

### What is the EJM-civil?

The European Union's wide variety of national legal systems and this diversity, together with new Union legislation, has led to a need to provide support and information through a specific network to authorities dealing with cross-border cases. These cases may cover business, consumer or employment disputes, divorce, child custody or succession issues. The Network brings together national authorities responsible for assisting local courts and was set up to facilitate judicial and legal cooperation between Member States. The EJM-civil was established by [Council Decision 2001/470/EC](#) of 28 May 2001 and started operating on 1 December 2002. This legal basis was modified once in 2009 ([the consolidated version is available here](#)). All Member States except Denmark participate in the EJM-civil.

## Have a look at the EJM's infographic!

### The objectives of EJM-civil

Since its inception, the EJM-civil has been an important tool for providing support for the implementation of EU civil justice instruments in daily legal practice. The EJM-civil facilitates and supports relations between **national judicial authorities** through contact points in each Member State and thereby helps to facilitate cross-border cases. This cooperation between authorities aims to provide help for people involved in cross-border civil and commercial judicial cases.

### Who are the EJM-civil members?

There are more than 500 members of the Network who fall under the five categories mentioned below. Each Member State has at least one contact point.

The Network is composed of

contact points designated by Member States;

bodies and central authorities specified in Union law or in international instruments whereby Member States are party, or in domestic law relating to judicial cooperation in civil and commercial matters;

liaison magistrates with responsibilities for cooperation in civil and commercial matters;

other judicial or administrative authorities responsible for judicial cooperation in civil and commercial matters whose membership is deemed to be useful by the Member State;

professional associations representing legal practitioners directly involved in the application of Union law and international instruments in civil and commercial matters at national level in the Member States

**Please select the relevant country's flag to obtain detailed national information.**

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### [About the network - Belgium](#)

[Points of contact and Belgian members of the network](#)

Two points of contact have been designated by Belgium. One of these is a judge in the Court of Cassation (*Cour de cassation*), who coordinates the relationship of the network with members from the judiciary; the other is a civil servant in the Federal Public Service for Justice (*Service public fédéral Justice*), working in the department for international legal cooperation on civil matters.

In addition, the Belgian network currently comprises 15 judges, members under Article 2(1)(d) of Council Decision 2001/470/EC. Three or four judges are designated for each jurisdiction of the Court of Appeal (*cour d'appel*); each of them is specialised in family law, commercial law or procedural law. These judges are from courts of different levels (Court of Appeal, courts of first instance (*tribunaux de première instance*), commercial courts (*tribunaux de commerce*) and justices of the peace (*justices de paix*)).

A representative of the National Council of Chief Clerks (*Conseil national des greffiers en chef*) is also a member of the Belgian network under Article 2(1)(d) of the abovementioned Decision.

Four representatives of the legal professions have also been designated by Belgium as members of the network in accordance with Article 2(1)(e): a representative of notaries, a representative of court bailiffs, and two representatives of the bar associations (one representing the French-speaking and German-speaking associations and one representing the Flemish associations).

There is also coordination with the various central authorities designated under a number of different regulations (Regulation (EC) No 2201/2003, Regulation (EC) No 4/2009, Regulation (EC) No 1393/2001 etc.).

Contacts have been established with the Belgian section of the European Consumer Centre.

#### **Method of operation of the network**

Most communication takes place by e-mail. Information from the European Commission and more particularly from the Secretariat is distributed to members mainly by one of the points of contact. Members take part in network meetings depending on the subject matter. In addition, a meeting of Belgian judges who are members of the network is organised once a year.

The members are regularly invited to communicate information on new legislation as widely as possible or to distribute questionnaires to their colleagues. Generally, documentation published by the European Commission and useful Internet links are widely distributed to the courts. In addition, some network members are involved in the publication of the newsletter on European legislation (*Eur-alert!*).

A collaboration has also been established with the Judicial Training Institute enabling points of contact and members to speak at the training courses that it organises on recent European legislation and in particular on the arrangements for European and international legal cooperation on civil and commercial matters.

In respect of the treatment of specific questions such as those related to the content of foreign law or developments in proceedings with cross-border effects, the contacts are in principle established by e-mail on the one hand between the Belgian point of contact and the Belgian judge who investigated the matter as part of proceedings in progress, and on the other among the points of contact of the Member States involved.

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#### **About the network - Czech Republic**

The Czech Republic currently has six European Judicial Network contact points: five within the Ministry of Justice in the Czech Republic and one in Brussels (the Permanent Representation of the Czech Republic to the EU).

The European Judicial Network contact points in the Czech Republic communicate with the contact points in other EU Member States, handling enquiries from courts and notaries seeking information regarding other countries' laws and reminders concerning the handling of requests, in particular pursuant to Regulation (EC) No 1206/2001 on the taking of evidence and Regulation (EC) No 1393/2007 on the service of document and other matters.

Further to Council Decision 2001/470/EC of 28 May 2001 establishing a European Judicial Network in civil and commercial matters, the Czech Republic established in 2004 the Internal Judicial Network ('the Network') for cooperation in civil and commercial matters, which is responsible for ensuring that the Czech Republic is effectively involved in the European Judicial Network in civil and commercial matters.

The Network's members include judges, representatives of the Czech Bar Association, representatives of the Czech Chamber of Notaries, representatives of the Czech Chamber of Executors, representatives of the Office for the International Legal Protection of Children, representatives of the European Consumer Centre, representatives of Charles University's Law Faculty and nominated Ministry of Justice staff.

Members of the Network participate in particular in the activities of the European Judicial Network in civil and commercial matters and in the performance of tasks stemming therefrom, and in the activities of EU Council and Commission working parties and committees on civil and commercial matters. Network members express their opinions on draft European Communities legislation and other proposals relating to judicial cooperation in civil and commercial matters.

The Network has approximately 130 members at present. Meetings of all Network members are organised by the Ministry of Justice once a year. The meeting agenda includes current topics concerning in particular the European Judicial Network, the operation of the European e-Justice portal and EU Court of Justice case-law. At such meetings the Network members have a unique opportunity to meet in person and to share their practical experience of the application of EU instruments.

Compendia and other publications prepared within the European Judicial Network are distributed to the Network members.

Network members can communicate informally by e-mail. The Network has its own e-mail distribution list (e-mail address) to and through which Network members can send queries and share experience. Through this communication channel the Ministry of Justice can quickly inform Network members of news relating to judicial cooperation in the EU.

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#### **About the network - Germany**

As a result of Germany's federal structure, there are contact centres in each state in addition to the EJM (European Judicial Network) federal contact centre. The state contact centres are, depending on the organisational structure of the individual state, either located at the Higher Regional Court (

*Oberlandesgericht*) (Bavaria, Bremen, Hamburg, Hessen, Lower Saxony, North Rhine-Westphalia and Saxony) or the state Ministry of Justice (*Landesjustizministerium*). There are 17 EJM contact centres in Germany altogether. The federal contact centre is responsible for coordinating the national network and organising events, such as the European Day of Justice and meetings of German EJM members.

Tasks are allocated internally between the state contact centres and the federal contact centre. The federal contact centre answers all queries relating to German civil or commercial law, and the organisation of the courts. Enquiries relating to a specific case are, however, dealt with by the contact centre in the state in which the case is pending. Nevertheless, all German contact centres have equal status, which means that any of the 17 centres can be contacted for all types of enquiries and, in exceptional circumstances, the federal contact centre can also provide assistance relating to specific cases. This internal allocation of tasks ensures that the most suitable contact centre deals with the enquiry.

