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NOTE

From: General Secretariat of the Council
To: Working Party on e-Law (e-Justice)
Subject: Survey on the use of IT tools by courts in Member States
- Results

Delegations will find below the compilation of results received following the survey on the use of IT tools in Member States' Courts.

Use of IT tools in the field of justice

Contents

Bulgaria.....	4
Czech Republic.....	6
Denmark.....	9
Germany.....	11
Estonia.....	14
Greece.....	16
Spain.....	19
Finland.....	24
France.....	26
Croatia.....	32
Italy.....	34
Cyprus.....	37
Lithuania.....	38
Luxembourg.....	41
Malta.....	43
Netherlands.....	47
Austria.....	49
Portugal.....	51

Romania55

Slovenia..... 58

Slovakia..... 60

Sweden 62

Court of Justice of the European Union.....64

Bulgaria

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Currently, Case Management Systems are used only by courts.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

All courts use CMS.

3 - Are communication tools between practitioners and Courts available?

Currently, through the Unified portal for e-justice, the practitioners have access to their respective cases only for receiving information from all the courts, with the exception of the administrative courts, but not for sending such.

4 - Do they allow for sending and receiving procedural documents?

Through the Unified e-Justice portal, registered users could only receive documents.

5 - Can official filings be done digitally?

Currently not. It will be further possible.

6 - Do citizens have digital access to the relevant documents in their cases?

Citizens have digital access to the relevant documents in their cases through the Unified e-Justice portal after registration. All courts are connected to it except for administrative.

7 - Are these tools widely used?

Currently not.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

No cases have been online filed yet. There is no legislative framework.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

Currently there are three Case management systems and within a EU-funded project a Unified information courts' system is being developed. After its entry into service and recognition by the Supreme Judicial Council as an Unified centralized system, which is about to be done in 2020, it will be used by all courts (except for administrative courts).

10 - Have these systems been developed in-house or are they commercially or publicly available?

The currently used systems have been developed by external contractors. The Unified information courts' system is also being developed by an external contractor, chosen under Public Procurement Act.

Czech Republic

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes, we do, but we have information systems which mostly aim at evidence of information about proceedings and parties, document management system and management of business processes are very limited. From the point of view of 2019 our systems are not CMS, ECM, DMS, they are based on platform from 1996. Our systems definitely do not meet standards of Moreq2 (*Model Requirements for the Management of Electronic Records*).

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

Systems are widely used at every court.

3 - Are communication tools between practitioners and Courts available?

Yes it is available, we have national communication tool provided by Ministry of interior affairs (Data boxes). Every business person (practitioners) can communicate digitally with Courts.

4 - Do they allow for sending and receiving procedural documents?

Yes, they do.

5 - Can official filings be done digitally?

Yes, official filings can be done digitally.

6 - Do citizens have digital access to the relevant documents in their cases?

No, citizens don't have any digital access to the documents in their cases. Only in insolvency proceedings courts publish every document from court file on public insolvency register which is accessible to all citizens. Besides insolvency register, we do not have tool for digital inspection of documents (remote access) in citizen's cases.

7 - Are these tools widely used?

Public insolvency register is widely used.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

Almost every case is partly handled by digital means of communication between participants and courts. Fully digital is only electronic payment order proceeding until the moment of defendant.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

The Ministry of justice provides systems to all courts except supreme administrative courts and constitutional court.

10 - Have these systems been developed in-house or are they commercially or publically available?

Systems have been developed from 1996 to 2007. Systems have been programmed on Oracle (Oracle Forms 6 current status) and Lotus Notes (IBM). Almost every licence is owned by the contractor (including custom code). We are inside deep vendor-lock in. Vendors might be able to replicate them so they are commercially available.

Denmark

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

CMS are widely used in all Courts.

3 - Are communication tools between practitioners and Courts available?

Yes, in civil matters through the courts digital case portal, www.minretssag.dk (CMS) otherwise by e-mail.

4 - Do they allow for sending and receiving procedural documents?

In civil matters only through the courts digital case portal, www.minretssag.dk, and in criminal matters only through a digital port called “straffepost” otherwise by e-mail.

5 - Can official filings be done digitally?

Yes.

6 - Do citizens have digital access to the relevant documents in their cases?

Only in civil matters through the courts digital case portal, www.minretssag.dk.

7 - Are these tools widely used?

Yes.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

Approximately 90 % for civil cases.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

A unified CMS are provided to the Courts.

10 - Have these systems been developed in-house or are they commercially or publically available?

They have been developed in-house.

Germany

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Courts in Germany use a variety of tools, which combined offer the features of a Court Case Management System. In detail these tools include:

- business applications for managing case data (already in use)
- applications for creating and editing documents (already in use)
- applications for managing electronic files (in development, being tested by selected Courts)
- a central portal for all states to grant access to Court files (in development, will be commissioned soon)
- applications to manage incoming and outgoing electronic messages (in development, being tested by selected Courts)

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

The above mentioned applications are - or in the case of the still developed and tested software: will be - widely used.

3 - Are communication tools between practitioners and Courts available?

Yes. German Courts are electronically accessible via the “Electronic Court and Administration Mailbox” (EGVP) or via a “DE-Mail” P.O.box, which allows to send and receive messages and documents confidentially securely and verifiably over the Internet.

4 - Do they allow for sending and receiving procedural documents?

Yes.

5 - Can official filings be done digitally?

Yes, via the “Electronic Court and Administration Mailbox” (EGVP) and “DE-Mail”.

6 - Do citizens have digital access to the relevant documents in their cases?

Not yet. Only after the above mentioned central portal has been commissioned will citizens have electronic access to documents in their cases, if the case is managed in an electronic file system.

7 - Are these tools widely used?

Yes. All German Courts use the “Electronic Court and Administration Mailbox” (EGVP) and will use the above mentioned central file inspection portal.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

So far there are no statistics on this question available yet.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

In Germany the Federation (“Bund”) and German states (“Länder”) provide IT-equipment for all Courts under its jurisdiction. The states cooperate in development, operation and maintenance of software. At the time being cooperation usually does not always include all states, but differs for each software product. However, in recent time the states have intensified their longtime efforts to standardize the software used. Not least driven by the obligation to offer electronic access to Courts and use electronic files by 2026 the states decided to further merge their different software products.

