

Please note that the original language version of this page [es](#) has been amended recently. The language version you are now viewing is currently being prepared by our translators.

Swipe to change

## Online processing of cases and e-communication with courts

Spain

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

Yes.

For court procedural representatives (*procuradores*) and other legal representatives, it is a mandatory requirement.

For private parties (individuals and legal entities), it has been optional since 1 January 2017 and it is being rolled out in full over 2017. The Ministry of Justice keeps a register, available electronically, containing details of the relevant resources and addresses.

An electronic signature is required in order to guarantee the authenticity of the contents and provide proof of sending and receipt.

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

It is available for all civil proceedings.

However, access for private parties is in the process of being set up although, in some parts of the country, it may temporarily be limited to order for payment procedures.

Court procedural representatives and other legal representatives must commence proceedings via the internet; for private parties, use is optional.

### 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?

It is available 24 hours a day, 7 days a week. However, as some days are non-working days, if a procedure is initiated on a non-working day, it will only be finalised on the next working day.

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

There is no mandatory format. If the electronic document is too big and blocks the system, it will have to be filed in hard copy.

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

The competent public administrative authorities are responsible for setting up the appropriate electronic systems. Security is ensured through a system of prior authentication of electronic signatures for legal practitioners, while access for authorised officials is through cryptographic cards and digital certificates. The system must guarantee the authenticity of content and provide proof of sending and receipt.

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

Yes, through a system of prior authentication.

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

Fees are payable for applications from legal entities but not from individuals. For all applications, whether filed electronically or by other means, payment must be made electronically via the internet and be accompanied by proof of payment. (Failure to comply with this requirement can be rectified at a later date.)

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

Electronic applications can be officially withdrawn, on the same terms as applications submitted in hard copy. Once an application has been submitted, it cannot be cancelled.

### 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?

No: each party will respond using the appropriate procedure, which depends on whether or not they are a legal practitioner. For private parties, electronic filing is optional.

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

Nothing: the electronic procedure only applies to the submission of documents and notices served on the parties' legal representatives. Court proceedings are not processed automatically. The court will supply the document in electronic format and/or hard copy, and it will be served either electronically or physically, depending on which rules apply and what the parties have opted for.

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

Nothing: the electronic procedure only applies to the submission of documents and notices served on the parties' legal representatives. Court proceedings are not processed automatically. The court will supply the document in electronic format and/or hard copy, and it will be served either electronically or physically, depending on which rules apply and what the parties have opted for.

### 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?

Yes. The courts are equipped to receive documents electronically. Documents can be submitted electronically via the parties' legal representatives.

Electronic submission is available for all proceedings.

Prior authentication with the legal practitioner's electronic signature is required.

Private parties can also submit documents electronically as described above if they have opted for this route.

The original document must be supplied where requested by the court, in which case it may be sent by post.

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

Yes. For the parties' legal representatives, it is mandatory. For private parties, it is optional, following prior authentication.

### 14 Can judicial decisions be given electronically?

Yes. For the parties' legal representatives, it is mandatory. For private parties, it is optional, following prior authentication.

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

Yes. For the parties' legal representatives, it is mandatory. For private individuals, it is optional, following prior authentication.

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

Yes. For the parties' legal representatives, it is mandatory. For private individuals, it is optional, following prior authentication.

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

No, neither legal practitioners nor the parties themselves can consult cases online because the option to view a case online in civil proceedings is not available nationwide. It is being introduced in some parts of the country.

Last update: 23/11/2017

The national language version of this page is maintained by the respective EJM contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJM nor the European Commission accept responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.