In addition to the contact centres, there are five liaison magistrates (*Verbindungsrichter*) in Germany working in the area covered by Regulation (EC) No 2201/2003 (Brussels IIA Regulation). Their duties are also allocated internally among states. External enquiries can be made to any of the five liaison magistrates. If necessary, the person making the enquiry will then immediately be directed to the most suitable magistrate based on the internal allocation of tasks, as well as on language skills, specific competencies and expertise relating to the specific case.

Pursuant to Article 2(1)(e) of Council Decision No 2001/470/EC of 28 May 2001 establishing a European Judicial Network in civil and commercial matters, as last amended by Decision No 568/2009/EC of the European Parliament and of the Council of 18 June 2009 amending Council Decision No 2001/470/EC of 28 May 2001 establishing a European Judicial Network in civil and commercial matters, Germany appointed the Federal Bar Association (*Bundesrechtsanwaltskammer*), the Federal Association of Notaries (*Bundesnotarkammer*), the Association of Patent Lawyers (*Patentanwaltskammer*), the German Lawyers' Association (*Deutscher Anwaltverein*), the Federation of German Bailiffs (*Deutscher Gerichtsvollzieher Bund e.V.*) and, in 2014, the Federation of German Judicial Officers (*Bund Deutscher Rechtspfleger*), as members of the EJM.

Other members of the EJM in Germany include the central bodies stipulated in Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Regulation on the service of documents), and Regulation (EC) No 1206/2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (Regulation on the taking of evidence). These central bodies and the state judicial apparatus provide the courts with up-to-date information regarding civil legal aid. They also introduce additional measures and support the courts with the service of documents and the taking of evidence in cases with a foreign component.

Further information on the EJM in Germany and a list of contacts can be found on the website of the Federal Ministry of Justice (*Bundesamt für Justiz*) <http://www.bundesjustizamt.de/ejnz>.

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#### About the network - Estonia

The national network contact points are the two advisors in the International Judicial Cooperation Division at the Ministry of Justice, both of whom also perform the functions of representative of the central body. The main functions of the contact points are the following:

ensuring that the local judicial authorities receive general information concerning the Community and international instruments relating to judicial cooperation in civil and commercial matters;

supplying the other contact points and authorities as well as the local judicial authorities in their own Member State with all the information required for sound judicial cooperation between the Member States, in order to assist them in preparing operable requests for judicial cooperation and in establishing the most appropriate direct contacts;

supplying any information to facilitate the application of the law of another Member State that is applicable under a Community or international instrument; seeking solutions to difficulties that may arise in connection with a request for judicial cooperation;

facilitating coordination of the processing of requests for judicial cooperation in the relevant Member State, in particular where several requests from the judicial authorities in that Member State are due to be executed in another Member State;

contributing to generally informing the public, through the network's website, on judicial cooperation in civil and commercial matters in the European Union, on relevant Community and international instruments and on the domestic law of the Member States, with particular reference to access to justice;

collaborating in the organisation of, and participating in, the network's meetings;

assisting with the preparation and updating of information for the public;

ensuring coordination between members of the network at national level;

drawing up a biennial report on their activities, including, where appropriate, best practice in the network, submitting it at a meeting of the members of the network, and drawing specific attention to possible improvements in the network.

The network liaison magistrate is a justice of Harju County Court who also represents Estonia in the network of judges established by the Hague Conference on Private International Law. The liaison magistrate's task is to advise court officials on European Union civil and commercial law and share with the network his/her experience concerning the application of diverse legislation.

In 2011, with the entry into force of the second Decision on the European Judicial Network in civil and commercial matters (EJM-civil), which expanded the network's activities to professional associations, the following bodies became members of EJM-civil in Estonia:

the Estonian Chamber of Bailiffs and Trustees in Bankruptcy representing bailiffs and trustees in bankruptcy;

the Estonian Lawyers' Association representing lawyers and notaries.

At the meetings, the Chamber of Bailiffs and Trustees in Bankruptcy is represented by different representatives of occupational and professional bodies, while the Estonian Lawyers' Association is usually represented by its director. The professional associations are responsible for the following:

exchange of experience and information as regards the effective and practical application of Community and international instruments;

collaboration in the preparation and updating of information sheets;

participation of the professional associations in relevant meetings.

Depending on the topic discussed, the contact point also invites other national experts to share their experiences at network meetings. For example, the meetings have been attended by several other judges alongside the liaison magistrate, the representatives of other ministries and the Chamber of Notaries, Supreme Court advisers, representatives of the Consumer Protection Board, faculty members of the University of Tartu, etc.

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## About the network - Ireland

### Contact Points

There are two contact points for Ireland. There is one contact point for the District and Circuit Courts and one contact point for the Superior Courts i.e. High Court, Court of Appeal and Supreme Court. The contact points co-operate closely and work together on matters relating to the Network. The contact points for Ireland are based in The Courts Service in Dublin. Even though each jurisdiction is separate there is an overlap in the work of these contact points who each have sole responsibility for the Network in their Directorates. Queries through the EJM should be directed to the relevant contact point for the jurisdiction concerned. The contact points work in separate offices but within the Directorates of the Courts Service of Ireland in Dublin. The work of the Network is combined with other tasks. However, the contact point can call on the help and assistance of other colleagues when dealing with Network business. The contact points maintain regular contact by e-mail, telephone and 'face to face' meetings with members of the EJM network in Ireland including the Central Authorities; the Director of Operations Supreme and High Court and the Director of Reform and Development in the Courts Service [Article 2(1)(d) members]; and officials in the Department of Justice and Law Reform [Article 2(1)(d) members]. The contact points are also in regular communication with a nominated member of the judiciary in relation to developments in the EJM.

### The functioning of the EJM in Ireland

There is no formal national network within Ireland. There is a network of people who are experts in particular policy areas to whom the contact point can turn for answers to queries that are raised.

The contact point would liaise closely with others who are the extended members of the Network for Ireland, including a number of judges with specialist skills in specific areas of law or with responsibility for international liaison work. The Contact Points can be contacted by e-mail. The contact point ensures that relevant policy, administrative or judicial experts are consulted before relevant meetings of the Network and the notes of meetings and relevant action points are disseminated as appropriate.

The contact point also has regular contact with the Department of Justice on policy issues and the Central Authority on Family Maintenance and Cross Border issues

### Providing information

There is no national website for the EJM in Ireland. Information is provided through the Courts Service website and other existing sites for different Departments within Ireland. The contact point works with others, and other Departments when providing different sources of information for EJM Member States and the EJM network.

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## About the network - Greece

### Network structure

**Number of contact points:** Twenty-two contact points have been designated. Nineteen of these are judges who are part of the national network while exercising their judicial duties in parallel. Three are officials in the Ministry of Justice, Transparency and Human Rights, and more specifically the Department of International Judicial Cooperation in Civil and Criminal Matters, which operates as the central authority for purposes of Council Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgements in matrimonial matters and the matters of parental responsibility (Brussels IIa) (complementing the 1980 Hague Convention on the Civil Aspects of International Child Abduction), Council Regulation (EC) No 4/2009 (maintenance obligations) and Directive 2002/8/EC (legal aid), and also as the central body for purposes of Council Regulations (EC) No 1206/2001 (taking of evidence) and (EC) No 1393/2007 (service of judicial and extrajudicial documents).

**National network:** An informal national network with a centralised structure has been established, the main components in which are the central authority, judges from Athens, and three representatives of the legal professions (associations of lawyers, bailiffs and notaries). The Department of International Judicial Cooperation in Civil and Criminal Matters is responsible for monitoring the work of the European Judicial Network and coordinating the work of the contact points at a national level with regard to Greece's obligations within the scope of the EJM and the content posted on the EU e-Justice Portal. The network's national contact points contribute to the completion of factsheets, the updating of Greece's formal notifications on EU legislation regarding judicial cooperation in civil and commercial matters, the completion of questionnaires originating from the EJM or other EU bodies, and the process of answering questions from other contact points or EU authorities relating mainly to the implementation of the EU legislation in Greece.