10 - Have these systems been developed in-house or are they commercially or publically available?

Partly the software is developed in-house, partly it is developed commercially but exclusively on order of the Bund or the Länder. In few cases it is commercially developed and marketed software, which is customized to Court’s needs.

Estonia

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

Court information system (CMS) is used in all courts. Read more: <https://e-estonia.com/solutions/security-and-safety/e-justice/>

3 - Are communication tools between practitioners and Courts available?

Yes, public e-File is used to submit proceedings' documents to the court and monitor the progress of the related court proceedings. It is the mandatory tool for lawyers. Read more: <https://www.rik.ee/en/international/public-e-file>

4 - Do they allow for sending and receiving procedural documents?

Yes

5 - Can official filings be done digitally?

Yes

6 - Do citizens have digital access to the relevant documents in their cases?

Yes

7 - Are these tools widely used?

Yes

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

100% of the cases

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

A unified CMS

10 - Have these systems been developed in-house or are they commercially or publically available?

In-house

Greece

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

The Integrated Judicial Case Management System for Civil and Criminal Cases manages the judicial cases and workflows, monitors the case activities, and generates statistics and administrative reports.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

There are currently 41 courts and public prosecutor offices of the appellate court districts of Athens, Thessaloniki, Piraeus and Evia that use the Integrated Judicial Case Management System for Civil and Criminal Cases (ΟΣΔΔΥ) and there is a plan to expand its use on the rest of the country (phase II).

List of the 41 Courts and Public Prosecutor Offices:

Supreme Court

Supreme Court's Public Prosecution Office

4 Appeal Courts

4 Appeal Courts' Public Prosecution Offices

4 First Instance Courts

4 First Instance Courts' Public Prosecution Offices

19 District Civil Courts

4 District Penal Courts

3 - Are communication tools between practitioners and Courts available?

Lawyers can submit a complaint and relative documents, can request for certificates and monitor the docket through the CMS web portal.

4 - Do they allow for sending and receiving procedural documents?

The CMS can only receive the above mentioned documents (question 3).

5 - Can official filings be done digitally?

The CMS supports the digital filing of the procedural documents and it depends on its users to attach them to the case.

6 - Do citizens have digital access to the relevant documents in their cases?

Citizens can monitor their applications, their requests for certificates and their case through the CMS web portal.

7 - Are these tools widely used?

The above mentioned tools are available through the CMS web portal.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

Not available

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

At the time being there are 41 courts and public prosecutor offices (response to question 2) that use the Integrated Judicial Case Management System for Civil and Criminal Cases. The rest courts may use different systems but they will be soon integrated in the main CMS.

10 - Have these systems been developed in-house or are they commercially or publically available?

The Integrated Judicial Case Management System for Civil and Criminal Cases has been implemented under the operational program “Public Sector Reform” of the National Strategic Reference Framework (NSRF) 2014-2020.

Spain

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes, jurisdictions use CMS for these referred purposes. Currently, there are three different situations in Spain:

- Some of the Autonomous Communities (Regions) are included within the competence of the Ministry of Justice: Balearic Islands, Castilla La Mancha, Castilla y León, Extremadura, Murcia, Ceuta, Melilla and the two main Courts at national level (Supreme Court and National High Court). All of them use the Minerva Procedural Management System. This CMS provides the Courts with the electronic processing of data and electronic judicial documents and carries out the electronic processing of judicial proceedings.
- Some other Autonomous Communities, have their own competences in the justice field, but have not develop a separate system, so they use the Minerva Procedural Management System. This happens to: Asturias, La Rioja and Galicia.
- For the remaining ones, the competence on justice have been transferred to them and they have developed their own Procedural Management System: The Basque Country: Justizia.bat; Catalonia: E-justicia.cat; Andalusia: Adriano; Navarra: Avantius; Valencian Community: Cicerone; Canary Islands: Atlante II; Cantabria: Vereda and Madrid: IusMadrid.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

The Minerva Procedural Management System serves all existing bodies in the different judicial instances and jurisdictional orders whose competences belong to the Ministry of Justice. For the other existing systems, they also cover every Court within the territory. Therefore, there is a wide and complete use of CMS all over the country.

3 - Are communication tools between practitioners and Courts available?

Yes, the professionals communicate with the Courts and among them thanks to the LexNET System. This is IT tool which is interconnected with the procedural management applications for the service of documents and communication acts of the judicial offices. LexNET is a platform for the secure exchange of information that enables bi-directional electronic communication between Courts and legal professionals. It serves all kind of documents and provide e-Filing capabilities all over the country.

Since 2003, electronic communications are being used as the main IT tool among Courts, judicial offices and legal professionals. This system is very appreciated by all the users (lawyers, attorneys, procuradores, social graduates, etc.). After 2017, the system has been extended to other public bodies and agencies and it is fully operational.

Moreover, the Ministry of Justice is involved in the e-Codex project, thanks to the involvement of the General Secretariat of the Administration of Justice (SGAJ).

4 - Do they allow for sending and receiving procedural documents?

Yes, the LexNET electronic communications System allows the presentation of writings and documents, the transfer of copies and the performance of procedural communication acts by telematics means.

5 - Can official filings be done digitally?

Yes, the presentation of the documents and files that are part of the Judicial File (Expediente Judicial Electrónico) are presented digitally, both for the judicial bodies thanks to the Digital Justice Solution, and for the prosecutor's offices since the implementation of the Digital Prosecutor's Solution.

