Uwaga: niedawno wprowadzono na tej stronie zmiany w oryginalnej wersji językowej it. Strona w wybranej przez Ciebie wersji językowej jest obecnie tłumaczona przez nasze służby tłumaczeniowe.

włoski

Swipe to change

Online processing of cases and e-communication with courts

Włochy

Oficjalne tłumaczenie przeglądanej wersji językowej nie istnieje.

Tutaj znajdą Państwo tłumaczenie maszynowe tego tekstu. Ma ono charakter wyłącznie orientacyjny. Autorzy tej strony nie ponoszą odpowiedzialności za jakość tłumaczenia maszynowego.

-----angielski

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

Yes, it is possible to initiate civil proceedings before all the courts and courts of appeal. For pre-trial injunctions in any court, it is mandatory.

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

In contentious and non-contentious civil actions and enforcement proceedings before the courts and appeal courts, the counsel of previously constituted parties may only submit procedural acts and documents by electronic means. The same is true for the submission of acts and documents by persons appointed or delegated by the judicial authorities. For all other acts, submission by electronic means is always allowed.

Pre-trial injunctions are handled exclusively by electronic means.

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 service for the electronic submission of documents is available round the clock.

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

Yes, the technical specifications to be complied with are set out in a measure dated 16 April 2014. They can be found at the following link:

http://pst.giustizia.it/PST/resources/cms/documents/SpecificheTecnicheTestoCoordinatoArticolato.pdf

5 How is transmission and storage of data secured?

The 'IT envelope' (*busta telematica*), containing the judicial document and any attachments, is encrypted, to ensure its contents can only be read by the receiving court.

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

An electronic signature is required; a record of the time is not necessary.

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

The single fee required by law (*contributo unificato*) may be paid electronically, via a dedicated online procedure requiring authentication by Italian smart card. The fee is the same as for non-electronic procedures.

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

Yes, by an electronic document equivalent to the paper one.

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?

With respect to the submission of an application, the defendant is free to act as they see fit; electronic submission is, however, mandatory during the course of proceedings before the courts and courts of appeal.

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

The same rules as for paper proceedings apply. The defendant may defend the claim electronically only if the court is authorised to receive online submissions for the type of proceedings and document in question.

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

The same rules as for paper proceedings apply.

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?

See the replies to questions 1 and 2.

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

Communications and notices to the parties' lawyers are sent only via the internet (certified electronic mail (PEC) under the Italian rules).

14 Can judicial decisions be given electronically?

Yes. Pre-trail injunctions are issued in electronic format only (from 30 June 2014).

Civil courts issue some 300 000 decisions in electronic format every month.

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

An appeal can be lodged via the internet. The decision on the appeal is notified only via the internet (certified electronic mail (PEC) under the Italian rules).

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

Yes.

17 Can the parties or their legal representatives consult online cases? If so, how this can be done?

Yes, by authenticating themselves (using an Italian smart card) at an authorised access point or on the online services portal of the Ministry of Justice.

Related links

https://pst.giustizia.it/PST/

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