Regular meetings are held which are coordinated by the Department of International Judicial Cooperation in Civil and Criminal Matters, usually two to four times annually. The purpose of the meetings is the exchange of views, experience and information. The agenda focuses mostly on subjects discussed at EJM meetings at European level, issues that may arise from the implementation of EU legislation (regulations and directives) at a national level, and Greece's obligations within the scope of the EJM and the e-Justice Portal, as mentioned above.

### Dissemination of information to the public

The website of the Ministry of Justice, Transparency and Human Rights makes special reference to the EJM. Work is under way with a view to updating the website in order to provide a full and clear description of the EJM's role and utility in connection with EU legislation on judicial cooperation in civil and commercial matters.

At a national level, information regarding EU legislation on civil and commercial matters is disseminated by distributing EJM printed material and by organising seminars and one-day events, in Athens and other cities in Greece, concerning European legislative developments in the field of judicial cooperation in civil and commercial matters and the impact thereof at domestic level (members of the national network sometimes take part as keynote speakers). These events take place under the auspices of the Ministry of Justice and also of bar associations throughout the country, the National School of Judges, the State Legal Council, civil law and commercial law associations, etc.

In addition, the European Justice Day one-day event aims to serve as a 'wake-up' call for European legal professionals and launch a dialogue on the progress of EU legislative initiatives; it has been held almost annually in recent years, under the auspices of the Ministry of Justice, Transparency and Human Rights.

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## About the network - Spain

### The functioning of the EJN in Spain

In Spain, under Article 33 of Law 16/2015 of 7 July 2015 regulating the status of Spain's national member in Eurojust, conflicts of jurisdiction, international judicial cooperation networks and staff of the Ministry of Justice posted abroad, the appointment and removal of the Spanish contact points for the international judicial cooperation networks, under the terms of the rules setting them up, falls to the Ministry of Justice.

The appointment must be made from among people with proven experience in international legal cooperation and good command of English or French, as applicable, and must ensure, at least, representation of the judiciary, the Public Prosecutor's Office (*Ministerio Fiscal*) and the Ministry of Justice. To this end, it is the responsibility of the General Council of the Judiciary (*Consejo General del Poder Judicial*) and the Prosecutor General (*Fiscal General del Estado*) to propose to the Minister of Justice the appointment and removal of the contact points for the relevant professions. The status of contact point ends as soon as the person concerned stops working for the institution that proposed their appointment. This must be notified to the Ministry of Justice, which must inform the Network's Secretariat.

The Spanish contact points for the international judicial cooperation networks are active intermediaries with the task of facilitating cooperation between the judicial authorities of the different States. They are available to the relevant Spanish authorities, as well as all the other contact points, providing them with the legal and practical information necessary to improve judicial cooperation. The Spanish contact points must forward annually the statistical data regarding their activity to the institution to which they belong.

### Contact points

In Spain, the Network contact points are located in the Ministry of Justice, the General Council of the Judiciary and the Prosecutor General's Office (*Fiscalía General del Estado*). There are currently eight contact points, distributed as follows:

6 contact points appointed by the Ministry of Justice – 2 in the Subdirectorato-General for International Legal Cooperation (*Subdirección General de Cooperación Jurídica Internacional*) and 4 court registrars (*Letrados de la Administración de la Justicia*);

1 contact point appointed by the General Council of the Judiciary;

1 contact point appointed by the Prosecutor General's Office.

### Central authority

In Spain, the Directorate-General for International Legal Cooperation, Relations with Religious Groups and Human Rights (*Dirección General de Cooperación Jurídica Internacional, Relaciones con las Confesiones y Derechos Humanos*) of the Ministry of Justice is the central authority in the field of international judicial cooperation in civil and commercial matters.

### Liaison magistrates

Spain already has a legal provision requiring that prominent liaison magistrates of a Member State of the European Union become contact points of the European Judicial Network and act as contact points under Article 34 of Law 16/2015 of 7 July 2015. This status ends when their status as liaison magistrates ends. Spain has appointed a Liaison Magistrate in the following countries: France, Italy and the United Kingdom.

### Other judicial or administrative authorities with responsibility for judicial cooperation

In Spain the following internal mechanisms with responsibility for international legal cooperation are in force:

The Spanish Judicial Network for International Judicial Cooperation (*Red Española de Cooperación Judicial Internacional, REJUE*), coming under the General Council of the Judiciary, whose aim is to assist Spanish judicial bodies who so request in the judicial cooperation requests issued or received by them in the performance of their judicial activities, and to assist other members of judicial cooperation networks. The members of the Spanish Judicial Network for International Judicial Cooperation may make their membership of this network compatible with their membership of the European Judicial Cooperation Networks. Thus, the Spanish Magistrates of the Spanish Judicial Network for International Judicial Cooperation (Civil Division) are members of the European Judicial Network in civil and commercial matters, facilitating contacts with their counterparts in other countries of the network in the performance of their duties.

The Network of International Legal Cooperation Prosecutors (*Red de Fiscales de Cooperación Jurídica Internacional*), created in 2002 in order to provide a service specialising in international legal cooperation matters in each Prosecutor General's office.

The prosecutors of this Network who are experts in international cooperation help to channel, guide and provide international judicial assistance swiftly and effectively.

The Network of court registrars (*Red de Letrados de la Administración de Justicia, RECILAJ*) is a coordinating structure at national level established by the Ministry of Justice in 2010. It is formed of court registrars who specialise in international legal cooperation and help the various Judicial Offices (*Oficinas Judiciales*) to solve queries and questions regarding international legal cooperation.

### Professional associations

In Spain there are the following professional associations representing legal professionals which directly contribute to the application of Union acts and international legal instruments regarding judicial cooperation in civil and commercial matters:

the General Council of Notaries (*Consejo General del Notariado*)

the General Council of Spanish Lawyers (*Consejo General de la Abogacía Española*)

the Association of Property and Commercial Registrars in Spain (*Colegio de Registradores de la Propiedad y Mercantiles de España*)

the General Council of Legal Representatives in Spain (*Consejo General de Procuradores de España*)

### Information about the Network

The Spanish Ministry of Justice – informing on International Legal Cooperation and International Judicial Assistance – provides a link on its website to that of the European Judicial Network in civil and commercial matters, available at: <http://www.mjusticia.gob.es/cs/Satellite/Portal/es/area-internacional/cooperacion-juridica/auxilio-judicial-internacional>

The General Council of the Judiciary in Spain provides information on the European Judicial Network in civil and commercial matters on its website <http://www.poderjudicial.es/cgpj/es/Temas/Redes-Judiciales/Otras-redes-judiciales/Red-Judicial-Europea-Civil-y-Mercantil/>, where there are also links to the European Judicial Atlas in civil and commercial matters, as well as to the European e-Justice Portal.