On March 12, 2018, the deployment of Digital Justice was completed in the 112 judicial parties of the territory of the Ministry of Justice, which includes 659 unipersonal judicial organs, 153 provincial courtrooms and 89 chambers and sections of higher courts of Justice. As a result, all the orders and instances of the courts of Extremadura, Castilla La Mancha, Castilla y León, Región de Murcia, Balearic Islands, the autonomous cities of Ceuta and Melilla and the Central Courts. Even the Supreme Court -except for the Administrative Chamber- and the National High Court -except the Criminal Chamber- have reached the digitalization of its procedures

Similarly, on June 18, 2018 the deployment of the Digital Prosecutor's Office Solution was completed. This supports the digital work of the prosecutors' offices in the 39 prosecutor's offices that make up the territory of the Ministry of Justice (Autonomous Communities of Castilla y León, Castilla La Mancha , Extremadura, Balearic Islands, Murcia, the autonomous cities of Ceuta and Melilla and the Central bodies (National High Court and Supreme Court).

The prosecutors also benefit from the digitalization and use of IT tools. They can exchange information with the judicial authorities, including the register and processing of notifications, written reports and opinions. All the procedures are filed in electronic form thanks to the LexNET System.

6 - Do citizens have digital access to the relevant documents in their cases?

There are some legal provisions which apply and restrict the digital access. As a general rule, citizens are not allowed to have direct digital access except for the cases where there is no specific need to have legal assistance (lawyers and legal representatives of the parties). For example, in proceedings related to "order for payment" the citizen would have the access -including the digital access- to the documents as a solicitor and/or lawyer is not required. For other cases, the digital access is provided directly to legal professionals.

7 - Are these tools widely used?

Yes, all the judicial bodies of the Autonomous Communities of the Ministry of Justice: the Balearic Islands, Castilla La Mancha, Castilla y León, Extremadura, Murcia, Ceuta, Melilla and the Central Organs (Supreme Court and National High Court), make use of the Minerva Procedural Management and the different tools that integrated Digital Justice Solution.

Some numbers confirm this wide use. Service of documents by LexNET for the 2012-2018 period reached a total number of 383.700.000 notifications, 31.533.000 filing briefs have been submitted and 5.433.000 initiating briefs. Among the latest ones, 513.000 have been filed (official police reports and 138.000 arising from hospital parts).

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

One hundred percent of the legal proceedings initiated after the completion of the Digital Justice deployment, on March 12, 2018, in the jurisdiction of the Ministry of Justice, has been carried out using the digital media included in the Digital Justice Solution.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

All judicial bodies of the Autonomous Communities of the Ministry of Justice: Balearic Islands, Castilla La Mancha, Castilla y León, Extremadura, Murcia, Ceuta, Melilla and the Central Organs (Supreme Court and National Court), make use of the Procedural Management System Minerva and the different tools that are included in the Digital Justice Solution.

However, the Autonomous Communities that have the competences transferred in matters of Justice may choose to use the CMS that the Ministry of Justice puts at their disposal, or to use their own systems.

10 - Have these systems been developed in-house or are they commercially or publically available?

These are systems developed directly by the Ministry of Justice, so they are publically available. There is an administrative body -the State Technical Committee of the Electronic Judicial Administration (CTEAJE) - which ensures that all these IT tools are made available publically to the different Autonomous Communities.

Finland

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

They are used in all Courts.

3 - Are communication tools between practitioners and Courts available?

Only to a limited extent (mostly e-mail/secure e-mail)

4 - Do they allow for sending and receiving procedural documents?

Only to a limited extent.

5 - Can official filings be done digitally?

Yes, but digital signatures are not in use.

6 - Do citizens have digital access to the relevant documents in their cases?

No direct access to CMS.

7 - Are these tools widely used?

No.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

Approximately 95 per cent.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

CMS have been provided for certain types of Courts (e.g. general courts - administrative courts).
One new CMS will cover all courts.

10 - Have these systems been developed in-house or are they commercially or publically available?

There systems have been based on commercial software, with several tailor-made elements.

France

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

- In civil matters

At first instance, the WinCi TGI software enables all regional courts for civil matters to manage the majority of proceedings which fall within their jurisdiction; proceedings relating to the guardianship of minors are managed by TUTI-MIN. Other applications are used to manage district court proceedings (CITI, NATI, TUTI-MAJ, IPWEB) and employment tribunal proceedings (WinGes CPH).

Regarding courts of appeal, the WinCI CA software enables all such courts for civil matters to manage the majority of proceedings which fall within their jurisdiction; some specific responsibilities (e.g. issuing apostilles) may be managed through locally developed software.

Also, the Court of Cassation has a platform enabling electronic communication and the tracking of files.

- In criminal matters

At first instance, courts use the Cassiopée application (the national registry), which contains all essential data for each case (identity of parties, offences, date and place of incidents, judicial personnel, etc.). This makes it possible to monitor the proceedings in France and within the court itself, to keep track of developments and the individuals involved and to automatically generate outlines and forms for judges and court clerks. All French prosecutors and nearly all investigative judges use this application, which is now also being deployed in courts of appeal (the court of second instance).

Cassiopée does not handle documents. At the moment, all case files are in paper format. However, for nearly all investigation files a digital copy is also stored by a local electronic document management tool known as NPP (*Numérisation des procédures pénales* – digitisation of criminal proceedings).

In 2019 the French Ministry of Justice and the French Interior Ministry set up a programme management team tasked with putting in place a fully digital criminal proceedings system (PPN), with the aim of making case files available digitally, from the stage of the police inquiry, to the judgment handed down by the courts, to the serving of the sentence in a prison facility – with nothing being printed. All necessary documents will be born digital (and, if applicable, signed electronically), or, in the case of pre-existing paper documents, will be converted into a reliable digital format (by scanning), making it unnecessary to keep a paper copy.

Each case file will be kept in a secure, centralised document management system for which access rights will be strictly regulated, in line with current principles and use.

New applications will also facilitate exchanges between investigators and judges, right from the investigation stage (the objective being to make everyone involved in the criminal proceedings chain more effective, and at the same time enable the judicial authority to better fulfil its constitutional and legal role as the guardian of individual liberties, and as the body responsible for directing, regulating and monitoring the activity of the criminal police).

Testing began in 2019 in two jurisdictions, with a view to the national deployment of a targeted solution in 2022.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

- In civil matters

In the case of national applications these tools are in use throughout the courts according to the type of court. This is not the case for locally developed tools.

