document' shall be prepared for any audio-visual interlocutory application. This is particularly so where the Torrens 'knowledge base' is to be invoked at the hearing'.

'Well, let's proceed. Do we need to encrypt?'

'I don't think so, your Honour. My present venue is blameless, and I am sure that your Technical and Computer Services Tipstaff (TCST) has carried out the daily 'sweep' of your courtroom on Level 7 now required under the Chief Executive's ruling. I trust that the new equipment is no longer causing problems with your pacemaker'.

'All right then. Call the witness'.

'Is she to be pixelated, or not, your Honour? In the latter case I will have trouble leading her because the link with Tamworth is likely to go down at any time, and the NBN (*mirabile dictu*) does not have sufficient bandwidth for the connection to send both images and sound at the same time.'

'But Mr Bullfry, this should all have been worked out with the registrar in the Monday List – I thought that a specific order had been made about pixelation?'

'No, your Honour. The only order made required a complete 'voice disguise' to prevent identification but unfortunately all that could be heard during the virtual training session was a series of harsh, guttural groans. That would undoubtedly have had an effect on your Honour's findings on credit.'

'Mr Bullfry, are you actually in the virtual courtroom? There is a large amount of background noise at this end'.

'Ah, your Honour is too quick for me. I am, in fact, addressing you via the court's iPhone app on my Android 8 from a popular shebeen in Castlereagh Street and the background noise your Honour heard was just my fellow drinkers revelling in the fall of the sixth Sri Lankan wicket. I have of course been on 'stand-by' for some time but the problem with the West Australian time zone made it a matter of

personal imperative for me to get in some face time down here before addressing your Honour.'

'Mr Bullfry, the new protocol was not designed to allow you to 'appear' from any location you may happen to choose at the time. Are you robed? Give me a 'reverse selfie' so that I can make sure that I can 'see' you'.

'I had better not do that, your Honour. I am in what my late father would have called 'mess undress', and although the sarong is rather fetching and culturally appropriate, given that the contract was made in Malaysia, the T-shirt is not'.

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'But that seems to be one of the problems with the 'smart contract', Mr Bullfry. Whoever 'drafted' this one used the old electronic boilerplate so that the choice of law clause has defaulted to North Korea, not Malaysia'.

'Well, your Honour, the High Court has dealt with the question of renvoi recently in a judgment which is, fortunately, available only in electronic form and the copy I have on my Kindle is not compatible with Word 14 which means that I can only send to you my highlighted version'.

'But Mr Bullfry, that would be a gross breach of protocol – particularly if you