The Prosecutor General's Office provides information on the European Judicial Network in civil and commercial matters on its website [https://www.fiscal.es/fiscal/publico/ciudadano/fiscal\\_especialista/cooperacion\\_internacional/enlaces!/ut/p/a1/04\\_Sj9CPyKssy0xPLMnMz0vMAfGjzOI9HT0cDT2DDbzcFszcDBzdPYOdTD08JE28jYAKIoEKDHAARwN8-oNdYfpxKLAiMiHOjwWENAfrh-FTwnYBWAf-LylzrW\\_PzP9gtzQ0AiDTE8AQ426Eg!!dI5/d5/L2dJQSEvUUt3QS80SmIFL1o2X0IBSEExSVMwSkdMOEYwQUdJU01SEgzSzky/](https://www.fiscal.es/fiscal/publico/ciudadano/fiscal_especialista/cooperacion_internacional/enlaces!/ut/p/a1/04_Sj9CPyKssy0xPLMnMz0vMAfGjzOI9HT0cDT2DDbzcFszcDBzdPYOdTD08JE28jYAKIoEKDHAARwN8-oNdYfpxKLAiMiHOjwWENAfrh-FTwnYBWAf-LylzrW_PzP9gtzQ0AiDTE8AQ426Eg!!dI5/d5/L2dJQSEvUUt3QS80SmIFL1o2X0IBSEExSVMwSkdMOEYwQUdJU01SEgzSzky/)

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#### About the network - France

In France, judges, lawyers (*avocats*), notaries and court bailiffs (*huissiers de justice*) are part of the European Judicial Network in civil and commercial matters. The network is however **open to all legal professions** which have an interest in it, in particular when they participate in the implementation of European Union law as regards civil and commercial matters (clerks of court (*greffiers*), chief clerks, judges and clerks of commercial courts).

**The national point of contact is a judge**, who has experience in court and works in the Department of Civil Affairs of the Ministry of Justice. He/she is part of the office of European law, private international law and civil legal assistance, which is also the central authority for the application of numerous international cooperation agreements as regards civil and commercial matters.

**In each Court of Appeal and within the Court of Cassation, a 'reporting judge' (or 'local point of contact')** is designated. His/her role is to facilitate, locally, the resolution of cooperation difficulties that are raised through the network and to provide information to the judiciary about the operation of tools for civil judicial cooperation and generally about EU law. The reporting judges in the Courts of Appeal and the Court of Cassation can also inform the national point of contact about difficulties in the application of European legislation. The national point of contact then passes the information on.

**Court bailiffs** (*huissiers de justice*) are represented by the National Chamber of Judicial Officers.

**Lawyers** (*avocats*) are represented by the Delegation of the Bar Associations of France (Brussels delegation of the National Council of Bar Associations).

**Notaries** (*notaires*) are represented by the National Chamber of Notaries.

French **liaison judges** working in European Union countries are also part of the network, as are the **central authorities** designated for the application of civil and commercial cooperation agreements.

Once a year, on a date close to the European Day of Justice, all the members of the French network meet in Paris to review the activities of the network and to discuss developments in EU law and its implementation as regards civil and commercial matters.

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#### About the network - Croatia

In the Republic of Croatia, two contact points operate under the European Judicial Network in Civil and Commercial Matters.

The contact points are employed in the Directorate for European Affairs, International and Judicial Cooperation and the Department for International Legal Assistance and Judicial Cooperation in Civil Matters of the Ministry of Justice of the Republic of Croatia.

In the above Department, the contact points have several officers who help them so that the work under the European Judicial Network in Civil and Commercial Matters (EJM) is actually carried out through team work of officers in the Department for International Legal Assistance and Judicial Cooperation in Civil Matters, which they carry out alongside other work in the scope of activities of the Department.

Although there is no formal national network in the Republic of Croatia, the contact points cooperate with judges and other experts under the Ministry of Justice and other competent authorities, professors of law, notaries and other experts and practitioners in different legal areas. The Ministry of Social Policy and Youth is also involved in the operation of the network and as a central authority for some regulations it actively participates in the meetings of the network organized by the European Commission. The network is open to all legal professionals who wish to and are interested in participating in the application of European legal instruments in the Republic of Croatia.

Communication in the Republic of Croatia is conducted by e-mail and telephone, and meetings are held as appropriate.

Communication with contact points in other Member States is carried out by e-mail, and the contact points and other members of the network regularly participate in the meetings of EJM which are organized by the European Commission.

Since the Ministry of Justice is the central authority for individual regulations, the contact points carry out operations of the central authority, make enquiries and answer the enquiries of contact points from other Member States (in cooperation with judges and other practitioners and experts as appropriate), deliver the requested data to the Commission and undertake operations necessary to publish information on relevant portals of the European Commission. The contact points distribute the publications of the European Commission to courts, citizens and other target groups and work to increase the visibility of the network.

Contacts:  [EJMcontact@pravosudje.hr](mailto:EJMcontact@pravosudje.hr)

Last update: 05/11/2018

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#### About the network - Italy

The Italian branch of the European Judicial Network (EJM) is based at the Italian Ministry of Justice, in the Office for International Relations and Judicial Cooperation in Civil Matters.

There are five contact points, four at the Ministry of Justice and one at the Public Prosecutor's office at the Court of Cassation (*Corte di Cassazione*). The coordinating contact point is a qualified judge. The contact points are in constant contact with other members of the Network, with whom they collaborate in processing requests for cooperation or in preparing practical information sheets to publish on the e-Justice Portal. The other members of the Italian network are:

- the Department of Juvenile and Community Justice (*Dipartimento per la giustizia minorile e di comunità*)
- the Directorate-General for Automated Information Systems (*Direzione generale per i sistemi informativi automatizzati*, contact point for the eJustice Portal)
- the central authority for the service of judicial documents
- the National Bar Council (*Consiglio Nazionale Forense*)
- the Italian Council of Notaries (*Consiglio Italiano del Notariato*).

The contact points for the EJM also have links with

- the Judicial College (*Scuola Superiore della Magistratura*)
- the Italian branch of the European Consumer Centres Network (ECC Net)
- the Internal Market Information System structure in Italy
- Pietro Franzina, professor of private international law professor at the University of Ferrara, expert advising the contact points.

As a rule, the Italian members of the EJM meet once a year. The contact points provide assistance to courts and law officers dealing with cross-border issues. All publications sent by the Commission (brochures, information summaries, etc.) are distributed to the courts, law officers and parties concerned. On occasion, the contact points receive delegations from other Member States visiting Italy as part of their judicial training. The Network is mentioned on the Ministry of Justice website, although the names and details of contact points are not provided: [https://www.giustizia.it/giustizia/it/mg\\_2\\_1\\_2\\_1.wp?previousPage=mg\\_14\\_7](https://www.giustizia.it/giustizia/it/mg_2_1_2_1.wp?previousPage=mg_14_7)

List of authorities dealing with the regulations most relevant to judicial cooperation in civil and commercial matters:

- Council Regulation (EC) No 1206/2001 of 28 May 2001
- Directive 8/2003 on legal aid

In both cases, the central authority in Italy is:

Ministry of Justice (*Ministero della Giustizia*)

Department of Judicial Affairs (*Dipartimento Affari di Giustizia*)

Directorate-General for Civil Justice – Office I, International Civil Affairs (*Direzione Generale della Giustizia Civile – Ufficio I affari civili internazionali*)

Via Arenula 70

00186 Roma

Telephone: +39 06 68852480; +39 06 68852517

Fax: +39 06 68897529

e-mail: [ufficio2.dgcivile.dag@giustizia.it](mailto:ufficio2.dgcivile.dag@giustizia.it)

- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service of documents

The central authority in Italy is:

Single Office of Bailiffs at the Court of Appeal of Rome (*Ufficio Unico degli Ufficiali Giudiziari presso la Corte d'Appello di Roma*)

Viale Giulio Cesare 52

00192 Roma

Telephone: +39 06 328361

Fax: +39 06 328367933

- Council Regulation (EC) No 2201/2003 of 27 November 2003 ('Brussels IIa' or 'Brussels II bis')
- Council Regulation (EC) No 4/2009 of 18 December 2008 (maintenance obligations)

The central authority in Italy is:

Ministry of Justice (*Ministero della Giustizia*)

Department of Juvenile and Community Justice (*Dipartimento per la giustizia minorile e di comunità*)

Via Damiano Chiesa, 24

00136 Rome

Telephone: +39 06.68188 535/331/326

Fax: +39 06 68808085

e-mail: [autoritacentrali.dgmc@giustizia.it](mailto:autoritacentrali.dgmc@giustizia.it)

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#### About the network - Cyprus

In Cyprus, the network is organised by designating national contact points (NCPs). There are currently six (6) NCPs: one judge, two lawyers at the Law Office of the Republic of Cyprus, two officials at the Ministry of Justice and Public Order (one legal and one administrative official) and one member of the Cyprus Bar Association.