- In criminal matters

The NPP and Cassiopée applications are in use in all French regional courts (the court of first instance).

3 - Are communication tools between practitioners and Courts available?

- In civil matters

The WinCi TGI and WinCi CA software have communication modules (ComCi TGI and ComCi CA) which enable digital exchanges between courts and lawyers at the different stages of proceedings. Such communication is also possible with the tool used by the Court of Cassation.

The IPWEB application also makes it possible to digitally transmit payment orders between bailiffs and district courts.

- In criminal matters

At present, lawyers and courts communicate with each other only via professional emails. However, the Ministry of Justice is currently testing the transmission of criminal files – even large ones – to lawyers via a document exchange platform known as PLEXE. The transmission of case files in digital format between investigating services (police and gendarmerie) and courts is also being tested.

4 - Do they allow for sending and receiving procedural documents?

- In civil and criminal matters

As long as the file size limit is not exceeded, they enable submissions to be sent between the lawyers of the parties involved and between the lawyers of the parties involved and the court. They also allow procedural documents to be transmitted.

5 - Can official filings be done digitally?

- In civil and criminal matters

In civil matters, the things referred to under no 4 sent via the tools referred to under no 3 are considered to have been officially filed at the court.

In criminal matters, it is necessary for the court to grant authorisation (in principle, a protocol) to the lawyers (or other individuals) concerned.

6 - Do citizens have digital access to the relevant documents in their cases?

- In civil and criminal matters

Access is not possible at the moment for the abovementioned applications.

Launched in January 2015, Portalis is a major project for the transformation of the justice system.

By means of digitisation, the aim of Portalis is to carry out a thorough modernisation in order to place the citizen at the heart of a modern justice system which is able to adapt to the new expectations of citizens while taking into account the professional needs of courts.

In this context, a second version, known as *portail du justiciable* ('citizen's portal') and currently being trialled, should initially enable citizens to check the status of their criminal and/or civil proceedings and to access documents and information online, and then to submit requests and supporting documents to courts in digital format.

7 - Are these tools widely used?

They are widely used.

- In civil matters

For matters in which the parties must be represented by a lawyer, procedural documents have had to be transmitted electronically to courts of appeal since 1 January 2013 and to regional courts since 1 September 2019.

- In criminal matters

The national registry (Cassiopée) is used by all courts and enables data to be exchanged with a large number of applications of the Ministry of Justice and of other ministries.

The NPP electronic document management tool is very widely used for obtaining copies of the proceedings (nearly all investigation files and an increasing number of criminal proceedings files, etc.). This tool, which is continually being developed, is certain to be used more and more, in particular in the context of the digital criminal proceedings programme, the aim of which is to ensure that NPP will no longer store copies of the proceedings but rather the original files (fully replacing paper files).

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

We do not have any precise figures on the use of these tools.

- In civil matters

Electronic communication in civil matters is very widely used between lawyers and the courts.

Regarding regional courts and courts of appeal, in the first quarter of 2019 the figures of 1 281 844 incoming messages and 3 225 246 outgoing messages were recorded.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

- In civil and criminal matters

Software for national use is developed taking into account the professional needs of courts and is intended for deployment in all courts.

10 - Have these systems been developed in-house or are they commercially or publically available?

- In civil and criminal matters

These national tools are developed by and for the Ministry of Justice.

Croatia

Use of IT tools in jurisdiction

1. Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes, we use CMS, called ICMS (Integrated Court Management System) covering all and more of mentioned functionalities.

2. Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

ICMS is implemented on all courts (first instance, high courts, supreme courts). Administrative courts will be also included till the Q4/2019.

3. Are communication tools between practitioners and Courts available?

Yes it is available as a module of ICMS (e-Communication module consists of e-Filing and e-Delivery).

It is already implemented on all Commercial courts and from September 2019. will be available at all municipal courts.

4. Do they allow for sending and receiving procedural documents?

Yes, both directions.

5. Can official filings be done digitally?

Yes, using National infrastructure for authentication and qualified electronic signatures.

6. Do citizens have digital access to the relevant documents in their cases?

Citizens can access all digital documents through their legal representatives.

7. Are these tools widely used?

Currently it is used at commercial courts and from September 2019. will be at municipal courts.

State of play of digitisation

8. Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

As we are in the early stage of e-Communication, proportion of digitally filled cases is extremely low. As the number of digitally equipped practitioners increase, the number of electronically filled cases raise.

9. Is a unified CMS provided to Courts or are Courts free to use different systems?

It is unified CMS system (ICMS) and courts cannot use different systems.

10. Have these systems been developed in-house or are they commercially or publicly available?

ICMS is tailor made system for courts in Croatia. MoJ has the source code for Republic of Croatia. For other countries, our vendor, IBM Croatia has to be contacted.

Italy

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

In Italy all jurisdictions use Case Management Systems

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

CMSs are used in all Courts.

3 - Are communication tools between practitioners and Courts available?

Communications from Courts to practitioners are mandatory for all civil and criminal cases in first instance courts (tribunals), second instance courts (court of appeals) and in the Supreme Court.

4 - Do they allow for sending and receiving procedural documents?

In civil cases it is allowed (and mandatory for documents other than the introductory ones) to send documents electronically from practitioners to first instance courts (tribunals) and second instance courts (court of appeals).

In criminal cases, courts can receive documents only from law enforcement.

5 - Can official filings be done digitally?

Please refer to previous answer.

6 - Do citizens have digital access to the relevant documents in their cases?

Yes, for civil cases in first instance courts (tribunals) and second instance courts (court of appeals).

No, for criminal cases citizens can have digital copies of documents only going to courts.

7 - Are these tools widely used?

Yes. In civil cases, in the period 2014-2018, filings from practitioners have been around 32 million, filings from judges have been around 20 million and electronic communications have been around 73 million.

In criminal cases, the use of available digital tools is growing rapidly.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

Unfortunately, we do not have this information.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

With rare exceptions, a unified CMS is provided to all jurisdictions.

10 - Have these systems been developed in-house or are they commercially or publically available?

