# Online processing of cases and e-communication with courts

## Bulgaria

**1 Is it possible to initiate court proceedings via the internet?**

Bulgarian law does not provide for such an option. Applications are submitted in writing to a court registry and should be written in Bulgarian. Applications may be sent through the post but not by fax or email.

**2 If so, for what types of cases is it available? Are any proceedings available exclusively via the internet?**

See the answer to Question 1.

**3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?**

See the answer to Question 1.

**4 Should the details of the claim be provided in any particular format?**

See the answer to Question 1.

**5 How is transmission and storage of data secured?**

See the answer to Question 1.

**6 Is it necessary to use any kind of electronic signature and/or time record?**

See the answer to Question 1.

**7 Are court fees payable? If so, how can they be paid and are they different to those for non-electronic procedures?**

See the answer to Question 1.

**8 Is it possible to withdraw a claim that has been initiated via the internet?**

See the answer to Question 1.

**9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?**

See the answer to Question 1.

**10 In terms of the electronic procedure what happens if the defendant responds to the claim?**

See the answer to Question 1.

**11 In terms of the electronic procedure what happens if the defendant does not respond to a claim?**

See the answer to Question 1.

**12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?**

Under Bulgarian law, procedural actions by parties in civil and commercial cases are not considered valid if they are performed electronically and signed with an electronic signature. Parties bring a case before a court by means of an application written in Bulgarian and bearing their signatures. An application may be handed to the office of the clerk of the relevant court or addressed and sent to the court by post.

Article 184 of the Code of Civil Procedure (GPK) allows electronic documents as well as paper documents to be presented as evidence in civil and commercial cases. The electronic document may be presented to the court on paper. If contested by the opposing party, the document should be submitted on an electronic medium. In the absence of the equipment and staff needed to reproduce the electronic document in a court hearing, the party that submitted the electronic document may be required by the court to provide the other parties with an electronic copy.

The procedure for challenging an electronic document, and in particular the electronic signature that is a mandatory feature of an electronic document, is laid down in the Electronic Document and Electronic Signature Act.

The only provision made by the Code of Civil Procedure for online procedural action is the attachment of a debtor's claims in enforcement proceedings. This legal framework is part of the enforcement process and the action is carried out by a bailiff.

**13 Can judicial documents, and particularly judgments, be served via the internet?**

Article 42(4) of the Code of Civil Procedure allows communications to be served on a party in a civil or commercial case by email. Communications are deemed to have been served when they are entered in the specified information system, and service is attested by a copy of the relevant electronic record, in accordance with Article 44(3) of the Code.

**14 Can judicial decisions be given electronically?**

See the answer to Question 13.

**15 Can an appeal be made and its decision served via the internet?**

See the answer to Question 13.

**16 Is it possible to initiate enforcement proceedings via the internet?**

Bulgarian law does not provide for this. See the last subparagraph of the answer to Question 12.

**17 Can the parties or their legal representatives consult on-line cases? If so, how this can be done?**

Public access to judicial decisions is available (without having to register) via the website of the Supreme Judicial Council of the Republic of Bulgaria: http://legalacts.justice.bg/. Judicial decisions can be searched for using a number of criteria, namely 'court', 'type of case', 'year', 'case number', and 'keywords'. Advanced searches using more specific criteria are also possible. As a result of the search, a party to the case, or their representative, can download the judicial decision in '.doc' format. Decisions are published as soon as they are taken, subject to the requirements of the Personal Data Protection Act and the Classified Information Protection Act. Decisions are published in such a way that the natural and legal persons named in them cannot be identified. Decisions in cases concerning the civil or health status of individuals are published without their grounds.

Furthermore, the website of each court allows the progress of cases and the related judicial decisions to be monitored. Judicial decisions and information on the progress of cases can be found using the search criteria listed above, and the decisions are published in the manner described. As a result of the search, the party to the case, or their representative, can download the judicial decision taken in '.doc' format.

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