The NCPs of the Ministry of Justice and Public Order are responsible for coordinating the six NCPs. When a question or request for information from the network or a request from the national contact points of another Member State is received, the NCPs of the Ministry of Justice and Public Order will ensure the request is forwarded and discussed with the other NCPs, to decide which Cypriot Authority or Agency should be designated to handle the request or provide the information requested.

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#### About the network - Latvia

The National Network contact points are the director of the International Cooperation Department and the lawyer of the International Cooperation Department of the Ministry of Justice, who also fulfil the functions of representative of the central body. The main functions of the contact points are:

- to ensure that local judicial authorities receive general information on the Community and international instruments relating to judicial cooperation in civil and commercial matters, and to provide the information necessary for the successful cooperation of judicial authorities between Member States to assist them in preparation of feasible legal authority requests for judicial assistance;
- to seek solutions to issues that may arise in connection with requests for judicial cooperation;
- to use the website of the network to help inform the general public about judicial authority cooperation in civil and commercial matters in the European Union, and relevant Community and international instruments;
- to cooperate in organising network meetings and to participate in them;
- to help prepare and update information intended for the general public;
- to ensure cooperation among network members at national level.

Depending on the topic discussed, the contact point also invites experts from other institutions to share their experiences at network meetings. For instance, such meetings and the contact point have been visited by several judges, representatives of the Ministry of Justice working in various areas of competence, notaries, certified mediators, representatives of the Maintenance Guarantee Fund, representatives of the Chamber of Bailiffs, and academic staff.

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#### About the network - Hungary

The Department of Private International Law of the Ministry of Justice (*Igazságügyi Minisztérium Nemzetközi Magánjogi Főosztálya*) acts as the contact point in Hungary, with several officials within the department performing the corresponding tasks among their other duties.

As central authorities, the Ministry of Justice (Department of Private International Law) and the Ministry of Human Resources (*Emberi Erőforrások Minisztériuma*) are members of the Network. The National Judicial Office (*Országos Bírósági Hivatal*) as other judicial body, the Hungarian National Chamber of Notaries (*Magyar Országos Közjegyzői Kamara*), the Hungarian Bar Association (*Magyar Ügyvédi Kamara*) and the Hungarian Court Bailiffs' Chamber (*Magyar Bírósági Végrehajtói Kamara*), as professional associations, are also members of the Network. The representatives of the members regularly attend the meetings of the Network, depending naturally on the agenda of the meetings.

Hungary does not have a formal national network of the Hungarian members of the Network. Cooperation between members takes place on an ad hoc basis as and when necessary.

Resources containing practical information on civil judicial cooperation within the EU and with third States, compiled by the Department of Private International Law of the Ministry of Justice, are available [here](#).

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#### About the network - Malta

There are three (3) EJM contact points in Malta at present. Coordination amongst these contact points is ensured by the fact that the said contact points work in the same office and liaise constantly with each other regarding all matters arising from the operation of the network in Malta. These contact points have set up systems of cooperation between them, which in turn bring about more efficiency in the operation of the network, especially when it comes to providing information to private practitioners who require information.

#### About the national network

##### Legal Aid

The Transmitting and Receiving Authority in the area of Legal Aid is the Advocate for Legal Aid, who operates from the registry of the Civil Courts, the Law Courts, Republic Street, Valletta, Malta.

##### Serving Documents

The Office of the Attorney General, situated at The Palace, St. George's Square, Valletta acts as the Central Authority both as a Transmitting Agency as well as the Receiving Agency in the area of serving documents. It takes care of sending request forms and of receiving documents for service from foreign transmitting agencies, which documents are then passed on to an appointee at the Law Courts for service according to the procedural laws of Malta applicable to service of documents.

As part of its activities in serving documents, the Office of the Attorney General in its capacity as Transmitting and/or Receiving Agency, also liaises with applicants and/or their legal representative pending service.

##### Small Claims

The competent forum in this section is the Small Claims Tribunal, which operates from the Law Courts in Valletta. Appeals from decisions of this Tribunal are then heard by the Court of Appeal in its Inferior Jurisdiction, also operating from the Law Courts in Valletta.

The competent authority in each case depends on the residence of the person against whom enforcement is sought. The Court of Magistrates (Malta) and the Court of Magistrates (Gozo) have competence in respect of enforcement issues and also for the purposes of Article 23, pursuant to Article 10 (4) of the [Small Claims Tribunal Act](#) (Chapter 380 of the Laws of Malta).

##### Taking of Evidence

The Central Body is the Office of the Attorney General in Valletta.

The Requested Courts are:

The Civil Courts, First Hall

The Civil Court (Family Section)

The Court of Magistrates (Malta)

The Court of Magistrates (Gozo) (Superior Jurisdiction ) or (Inferior Jurisdiction)

The Courts have the jurisdiction to execute letters of request made in terms of Council Regulation (EC) No 1206/2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters.

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#### About the network - Netherlands

##### Contact points and Network members in the Netherlands

In the Netherlands, a central contact point has been designated at the Ministry of Security and Justice. A contact point has also been appointed for matters of jurisdiction.

Alongside the contact points, the professional associations for the liberal legal professions (lawyers, notary services and bailiffs) are also members of the Network.



On the basis of various regulations (including Regulation (EC) No 2201/2003, Regulation (EC) No 4/2009 and Regulation (EC) No 1393/2001), central authorities are also members of the Network.

Communication with the European Commission (in this case, the secretariat of the EJM-civil) usually takes place via the central contact point. This ensures that, where relevant, information and questions reach the right authority.

Contact points and members, particularly the central authorities, often communicate directly with each other and with the contact points and members in other Member States.

Depending on what is on the agenda, members are invited to take part in Network meetings.

The Dutch contact points and members also hold an annual meeting. This meeting is an opportunity to discuss the activities of the Network and to examine areas in which mutual communication can be improved.

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#### About the network - Austria

Austria has set up in Department I 9 of the Federal Ministry of Justice (*Bundesministerium für Justiz*) a central contact point which deals with legal queries from foreign contact points made via the network, performs various coordination- and organisation-related tasks and organises and edits the Austrian entries for the network factsheets that are published on the European Justice Portal.

In addition, two judges have been nominated as contact points for each of the four Higher Regional Court (*Oberlandesgericht*) jurisdictions (three for the Vienna jurisdiction). They provide assistance and support to foreign contact points and the Austrian courts in individual cases involving cross-border judicial cooperation (such as when there are difficulties in the cross-border taking of evidence or service of documents). In such instances, foreign contact points should therefore contact the relevant local judicial contact point and not the central contact point at the Federal Ministry of Justice. The jurisdiction of the Vienna Higher Regional Court includes the provinces of Vienna, Lower Austria and Burgenland, that of the Linz Higher Regional Court includes the provinces of Upper Austria and Salzburg, that of the Innsbruck Higher Regional Court includes the provinces of Tyrol and Vorarlberg and the Graz Higher Regional Court is responsible for the provinces of Styria and Carinthia.