Case management systems of all jurisdictions have been developed in-house.

In civil first and second instance cases, there are commercially/publicly available systems used from practitioners for filings and consultations (but these systems have to respect technical rules defined by Ministry of Justice).

Cyprus

No electronic justice system and/or any case management system (CMS) has yet been implemented in Cyprus Judiciary.

Lithuania

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

The Lithuanian Courts Information system (LITEKO) is established in Lithuanian courts. The main LITEKO functions are as follows:

- to manage procedural documents and other data and information received in courts;
- To create and manage procedural documents in courts, to trace the proceeding
- To manage and provide (publish) the anonymised courts decisions, timetables of court hearings
- Generate statistical reports of the judges and courts activity
- To search for documents and data necessary for in LITEKO and other information systems that manage data necessary for the court proceedings
- To form procedural documents and provide them to court, also receive court documents
- To manage and provide stamp duty, court ordered payments, fines imposed by courts data for LITEKO users
- To provide the LITEKO service users with the case material, inform about state of service in electronic means
- To carry the electronic communication in ADR.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

LITEKO is a centralized system used in all the courts.

3 - Are communication tools between practitioners and Courts available?

Yes, LITEKO service users may communicate with courts using electronic service portal e.teismas.lt.

Also there is publicly available information about the anonymized court decisions, announcements about the cases being heard, timetables of the court hearings, case allocation protocols on the site teismai.lt

4 - Do they allow for sending and receiving procedural documents?

Yes.

5 - Can official filings be done digitally?

Yes.

6 - Do citizens have digital access to the relevant documents in their cases?

Yes, the possibility to access the case material for the user of electronic court services portal e.teismas.lt is provided by the court which hears the case.

7 - Are these tools widely used?

Yes. There are rules set at what types of cases the case material is managed only in electronic form and paper files are scanned and stored in LITEKO.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

144 955 electronically managed cases were resolved on courts in 2018 (e. g. about 70 percent of resolved civil cases where managed in electronic form).

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

The documents and data about the cases are managed automatically in one system - LITEKO.

10 - Have these systems been developed in-house or are they commercially or publically available?

LITEKO was begun to establish in 2004 by Ministry of Justice, later it was transferred under the management of the National Courts Administration.

Luxembourg

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

These CMS are widely used, in lower and upper Courts.

3 - Are communication tools between practitioners and Courts available?

No, not for now. Luxembourg is setting up a new communication web portal which enables communication between external parties (both professionals and citizens) and the CMS used by the Courts.

4 - Do they allow for sending and receiving procedural documents?

No. The actual system doesn't allow it. However, the new communication web portal will make this feature available.

5 - Can official filings be done digitally?

No. The actual system doesn't allow it. However, the new communication web portal will make this feature available.

6 - Do citizens have digital access to the relevant documents in their cases?

No. The actual system doesn't allow it. However, the new communication web portal will make this feature available.

Currently, the citizens can ask electronically via the MyGuichet Web portal their criminal record extract.

7 - Are these tools widely used?

The actual CMS is widely used by the members of the Courts

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

N/A

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

A unified CMS is provided for the judicial Courts. Administrative Courts have their own system.

10 - Have these systems been developed in-house or are they commercially or publically available?

A private company is developing the national CMS in-house after a public contract procedure.

Malta

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes, LECAM (Legal Case Management) is used to handle civil and criminal cases. Criminal cases of a minor nature are specifically handled by the eCCMS (electronic Citations Management System) from issue to settlement of citations. DigiCourts is currently in development which will replace LECAM and include improved functionalities.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

They are widely used and being enhanced as explained above.

3 - Are communication tools between practitioners and Courts available?

Yes, examples include:

- When Legal Practitioners log in www.eCourts.gov.mt they have available templates of Civil forms to submit to courts;
- When a case is being followed by a Legal Practitioner an email with the result is sent through LECAM and it is also made available in www.eCourts.gov.mt;
- Furthermore, one may register to receive mobile notifications through <https://ecourts.gov.mt/onlineservices/sms> or email notification through the eCourts profile;
- Notifications on legal cases sent through the system can be seen by viewing the website's user inbox where both received email and sms notifications are stored.

4 - Do they allow for sending and receiving procedural documents?

Yes, through www.eCourts.gov.mt Legal Practitioners can submit claims electronically, for instance, applications for claims related to the Civil Court (Commercial Section) and applications to be considered by the Land Arbitration Board.

5 - Can official filings be done digitally?

Yes, in addition to our reply to number 4 above, it is also possible to file documents in front of the Small Claims Tribunal up to Appeals, and file applications in front of the Administrative Review Tribunal, Courts of Magistrates and Judicial Letters.

6 - Do citizens have digital access to the relevant documents in their cases?

Yes, citizens have digital access to their civil cases and can follow all documents through www.eCourts.gov.mt. Furthermore, one may register to receive mobile notifications through <https://ecourts.gov.mt/onlineservices/sms> or email notification through the eCourts profile.

7 - Are these tools widely used?

Yes, they are widely used. The year of 2018 was the first full year where eCourts.gov.mt was in operation. In 2018, there were 2,383 unique citizen profiles registered and 584 unique Legal Professionals profiles. Similarly, the average monthly usage of eCourts during 2018 consists of 1600 users – 10,667 sessions with an average duration of 10 minutes.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

During 2018, the following applications were submitted:

