

Preface

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On November 6–7, 2021, the National Civil Justice Institute (“NCJI”),¹ UC Hastings College of the Law, and the Center for Litigation and Courts presented a unique academic symposium titled: “The Internet and the Law: Legal Challenges in the New Digital Age.” This symposium continues a tradition of NCJI symposia endeavoring to support the civil justice system, access to justice, the rule of law, and the critical right to trial by jury. In holding these symposia, the NCJI, first established in 1956, strives to promote open, ongoing dialogue with the academic and judicial communities, as well as the public, on issues critical to protecting and strengthening the civil justice system.

As with other NCJI symposia, we are thrilled that this symposium could bring together many of the most noted and distinguished legal academicians and practitioners in the area highlighted—here, “The Internet and the Law”—in order to consider a single topic currently confronting the civil justice system. Indeed, in preparing for this symposium, the leaders of both NCJI and UC Hastings Law concluded that this was a perfect selection due to the Internet’s ever-broadening influence upon the law and civil justice. After the topic was selected, as described by Professor Dodson in his excellent Foreword, the symposium was fortunately able to secure the participation of many of the most eminent academicians in the field, along with noted practitioners, non-profit advocates, and industry professionals.

The high quality of the papers in this law review issue is consistent with NCJI’s longstanding commitment to producing new and significant research supportive of the civil justice system. There can be little question that this symposium falls within the tradition of other symposia NCJI has had the privilege of cosponsoring with law schools from around the country. Just as here, each of these symposia has been devoted to a single topic, with presentations and papers by some of the most noted academicians and practitioners in the subject area, resulting in a dedicated issue in each law school’s law review. Past symposia have included the following topics and accompanying law reviews: “Class Actions, Mass Torts, and MDLs: The Next 50 Years,” *Lewis & Clark Law Review*, Vol. 24, No. 2; “The Jury Trial and Remedy Guarantees: Fundamental Rights or Paper Tigers?,” *Oregon Law Review*, Vol. 96, No. 2; “The Demise of the Grand Bargain: Compensation for Injured Workers in the 21st Century,” *Rutgers University Law Review*, Vol. 69, No. 3; “The ‘War’ on the U.S. Civil Justice System,” *Emory Law Journal*, Vol. 65, No. 6; “Medical Malpractice,” *Vanderbilt Law Review*, Vol. 59, No. 4; and “Mandatory Arbitration,” *Law & Contemporary Problems*, Vol. 67, Nos. 1 & 2, at Duke University School of Law.

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1. At the time the conference occurred, the Institute was named the Pound Civil Justice Institute. After the conference, the Institute’s name was officially changed to the National Civil Justice Institute (“NCJI”).

In addition to academic symposia, for the past 30 years NCJI has held an annual full-day forum for state appellate court judges, with attendance from state supreme court and appellate judges from all over the country. Each forum provides: original legal research presented by prominent academics; commentary by experts from both sides of the bar; and small-group discussions to facilitate a deep dive into the issues raised. The forum papers and reports are then made available for free download, providing citable, unique resources for the judiciary, academics, and practitioners. In 2021, the forum's topic was "Juries, Voir Dire, *Batson*, and Beyond: Achieving Fairness in Civil Jury Trials," and this year it was "Civil Justice in America: Responsibility to the Public."

NCJI is grateful for the hospitality of the UC Hastings College of the Law, and particularly for the dedicated work of both Professor Scott Dodson, who is also the Director of our partner the Center for Litigation and Courts, and Professor Rick Marcus in helping us put together and recruit many of the outstanding legal minds that made this symposium so special. Personally, I would be remiss if I did not also extend our heartfelt appreciation for the work of NCJI's Executive Director, Mary Collishaw, in steadfastly organizing and executing the entire two-day symposium.