The names and contact details of the **Austrian EJM contact points** in the respective Higher Regional Court jurisdictions can be accessed via the following link:

<https://e-justice.europa.eu/contactPoint.do>

Private individuals/parties to proceedings or their legal representatives may not contact the network contact points directly. However, they can ask the judge leading the proceedings to refer them to a contact point.

The Austrian Bar Association (*Österreichische Rechtsanwaltskammertag*) and the Austrian Chamber of Notaries (*Österreichische Notariatskammer*) have been part of the EJM since 1 January 2011, however under the EJM Decision of 28 May 2001 (2001/470/EC), as amended by Decision 568/2009/EC of 18 June 2009, they do not have the competence to deal with individual cases.

#### Österreichischer Rechtsanwaltskammertag

1010 Wien, Tuchlauben 12

Tel.: +43/1/535-1275, Fax: +43/1/535-1275-13

E-Mail: [✉ rechtsanwaelte@oerak.at](mailto:rechtsanwaelte@oerak.at)

Languages: German and English

#### Österreichische Notariatskammer

1010 Wien, Landesgerichtsstraße 20

Tel.: +43/1/4024-5090, Fax: +43/1/406-3475

E-Mail: [✉ kammer@notar.or.at](mailto:kammer@notar.or.at)

Languages: German, French and English

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#### About the network - Poland

In Poland, the only contact point of the European Judicial Network is located at the Ministry of Justice.

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#### About the network - Portugal

##### The contact point

Portugal has designated a contact point for the EJM-civil (European Judicial Network in civil and commercial matters). The contact point is a judge appointed by the Supreme Council of the Judiciary (*Conselho Superior da Magistratura*) by means of a competition.

##### The national network

The national network is made up of: central authorities in accordance with the EU legal instruments, other international legal instruments to which Portugal is a party or in national legal provisions in the area of judicial cooperation in civil and commercial matters; administrative authorities with responsibilities in the area of judicial cooperation in civil and commercial matters; and professional associations that represent legal professionals directly involved in the enforcement of international and EU instruments relating to judicial cooperation in civil and commercial matters.

The national network does not comprise liaison judges or experts.

## National members of the network

In addition to the contact point, the national structure of the network comprises eleven members:

Directorate-General for Justice Policy (*Direcção-Geral da Política de Justiça*)

Directorate-General for the Administration of Justice (*Direcção-Geral da Administração da Justiça*)

Directorate-General for Prison Services and Reintegration (*Direcção-Geral de Reinserção e Serviços Prisionais*)

Institute of Registration and Notary Affairs (*Instituto dos Registos e do Notariado, I.P.*)

Institute of Financial Management and Infrastructure of Justice (*Instituto de Gestão Financeira e Equipamentos da Justiça, I.P.*)

Council of Justices of the Peace (*Conselho dos Julgados de Paz*)

Social Security Institute (*Instituto de Segurança Social, I.P.*)

Victim Protection Commission (*Comissão de Protecção às Vítimas de Crimes*)

Bar Association (*Ordem dos Advogados*)

Solicitors and Enforcement Agents Association (*Ordem dos Solicitadores e dos Agentes de Execução*)

Notary Association (*Ordem dos Notários*)

### The central authorities

Of the above mentioned members, the following are central authorities:

Directorate-General for the Administration of Justice - Ministry of Justice (*Ministério da Justiça*)

Regulation (EC) No 4/2009 of 18/12/2008

Regulation (EC) No 1393/2007 of 13/11/2000

Regulation (EC) No 1206/2001 of 28/5/2001

Hague Convention of 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters

Hague Convention of 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters

Hague Convention of 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance

The New York Convention of 1956 on the Recovery Abroad of Maintenance

Directorate-General for Prison Services and Reintegration - Ministry of Justice

Regulation (EC) No 2201/2003 of 27/11/2003

Hague Convention of 1980 on the Civil Aspects of International Child Abduction

Hague Convention of 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children

Institute of Registration and Notary Affairs – Ministry of Justice

Regulation (EU) No 650/2012 of 4/7/ 2012

Social Security Institute – Ministry for Solidarity and Social Security (*Ministério da Solidariedade e da Segurança Social*)

Directive 2003/8/EC of 27/1/2003

Victim Protection Commission - Ministry of Justice

Directive 2004/80/EC of 29/4/2004

### Coordination of the national network in a decentralised structure

In Portugal, the national network has a decentralised structure. Coordination, which is ensured by the contact point, is based on voluntary cooperation between national members. National members regularly participate in quarterly meetings organised by the contact point. Whenever there is the need to clarify or solve a specific issue, meetings are organised with the national members concerned.

The network does not comprise experts. If an issue requires the opinion of an expert, the contact point requests the cooperation of the most appropriate national authority on a voluntary and informal basis. All national members are regularly encouraged by the contact point to cooperate in the specific areas of their competence and responsibility in judicial cooperation in civil and commercial matters.

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### About the network - Romania

The Network of Local Correspondents for International Judicial Assistance (*Reţeaua de corespondenţi locali în domeniul asistenţei judiciare internaţionale*) was set up in 2001 pursuant to an Order of the Minister for Justice, based on the model of the European Judicial Network. In March 2004, following two orders of the Minister for Justice, the Network was reorganised into two specialised networks: the Romanian Judicial Network in criminal matters (*Reţeaua Judiciară Română în materie penală*) - corresponding to the European Judicial Network, and the Romanian Judicial Network in civil and commercial matters (*Reţeaua Judiciară Română în materie civilă şi comercială*) - corresponding to the European Judicial Network in civil and commercial matters. Subsequently, the two networks were reorganised successively in 2005, 2007, 2010 and 2014, following amendments to the relevant EU law and changes in the staff working in the national judicial system.

The last update was made by Order No 1929/C of the Minister for Justice of 29 May 2014 in accordance with Decision No 568/2009/EC of the European Parliament and of the Council of 18 June 2009 amending Council Decision 2001/470/EC of 28 May 2001. The Order was prepared in accordance with Government Order No 123/2007 on certain measures for strengthening judicial cooperation with the Member States of the European Union, approved with amendments by Law No 85/2008.

The Romanian Judicial Network in civil and commercial matters corresponds to the European Judicial Network in civil and commercial matters at national level.

Romania has designated two national contact points for the European Judicial Network in civil and commercial matters. The contact points for the European Judicial Network in civil and commercial matters are within the Ministry of Justice. This ensures that the duties of the European Judicial Network in civil and commercial matters are fulfilled.

In accordance with Article 6, the Romanian Judicial Network in civil and commercial matters comprises one judge from Section I - Civil Matters and one judge from Section II – Civil Matters (formerly Commercial Matters) within the High Court of Cassation and Justice (*Înalta Curte de Casaţie şi Justiţie*), one judge from each Section I - Civil Matters and Section II - Civil Matters (formerly Commercial Matters) within the courts of appeal, one judge from each specialised court/section for minors and family matters who specialises in civil matters related to international child abduction and the award of indemnities for victims of crime, officials from the Directorate for International Law and Judicial Cooperation who also fulfil the duties of the Ministry of Justice as the central authority in

the area of international judicial cooperation in civil and commercial matters, and one designated representative from each of the professional associations of notaries, bailiffs and lawyers in Romania. The national contact points for the European Judicial Network in civil and commercial matters are full members of the Romanian Judicial Network in civil and commercial matters.

The judges who are members of the Romanian Judicial Network were designated by decision of the Superior Council of Magistracy (*Consiliul Superior al Magistraturii*).

Since 2001, the Directorate for International Law and Judicial Cooperation within the Ministry of Justice has organised a large number of seminars and work meetings for the members of the Networks using own resources (the budget of the Ministry of Justice). Since 2007, in particular, such events have been organised under more than 15 European programmes funded by the European Commission. Furthermore, representatives of the Romanian Judicial Network attend the meetings of the European Judicial Networks on a regular basis.