- Small Claims – Notification of Claims https://servizz.gov.mt/en/Pages/Police_-_Justice-and-Defence/Justice/Courts-of-Justice/WEB128/default.aspx - 13 online applications and 575 manual applications;
- Small Claims – Reply https://servizz.gov.mt/en/Pages/Police_-_Justice-and-Defence/Justice/Courts-of-Justice/WEB129/default.aspx - 7 online applications and 282 manual applications;
- Small Claims – Counterclaim reply https://servizz.gov.mt/en/Pages/Police_-_Justice-and-Defence/Justice/Courts-of-Justice/WEB127/default.aspx - Nil;
- Small Claims – Appeal Application https://servizz.gov.mt/en/Pages/Police_-_Justice-and-Defence/Justice/Courts-of-Justice/WEB126/default.aspx - Nil;
- Land Arbitration Board Claims – through www.eCourts.gov.mt - Nil;
- Civil Court (Commercial Section) Claims – through www.eCourts.gov.mt - Nil
- Appeal in in the Administrative Review Tribunal - https://servizz.gov.mt/en/Pages/Police_-_Justice-and-Defence/Justice/Court-Services/WEB1003/default.aspx - 1 online application and 140 manual applications;
- File a Claim in the Courts of Magistrates - https://servizz.gov.mt/en/Pages/Police_-_Justice-and-Defence/Justice/Courts-of-Justice/WEB2240/default.aspx - Nil;
- Any judicial letter, excluding those that require an oath - https://servizz.gov.mt/en/Pages/Police_-_Justice-and-Defence/Justice/Courts-of-Justice/WEB125/default.aspx - 2 online Judicial Letters as opposed to 8651 manually filed judicial letters.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

LECAM (to be replaced by DigiCourts) is the main unified system used, however, integration with all the other systems, including other CMSs and electronic ID authentication amongst others is achieved.

10 - Have these systems been developed in-house or are they commercially or publicly available?

There is a mix – some parts were developed in-house through the Malta Information Technology Agency (MITA) and other parts and other integrated systems were outsourced.

Netherlands

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes, jurisdictions use CMS (focus is on managing process logistics and case documents, since primary court processes are often too complex to automate)

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

Widely used (basic courts use the same CMS solutions, though there are different solutions for different fields of justice. Appeal and supreme court CMS solutions may differ from basic court solutions).

3 - Are communication tools between practitioners and Courts available?

Yes (available tools provide basic functionality)

4 - Do they allow for sending and receiving procedural documents?

Yes (available tools provide basic functionality)

5 - Can official filings be done digitally?

Partially (only supported fields of justice)

6 - Do citizens have digital access to the relevant documents in their cases?

No, in most cases access is limited to practitioners

7 - Are these tools widely used?

Yes (tools referred to in 3-5)

No (tools referred to in 6)

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

About 20%

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

Unified CMS solutions are provided for basic courts. Appeal and supreme court CMS solutions may differ from basic court solutions

10 - Have these systems been developed in-house or are they commercially or publicly available?

A combination of in-house development and commercially available products is being used (we are still working hard on improving our CMS solutions, in general commercially available products are preferred over in-house built products)

Austria

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

Widely used – 100 % coverage.

3 - Are communication tools between practitioners and Courts available?

Available and even obligatory.

4 - Do they allow for sending and receiving procedural documents?

Yes.

5 - Can official filings be done digitally?

Yes.

6 - Do citizens have digital access to the relevant documents in their cases?

Yes.

7 - Are these tools widely used?

Yes. In 2018 115,000.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

94 % of of all civil cases and 76 % of all enforcement cases are filed electronically.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

Unified system.

10 - Have these systems been developed in-house or are they commercially or publically available?

In-house (developed by a general IT-service provider, but not commercially or publically available).

Portugal

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes. Portuguese jurisdiction uses Case Management Systems (CMS) in all court instances.

Nowadays, there are still two different Information Systems handling court processes: one System – CITIUS – for the common jurisdiction (civil, commercial, criminal or other matters) and another – SITAF – for the administrative and tax jurisdiction.

We should also point out that a new system is currently being developed, which provides the same interface to judges of both jurisdictions offering new important functionalities and incorporating Artificial Intelligence tools. This new system is already in use in several Courts, on a trial basis, and by the end of 2020 it will be in place in all national Courts.

All Courts and users are interconnected through modern telecommunication means with the Central Information Systems, real-time systems, available on a 24*7 basis.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

The two aforementioned Systems – CITIUS and SITAF – are widely used in Portuguese Courts at different levels (Courts of first instance, Courts of appeal and Supreme Court) in the two branches: common jurisdiction and administrative and tax jurisdiction with no limitations to any instance.

Despite their widespread and massive use, exception relates to management of some proceedings in criminal matters, namely in the investigation and instruction phase.

3 - Are communication tools between practitioners and Courts available?

Communication between Courts and practitioners has been supported by electronic communication tools basically since the rollout of a web interface some years ago.

With the abovementioned exception of the investigation and instruction phase in criminal matters, court magistrates and prosecutors, court clerks, court agents, as well as lawyers, solicitors and enforcement agents can benefit from the communication tools encompassed in the two CMS.

Both systems also provide tools for electronic service of documents and notification by the Courts and/or other parts like, for example, lawyers and solicitors.

4 - Do they allow for sending and receiving procedural documents?

The electronic CMS in place feature a web interface which enables lawyers and solicitors to submit, from their offices, all procedural digitally signed documents and their attachments, to know the outcome of the distribution, to check the workflow of judicial proceedings (including the publication of court decisions) and the due diligence concerning them, or even to follow the status of their fee demands under the legal aid. In civil declarative and enforcement actions (except for the filing of the executive application, which remains unchanged) and precautionary measures, this feature replaced email communications as a means of sending electronic data.

On the other hand, these systems allow the magistrates to directly elaborate all court decisions, to digitally sign their official rulings (using a smartcard card associated with a PIN code) and to electronically receive and return the processes to the court secretary or to other District Courts within the country, if necessary.

5 - Can official filings be done digitally?

The digital transformation accompanied by continuous the legal reforms – the most recent one, instituted by Decree-Law nr. 97/2019 of 26th of July, fully establishes the electronic nature of the judicial procedure, which is now digital-by-default – provided the grounds for the continuous enhancement of digital official fillings. As such, this process now enables digital filings of orders, notifications, decisions and certificates.

6 - Do citizens have digital access to the relevant documents in their cases?

Currently citizens can access their electronic judicial case, except for particular and exceptional cases defined in the law. Although citizens can access to their cases, with the general presumption of case openness, in some cases the law had to implement some restrictions on publicizing cases and access to information (like the counter measures for protecting the other parties, protection of identity, for the secret of justice, or for a lack of summons by that citizen).

