

Center for Legal and Court Technology Media Center

William and Mary's Courtroom 21 to Test New Technology-Based Solution to Resolve International Child Abduction Cases

(Williamsburg, VA February 3, 2005) The Courtroom 21 Project has developed and will test in April a cutting-edge technological solution to help courts in different nations to jointly resolve many of the difficult international child abduction cases that take place every year.

Courtroom 21 -- a joint project of the William and Mary Law School and the National Center for State Courts -- will test its solution Friday evening April 1st /Saturday morning, April 2nd during an experimental Courtroom 21 Laboratory Trial. In re *Blossom & Blossom* is a case in which the estranged Singaporean wife of a Virginia man has fled to Singapore with one of their two children. Each parent seeks custody of both children; neither parent is willing to risk loss of the child in that parent's physical control. Under current law, no court has meaningful power to resolve the dispute.

With the assistance of the Singapore Courts, in this simulated case Courtroom 21 will use modern video-conferencing technology to permit the Virginia and Singapore courts to hold joint hearings, meet together, and to issue joint or parallel court orders to resolve the custody and access issues. In doing so, Courtroom 21 also hopes to pioneer an approach for use in other forms of multi-jurisdiction cases. Ordinarily, cases are heard by a single court. When multiple courts try to deal with cases that cross boundaries, they are limited by the simple fact that the jurisdiction of any single court is limited by its jurisdictional limits. This is especially true in international child abduction cases said Professor Fred Lederer, Director of the Courtroom 21 Project. "With spouses often at war with each other and children sheltered by the courts of one nation while immune from judicial action in the other, resolution of such cases often is enormously difficult," Lederer said.

While many nations are signatories of the Hague Convention on the Civil Aspects of International Child Abduction, which mandates return of abducted children, allegations of abuse and other matters can limit the application of the Convention's remedies. In such a case, a court in one country, Lederer explains, has no meaningful way to communicate with a court in another and no useful way to jointly reach a custodial resolution that can be enforced in both nations. Courtroom 21 believes that its state-of-the art technology may provide a new procedural solution for some of these demanding cases.

Courtroom 21, www.legaltechcenter.net, is the world center for courtroom and related technology and has in William & Mary's McGlothlin Courtroom the world's most technologically advanced trial and appellate courtroom. The Courtroom 21 approach builds on a number of years of experimental work. In 2003, for example, Courtroom 21's Lab Trial involved an al Qaeda financing case in which three courts met to determine the admissibility of the testimony of a potential attorney witness. Last year, Courtroom 21 hosted an experimental international construction contract mediation with participants in four nations meeting together via modern technology.

The results of those cases set the stage for the 2005 lab trial in which Courtroom 21 has had the assistance of the National Center for Missing and Exploited Children and the State Department's Office of Children's Issues. The U.S. portion of the hearing will be presided over by the Honorable John J. Specia, Jr., of the District Court of Bexar County, Texas. Specia will participate from Courtroom 21's McGlothlin Courtroom in the William and Mary Law School. The Courtroom will be connected through video conferencing with participants in Singapore.

All documentary evidence will be made available on the Internet.

A limited number of seats will be available in the Courtroom for journalists interested in covering the trial in Williamsburg. Courtesy of CourtroomConnect, a multi-media court record webcast will also be available by prior arrangement.

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