The members of the Romanian Judicial Network in civil and commercial matters are listed in Annex to Order No 1929/C of 29 May 2014. The Annex is an integral part of the Order.

#### **Members of the Romanian Judicial Network in civil and commercial matters - Judges**

##### **High Court of Cassation and Justice**

Iulia Cristina TARCEA, Vice-President

Romanița VRÂNCEANU, Section I - Civil Matters

Roxana POPA, Delegated President, Section II - Civil Matters

##### **Alba Iulia Court of Appeal**

Cristina Gheorghina NICOARĂ, Section I - Civil Matters (Vice-President of the Court of Appeal)

Olimpia Maria STĂNGĂ, Section II - Civil Matters

##### **Bacău Court of Appeal**

Liliana CIOBANU, Section I - Civil Matters

Loredana ALBESCU, Section II - Civil Matters

##### **Brașov Court of Appeal**

Cristina ȘTEFĂNIȚĂ, Civil Matters Section

Anca PÎRVULESCU, Civil Matters Section

Gabriel ȘTEFĂNIȚĂ, Civil Matters Section

##### **Brașov Tribunal for Minors and Family Matters (*Tribunalul pentru Minori și Familie*)**

Andrei IACUBA

##### **Bucharest Court of Appeal**

Antonela BRĂTUIANU, Section IV - Civil Matters

Ștefan CMECIU, Section V - Civil Matters

Dumitru VĂDUVA, Section VI - Civil Matters

Maria CEAUȘESCU, Section VII - Matters involving Workplace and Social Security Disputes

Bogdan CRISTEA, Section VIII - Administrative and Fiscal Litigation

##### **Bucharest Tribunal**

Andreea Florina MATEESCU, Section V - Civil Matters (liaison judge in the International Hague Network for the Hague Convention of 1980 on the Civil Aspects of International Child Abduction)

Anca Magda VOICULESCU, Section IV - Civil Matters (liaison judge in the International Hague Network for the Hague Convention of 1980 on the Civil Aspects of International Child Abduction)

Constantin-Marino MARIN, President, Section I - Criminal Matters, Commission for the Award of Indemnities to Victims of Crime – Bucharest Tribunal

##### **Cluj Court of Appeal**

Denisa-Livia BĂLDEAN, Vice-President

Liviu UNGUR, Vice-President, Section II - Civil Matters

##### **Constanța Court of Appeal**

Daniela PETROVICI, Section I - Civil Matters

Iuliana Mihaela ȘERBAN, Section II - Civil Matters

##### **Craiova Court of Appeal**

Mihaela COTORA, President

Lotus Gherghină, Section II - Civil Matters

##### **Galați Court of Appeal**

Simona Claudia BACȘIN, Section I - Civil Matters

Valentina VRABIE, Section II - Civil Matters

##### **Iași Court of Appeal**

Claudia Antoanela SUSANU, Section I - Civil Matters

##### **Oradea Court of Appeal**

Marcela FILIMON, Section II - Civil Matters

##### **Pitești Court of Appeal**

Corina PINCU IFRIM, Section I - Civil Matters

Raluca TRANDAFIR, Section I - Civil Matters

Corina Georgeta NUȚĂ, Section II - Civil Matters involving Administrative and Fiscal Litigation

##### **Argeș Tribunal**

Andreea Monica PRUNARU, Civil Matters Section, Vice-President

##### **Vâlcea Tribunal**

Petre DINESCU, Section I - Civil Matters

##### **Ploiești Court of Appeal**

Adriana Maria RADU, Section I - Civil Matters

Elisabeta GHERASIM, President of Section II - Civil Matters

Florentina DINU, Section II - Civil Matters

Valentina GHEORGHE, Section II - Civil Matters

#### **Suceava Court of Appeal**

Ștefania Fulga ANTON, Section I - Civil Matters

Daniela MITREA MUNTEA, Section II - Civil Matters

#### **Târgu Mureș Court of Appeal**

Andreea CIUCĂ, Section II - Civil Matters

#### **Timișoara Court of Appeal**

Cristian PUP, Section I - Civil Matters

Florin MOȚIU, Section II - Civil Matters

#### **Members of the Romanian Judicial Network in civil and commercial matters – National contact points for the European Judicial Network in civil and commercial matters**

##### **Ministry of Justice**

Viviana ONACA, Director, Directorate for International Law and Judicial Cooperation

Ioana BURDUF, Directorate for International Law and Judicial Cooperation

##### **Members of the Romanian Judicial Network in civil and commercial matters from the Directorate for International Law and Judicial Cooperation of the Ministry of Justice - central authority in the area of international judicial cooperation**

Dorina DOMINTEANU, Head of Unit

Camelia TOBĂ

Flavius George PĂNCESCU

##### **Members of the Romanian Judicial Network in civil and commercial matters - one representative designated by each of the Presidents of the National Unions of Notaries, Bailiffs and Bar Associations in Romania**

Octavian ROGOJANU, Notary Public, Secretary of the Council of the Romanian National Union of Notaries

Bogdan DUMITRACHE, Bailiff

Costea-Corin C. DĂNESCU, Lawyer

Last update: 13/10/2016

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#### **About the network - Slovenia**

The European Judicial Network in Civil and Commercial Matters (EJM) operates in Slovenia through 3 contact points and 16 network members.

The contact points are employees at the Ministry of Justice of the Republic of Slovenia. This way, the work of the contact points can be harmonised and coordinated daily.

District courts, of which there are 11 in the Republic of Slovenia, are authorised to provide international legal help in civil and commercial matters. In light of this, Slovenia, in accordance with Article 2(1)(d) of the Council Decision of 28 May 2001 establishing a European Judicial Network in Civil and Commercial Matters, appointed one representative from every district court as a member of the EJM. Additionally, Slovenia appointed two specialised network members (judges) who are competent for matters of judicial cooperation in family matters, with one judge being employed at the district court and the other at the Ministry of Justice.

The amendment of the Council Decision on establishing the EJM in 2009 made cooperation with other judicial professions possible within the EJM. Since 2011 the Chamber of Notaries of Slovenia (*Notarska zbornica Republike Slovenije*), the Bar Association of Slovenia (*Odvetniška zbornica Republike Slovenije*) and the Chamber of Execution Officers of Slovenia (*Zbornica izvršiteljev Slovenije*) have also been members of the network.

The involvement of judges and other legal professions in the EJM is important for attaining the EJM's objectives, as it ensures direct cooperation between judges and other legal professions, which is important for smoother resolution of specific cases before the courts.

The contact points and the EJM members communicate with each other frequently and when the need arises, including through email, by phone and in person, and meet at annual meetings at national level.

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#### **About the network - Slovakia**

The network comprises:

The main contact points, being two representatives of the Ministry of Justice of the Slovak Republic (*Ministerstvo spravodlivosti Slovenskej republiky*) from the Private International Law Department (*Odbor medzinárodného práva súkromného*) of the International Law Section (*Sekcia medzinárodného práva*). All EJM requests are sent via the main contact points.

Court contact points: one judge or senior judicial officer for each district court (*okresný súd*) and regional court (*krajský súd*) and for the Supreme Court (*Najvyšší súd*).

Contact points from professional organisations.

Two contact points from the Centre for International Legal Protection of Children and Youth (*Centrum pre medzinárodnoprávnu ochranu detí a mládeže*).

A family law liaison magistrate.