Access is performed through a public Web portal with strong authentication, with a two-step verification: a civil identification card with authentication certificate or digital mobile key (CMD) , which corresponds to an SMS code sent to a certified mobile number and associated with the civil identification number.

7 - Are these tools widely used?

Yes. Portugal is continuously aiming to achieve, where possible, a fully digital judicial process and has already taken decisive steps towards the online access to judicial and administrative proceedings.

At this moment, there are two modes of operation: internally, the judicial system provides full access to judges, prosecutors and bailiffs to the CMS (CITIUS and SITAF); and externally it enables online access to both systems for forensic professionals and the citizens involved in the proceedings.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

The CSM (CITIUS and SITAF) feature statistical tools in order enable the measuring of all court activities.

In civil and commercial matters, a very high percentage – close to 100% – of cases have been handled using digital means.

There is a strategic goal of achieving a transparent, closer to citizens and faster justice, based on process simplification, digitalization and on the use of modern and innovative technologies.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

Both CMS (CITIUS and SITAF) are provided to the Courts by the Ministry of Justice, which has the competence for its development regulated by Law nr. 34/2009.

In Portugal, although the CMS are different for each jurisdiction (CITIUS for common jurisdiction, and SITAF for administrative and tax jurisdiction), the Courts can only use the CSM implemented for their specific jurisdiction and are not allowed to choose a different solution.

As mentioned above, a new system is now being developed allowing a unique interface for judges of both jurisdictions. By October 2019 this system will be in use in several Courts, and by the end of 2020 it will be implemented in all Portuguese Courts.

10 - Have these systems been developed in-house or are they commercially or publically available?

Both CMS have been developed internally, under the leadership of the Ministry of Justice and technical coordination of IGFEJ, I. P., (Instituto de Gestão Financeira e Equipamentos da Justiça), a Public Institute under the Ministry of Justice.

The system functionalities, its workflows and related software applications are defined by working groups which gather the participations and contributions of all types of potential users (such as judges, prosecutors, lawyers and other forensic professionals) and IT experts.

Romania

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

The ECRIS CDMS represents RO's unified CMS (manages the judicial cases and workflows, monitors the case activities, generates statistics and administrative reports etc.) which covers all 15 Courts of Appeal, including the courts in each constituency, as well as the High Court of Cassation and Justice of Romania.

3 - Are communication tools between practitioners and Courts available?

By default, professionals and citizens don't have direct access to ECRIS CDMS.

If a valid e-mail address has been provided in the initial phases of the proceedings, only in civil matters, specific documents may be communicated directly from the CMS (unsigned .doc/.docx format), in which case, as there are no intrinsic means of confirming its receipt, the document cannot be considered legally communicated.

The communication of summonses and other procedural documents may be done by the Court clerk by fax, e-mail or other means that ensures the transmission of a digitally signed document and the confirmation of its receipt, if the party has indicated to the Court the appropriate data for this purpose (viz. Code of Civil Procedure, art. 154 (6)).

Both practitioners and citizens may communicate with the Court by electronic means (e.g. fax, e-mail etc.) both for initial filings and subsequent procedural events.

Timetables of the court hearings and other case related information are publicly available on the portal.just.ro, while anonymized court decisions are publicly available on the rolli.ro database.

4 - Do they allow for sending and receiving procedural documents?

Besides the available means to communicate with the court (as detailed on pct. 3), some courts have developed e-file web-based tools by means of which both practitioners and citizens can access (read only) all case related files. (12 of 15 Courts of Appeal).

(e.g. <https://doc.tribunalularad.ro/autenticare>)

5 - Can official filings be done digitally?

Official filling can be done via e-mail (not secured).

6 - Do citizens have digital access to the relevant documents in their cases?

As mentioned prior citizens and practitioner can access (read only) all case related files(12 of 15 Courts of Appeal).

7 - Are these tools widely used?

Yes, to some extent (see pt. 4)

State of play of digitization

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

We don't have a number for initial filings but once a file has been created in ECRIS system will have an electronic route in all procedural stages as well as in other procedural events.

9 - Is a unified CMS provided to Courts or are Courts free to use different system?

There is a unified CMS-system provided for the courts. Courts are not allowed to use any other system.

10 - Have these systems been developed in-house or are they commercially or publicly available?

The current system ECRIS CMS has been developed through a call for tenders. It is a custom-made solution. At this moment we are in the analysis phase for rebuilding the system.

The other features (as pointed out at pct. 4) have been developed in-house, based on commercial or open-source solutions.

Slovenia

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

The state prosecution of Slovenia has its own CMS that was developed by a private company.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

The use is limited to state prosecution, but it is being used by all the prosecution office branches in the country.

3 - Are communication tools between practitioners and Courts available?

No.

4 - Do they allow for sending and receiving procedural documents?

Not at the moment. We are currently testing the connection to the courts.

Connection to the Police enables a transfer of materials from the Police to the prosecutions office, connection from the prosecutions office to the Police is limited to sending of the decision on dismissal.

5 - Can official filings be done digitally?

No.

6 - Do citizens have digital access to the relevant documents in their cases?

No.

7 - Are these tools widely used?

The question is not clear enough.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

Currently we only have a connection to the Police. The Police sends only a part of the material digitally, whole material is sent from the Police to the prosecution in paper/physical form.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

As stated before, the same system is being used by all the prosecution offices in Slovenia the office of the state prosecutor general, specialised state prosecutor's office and all the district state prosecutor's offices.

10 - Have these systems been developed in-house or are they commercially or publicly available?

The system was developed at the same time (in the scope of the same project) both for the state prosecution and the state attorney's office, however both systems are completely separate, each adapted to the needs of the individual authority.

Slovakia

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes, MoJ SK operates the Case Management System, which is used by SK regional and district courts, some functionalities are used by Supreme Court. Just the Constitutional Court do not use the Case Management System operates by MoJ SK.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

See above

3 - Are communication tools between practitioners and Courts available?

Yes (eŽaloby portal)

4 - Do they allow for sending and receiving procedural documents?

