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portugalski

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

Portugal

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

Yes, it is possible in Portugal to initiate court proceedings via the *Internet*. Specific software allows claims submitted in this way to be processed automatically.

Pleadings and documents can be submitted electronically via the *Citius* system on the <http://citius.tribunaisnet.mj.pt> web page in accordance with the procedures and instructions specified there. To access the system, lawyers, trainee lawyers and solicitors must register with the entity responsible for managing access to it. Following registration, users are issued with secret, personal, non-transferable codes allowing them to gain access to the restricted area of *Citius*.

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

The following can be instigated and processed via the *Citius* application:

- Civil declaratory actions, precautionary measures and individual judicial notifications, with the exception of proceedings to promote and protect children and young people in danger and requests for civil damages or civil enforcement proceedings brought in the context of criminal proceedings;
  - Civil enforcement proceedings and all hearings joined to the enforcement, taking into consideration that recording of the enforcement proceedings with the printing of essential documents should take place only after the court has received an application or information giving rise to action by the judge.
- This is also possible in the case of order for payment proceedings. Please refer to the relevant Factsheet.

**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?**

The services described are available 24 hours a day, 7 days a week.

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

Pleadings are submitted by completing the forms available on the web page referred to in the answer to question 1, to which are attached:

- Files with the other legally required information, material content of the pleading and other information deemed relevant by the legal representative that does not fit into any other fields on the form; and
- The documents that must accompany the pleading. Pleadings and documents submitted in this manner must be digitally signed by electronic signature certificate to permanently guarantee the professional status of the signatory. The signature is performed via the *Citius* electronic system on submission of the pleading.

The aforementioned files and documents must be in *portable document format (.pdf)*.

Order for payment proceedings must be in *extensive markup language (.xml)*, with the specifications published on <https://www.citius.mj.pt/portal/consultas/injuncoes/injunformato.aspx>.

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

The electronic processing of cases guarantees their integrity, authenticity and inviolability.

All communications between the user's computer and the system's *Internet* site are encrypted so as to ensure the confidentiality of the data transmitted.

Applications can only be accessed by duly certified legal representatives via a digital certificate proving their identity.

All their activity is recorded in the system.

Documents and pleadings that are being handled are signed digitally by the user, guaranteeing their authenticity, integrity and acceptance.

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

Yes, pleadings and documents submitted should be digitally signed by electronic signature certificate that permanently guarantees the identity and professional status of the signatory.

The *Citius* computerised system means:

- Certification of the date and time of delivery;
- The sender is provided with a copy of the pleading and of documents submitted, with the date and time of certified delivery affixed;
- If receipt is impossible, the sender is sent a message informing them that it was not possible to submit the pleading or documents to the computer system.

Acts of judges and the Public Prosecutor are always carried out electronically via *Citius* with a qualified or advanced electronic signature affixed. Only the following means of electronic signature may be used:

- Qualified electronic signature certificates issued under the State's Electronic Certification System;
- Advanced electronic signature certificates issued especially for this purpose by the [Institute of Financial Management and Justice Equipment, I. P.](#) [*Instituto de Gestão Financeira e Equipamentos da Justiça, I.P.*]

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

Legal costs are payable.

A single collection document (*Documento Único de Cobrança - DUC*), available on the IGFIJ web page, is issued before payment:

<https://justica.gov.pt/Servicos/Custas-processuais/DUC-Documento-Unico-de-Cobranca>

Payment by ATM or *Homebanking* is carried out via the area 'Payments to the State'.

Financial institutions where it is possible to pay the DUC can be found in the [IGFIJ and DGAJ circular](#)

For further information please consult:

1. Payment process: <http://www.citius.mj.pt/portaldnn/LinkClick.aspx?fileticket=dobTRbvK5HI%3d&tabid=59>

2. Notices:

<https://justica.gov.pt/Servicos/Custas-processuais>

3. Questions and responses: <http://www.citius.mj.pt/portaldnn/LinkClick.aspx?fileticket=fcZonQXKRvQ%3d&tabid=59>

Court fees for electronic proceedings via the *Citius* system are 25% to 50% lower than those payable in proceedings via a physical medium.

With regard to orders for payment, please refer to the respective factsheet.

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

Yes, it is possible to withdraw a claim initiated via the internet, in exactly the same way as for non-electronic proceedings.

**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?**

Yes, the defendant responds to the claim via the same computer application on the *Internet*.

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

If the defendant responds, the claim follows the procedural terms applying to claims submitted via a physical medium and can continue to be processed digitally until the final decision.

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

If the defendant does not respond, the claim follows the applicable procedural terms and is digitally processed until the final decision.

**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?**

On the *Citius* system, it is possible to electronically submit documents relating to the claims and procedures referred to in the response to question 2.

However, pleadings or the combination of pleadings and documents must not exceed 3 Mb.

Where the prescribed limit - 3 Mb - is exceeded owing to the size of the pleading, the latter along with its accompanying documents should be submitted via the other means provided for in the Code of Civil Procedure. Where the limit is exceeded due to the total size of the documents, the pleading may be submitted via *Citius* but the documents should be submitted via the other means provided for in the Civil Procedure Code. In this case, documents must be submitted within five days following delivery of the pleading, together with the respective proof of delivery provided by *Citius*.

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

Notifications can be made electronically using the *Citius* computer system, which automatically ensures that they are issued and can be viewed at the <http://citius.tribunaisnet.mj.pt/> web page.

Notifications to the parties in pending cases, including judgments, are carried out electronically by way of their legal representative.

The *Citius* system ensures certification of the date on which the notification was prepared, assuming it is delivered on the third day after preparation or the first business day after that where the deadline expires on a non-business day.

Summons are not served via the *Internet*.

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

Procedural acts of judges, including the delivery of judicial decisions, are always carried out electronically via the *Citius-Judicial Magistrates* computer system and are made available on the respective online applications.

As regards their notification, the answer to the previous question applies.

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

Yes, it is possible to electronically submit requests to lodge appeals, appeal statements and rebuttals and complaints against the dismissal or elevation of appeals.

As regards notification of the decision on this appeal, please see the answer to question 13.

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

Yes, it is possible to initiate enforcement proceedings via the *Internet*.

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

Only lawyers or solicitors can consult cases via the *Internet*.

The consultation of cases, i.e. the pleadings and documents in electronic form, is done by lawyers and solicitors via *Citius* on the basis of the case ID number. To access *Citius* to consult cases, lawyers and solicitors are required to register in advance with the entity responsible for managing access to the computer system.

**Further information**

[Directorate-General of Justice Administration](#)

[Directorate-General for Justice Policy](#)

[Institute of Information Technology in Justice, I. P.](#)

[Institute of Financial Management and Justice Infra-structure](#)

[Citius Portal](#)

[Justice Portal](#)

Last update: 24/06/2019

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