Yes via electronic mailboxes and eŽaloby portal

5 - Can official filings be done digitally?

Yes

6 - Do citizens have digital access to the relevant documents in their cases?

Yes via access to the electronic court file

7 - Are these tools widely used?

They are used, SK do not provide the exact statistics, approximately 20%

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

Approximately 20%

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

The system is unified.

10 - Have these systems been developed in-house or are they commercially or publically available?

The system been developed in-house by supplier.

Sweden

Use of IT tools in jurisdiction

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Yes, though the level of automation is rather low.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

It is used by all courts

3 - Are communication tools between practitioners and Courts available?

Yes, but only between the prosecutors office and some other government bodies (mainly in the legal chain). Not for lawyers or other parties.

4 - Do they allow for sending and receiving procedural documents?

Yes

5 - Can official filings be done digitally?

Yes, to some extent.

6 - Do citizens have digital access to the relevant documents in their cases?

No, not yet.

7 - Are these tools widely used?

The tools available are the only ones that are being used. Once they have been implemented they are not optional but rather mandatory.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

Really hard to answer this one since we don't really have statistics for it.

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

There is a unified CMS-system provided for the courts. They are not allowed to use any other system.

10 - Have these systems been developed in-house or are they commercially or publically available?

They have been developed in-house and are not commercially or publically available.

Court of Justice of the European Union

Use of IT tools in jurisdictions

1 - Do jurisdictions in your Member States use Case Management Systems (CMS, defined as systems aiming at automating court processes, monitoring case activities and managing cases documents and processes)?

Currently the CJEU does not use a CMS *stricto sensu*. However, the institution is currently working on such a solution, internally known as the “Système Intégré de Gestion des Affaires” project (SIGA). We are finalizing the design and the writing of a call for tender in order to implement this real CMS.

Today, the two Courts and the supporting departments (Registries, Directorate-General of Administration and Directorate-General for Multilingualism) use a myriad of different tools in order to provide for automation, monitoring and document and process management:

- One application (e-Curia) that enables the representatives of parties in cases brought before the Court of Justice and the General Court, as well as national Courts and tribunals in the context of a reference to the Court of Justice for a preliminary ruling, to exchange procedural documents with the Registries by electronic means.
- One central database that enables, *inter alia*, the Registries to monitor the progress of the cases and produce statistics.
- One central document management solution, designed to handle the electronic version of the files.
- Different databases dedicated to the monitoring of the activities and the handling of the documents of the Courts and of the different departments: chambers, translation, research and documentation, Registries...
- Different solutions which provide document automation in order to generate the documents in the official languages and manage their processing.

These tools have been developed gradually across time, improving and complementing what existed before. Most of them have been in place for a long time now (some of them since more than 20 years). Although these in-house developed tools do serve the purpose of managing the cases, their interconnection and integration in the business workflow is done by human intervention, which is a complex task. The CJEU sees the need to evolve towards a single integrated SIGA solution.

2 - Are these CMS widely used or is their use limited to some Courts (for example for appeal and supreme Courts)?

The adaptive CMS which is currently under construction will be used, as a unique tool, by both the Court of Justice and the General Court and also by all the supporting departments at the CJEU. The national jurisdictions and the parties will also be able to connect externally to the SIGA CMS to interact with their own cases.

3 - Are communication tools between practitioners and Courts available?

Yes, several tools are already today used by practitioners:

- The e-Curia Information System is used to communicate with both Courts at the CJEU. SIGA will further increase the possibilities of these communications;
- The Réseau judiciaire de l'Union européenne (RJUE) is today still a collaboration tool between the CJEU and the Supreme Courts of the Member States, but by the end of the year this information channel will be also available to all practitioners ;
- Last but not least, the Curia public website also offers searchable information of great interest to practitioners

4 - Do they allow for sending and receiving procedural documents?

Yes. The e-Curia system currently in use is already supporting this exchange of procedural documents. SIGA will continue to offer this possibility and extend it to propose a complete integration of the practitioners who will become an actor in the lifecycle of the case.

5 - Can official filings be done digitally?

Yes. The e-Curia system is already handling this today. SIGA will also offer this possibility.

6 - Do citizens have digital access to the relevant documents in their cases?

Yes (the citizens represented by their lawyers can access the procedural documents lodged or served by means of e-Curia). With the current e-Curia system this access is however restricted to documents which have been uploaded/exchanged through e-Curia itself. There is no access for instance to documents which would have been sent in a paper version and subsequently scanned at the CJEU. However, SIGA will make the access possible to all relevant documents of a case taking into consideration the rules of confidentiality and anonymization.

7 - Are these tools widely used?

Yes. The e-Curia system has been made mandatory for all interactions with the General Court since 01/12/2018. The Court of Justice also encourages the use of this system and has opened it to national courts and tribunals in preliminary rulings proceedings since 01/12/2018.

State of play of digitisation

8 - Which approximate proportion of the filed cases have been handled using digital means of communication for initial filings or subsequent procedural events?

For the General Court the proportion of procedural documents lodged via e-Curia amounts to 91% since 01/12/2018 but before that it already topped at 85%. For the Court of Justice this proportion reaches roughly 75% (These figures have been extracted from the Annual Report 2018).

9 - Is a unified CMS provided to Courts or are Courts free to use different systems?

For the moment, both jurisdictions already share a common set of tools and database, with segregation in terms of documents and information, in order to prevent any loss of confidentiality. Yet, the number of tools is very important and different systems are used depending on the process and on the departments involved in each step of the process (analyse of the case, research, translation of the documents, drafting of the decision, publication, etc.). In this respect, there is not a unified system, but the two jurisdictions of the CJEU share, indeed, the same systems. The CJEU will offer with SIGA a unified CMS to both its jurisdictions and to the departments and parties, in an “end-to-end” perspective, the case itself becoming the central point by design.

10 - Have these systems been developed in-house or are they commercially or publically available?

The current systems have been developed in-house, based on commercial or open-source solutions. SIGA will be based on an off the shelf solution selected through a call for tenders. This solution will then be configured where needed to the specific needs of the jurisdictions at the CJEU.