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#### **About the network - Finland**

**Members of the EJM in Finland**

The contact point for Finland is a designated official who works in the Unit for International Judicial Administration at the Ministry of Justice. The contact point belongs to a unit that acts as the central authority for several EU regulations and international agreements in the field of civil and criminal law. In addition to the work of the Network, the duties of the contact point include central authority tasks and other civil law cooperation. Two district court judges and the Finnish Bar Association have also been appointed as members of the Network. The development of national Network operations is currently underway.

#### **The functioning of the EJM in Finland**

The contact point works actively with national judicial authorities, lawyers and other legal professionals. The tasks of the contact point include disseminating information on the legal provisions regarding EU civil and commercial law and their practical application, as well as providing advice and training in related issues. The contact point also helps national judicial authorities in problems related to cross-border requests for assistance and is actively involved in relevant networks and working groups.

The contact point has a separate email address for courts and other legal and administrative authorities involved in judicial cooperation in civil and commercial law matters that need practical assistance in problems related to cross-border cases.

#### **Providing information on the EJM**

All courts, legal aid offices, prosecutors, enforcement authorities and Ministry of Justice officials have access to an intranet with comprehensive information on international assistance in civil and criminal matters. The site also contains information on the EJM and its members in Finland and has links to the EJM pages of the European e-Justice Portal. Information on the EJM and materials it publishes are also provided to national judicial authorities and other legal practitioners by email and by post.

The Ministry of Justice's public website contains a section with information on the various forms of international legal assistance, related legislation and agreements, contact details and instructions. The site also contains information on judicial networks and a link to the EJM pages of the European e-Justice Portal.

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#### **About the network - Sweden**

Sweden has appointed a person who works in the Division for Procedural Law and Court Issues at the Ministry of Justice as the contact point for the European Judicial Network in civil and commercial matters, and a person who works in the Division for Crime Policy at the Ministry of Justice as the contact point for the e-Justice portal.

The Swedish members of the network are the Swedish National Courts Administration, the Swedish Bar Association, the Swedish Enforcement Authority, the Swedish Social Insurance Agency, the Family Law and Parental Support Authority and the Swedish Crime Victim Compensation and Support Authority, as well as two central authorities (the Division for Criminal Cases and International Judicial Cooperation at the Ministry of Justice and the Department for Consular Affairs and Civil Law at the Ministry of Foreign Affairs).

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#### **About the network - England and Wales**

##### **Contact Points**

There is one contact point for each of the United Kingdom's four legal jurisdictions. As each jurisdiction is separate there is no overlap in the work of these contact points who each have sole responsibility for the Network in their jurisdiction. Queries through the EJM should be directed to the relevant contact point for the jurisdiction concerned.

The contact point for England and Wales works within the Ministry of Justice in London. He has the assistance of one member of staff and can call on a number of other colleagues when dealing with Network business. The work of the Network is combined with other tasks.

##### **The functioning of the EJM in England and Wales**

There is no formal national network within England and Wales. Within the Ministry of Justice, however, a network of people who are experts in particular policy areas has been developed to whom the contact point can turn for answers to queries that are raised.

Contacts have also been developed in other relevant Ministries to whom the contact point can turn for advice or answers to queries which fall within that Ministry's responsibilities. The contact point also works closely with others who are the extended members of the Network for England and Wales, including a number of judges with specialist skills in specific areas of law or with responsibility for international liaison work – in particular the judicial Head of International Family Law and the Senior Master who is the judge with responsibility for the Service and Taking of Evidence Regulations.

All extended members of the Network and the inter-Ministry informal network can be contacted by e-mail. Those within the Ministry of Justice and Her Majesty's Courts and Tribunals Service have access to an intranet which can be used to disseminate Network information and judges can be contacted by e-mail too. Information about the Network has also been provided on the Judicial Intranet for England and Wales.

The contact point ensures that relevant policy, administrative or judicial experts are consulted before relevant meetings of the Network and the notes of meetings and relevant action points are disseminated as appropriate.

The contact point attends the International Family Law Committee which is composed of senior family judges, lawyers, academics and the relevant central authorities for England and Wales. This meets quarterly and, amongst other matters, shares information on recent EU legislation and the activities of the Network. He has also attended some meetings of the Lord Chancellor's Advisory Committee on Private International Law. This Committee is composed of senior judges and academics and advises the Ministry of Justice on EU proposals in the area of civil judicial cooperation.

The contact point also has regular contact with both the Bar Council and Law Society of England and Wales, the bodies representing respectively barristers and solicitors, as well as the UK representative of the ECC-Net who is responsible for all UK jurisdictions. Previous meetings have also been held with the UK SOLVIT contacts.

##### **Providing information**

There is no national website for the EJM in England and Wales. Information is provided through other existing sites including, as mentioned above, the Judicial Intranet. The contact point has worked with others, however, when providing different sources of information, including on the website of Her Majesty's Courts and Tribunals Service guidance to citizens about how to initiate or respond to cross-border claims – in particular relating to the European Enforcement Order, European Order for Payment and European Small Claims Regulations. He has also worked with the ECC-Net in the UK which has

produced a guide to the European Small Claims Regulation. Opportunities are taken to raise awareness of the EJM and the pages on the e-justice portal at appropriate meetings and conferences and in relevant publications.

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## About the network - Northern Ireland

### Contact Points

There is one contact point for each of the United Kingdom's four legal jurisdictions. As each jurisdiction is separate there is no overlap in the work of these contact points who each have sole responsibility for the Network in their jurisdiction. Queries through the EJM should be directed to the relevant contact point for the jurisdiction concerned.

The contact point works within the Northern Ireland Department for Justice. The contact point does not work full time on Network matters, but can call on the assistance of a number of operational and policy colleagues when dealing with Network business. The work of the network is combined with a number of other tasks.

### The functioning of the EJM in Northern Ireland

There is no formal national network within Northern Ireland. Within the Department for Justice, however, a network of people who are experts in particular policy areas has been developed. The contact point also has a number of established contacts in other relevant Departments to whom queries, which fall outside the remit of the contact point's Department, can be addressed. As Northern Ireland is a small jurisdiction, the contact point has a well-established network of internal contacts that can assist with most queries and information requests received.

The most effective means of conveying requests and information is via e-mail. This enables messages to be forwarded, in particular to outside contacts, quickly and in full, thus ensuring that relevant personnel have the necessary information to assist them in answering queries.

The contact point ensures that relevant policy, administrative or judicial experts are consulted when queries are received and before relevant meetings of the Network. Notes of meetings and relevant action points are disseminated as appropriate.

### Providing information

There is no national website for the EJM in Northern Ireland. Information is provided through other existing sites. Reference is increasingly made to the e-Justice portal. The contact point has worked with others, who provide sources of information, including the Northern Ireland Courts and Tribunals Service (<https://www.justice-ni.gov.uk/topics/courts-and-tribunals>), as its public website includes information relating to the work of the Network for example, information on enforcement of foreign judgements, European Small Claims and Order for Payment procedures, etc. The Northern Ireland Government website (<http://www.nidirect.gov.uk>) also contains information on the European Small Claims Procedure.

Opportunities are taken to raise awareness of the EJM and the pages of the e-Justice portal at appropriate meetings and conferences and in relevant publications.

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## About the network - Scotland

### Contact Points

There is one contact point for each of the United Kingdom's four legal jurisdictions. As each jurisdiction is separate there is no overlap in the work of these contact points who each have sole responsibility for the Network in their jurisdiction. Queries through the EJM should be directed to the relevant contact point for the jurisdiction concerned.

The contact point for Scotland works within the Civil Law and Legal System Division of the Justice Directorate in Edinburgh. She can call on a number of colleagues when dealing with Network business. The work of the Network is combined with other tasks.

### The functioning of the EJM in Scotland

There is no formal national network within Scotland. Within the Justice Directorate, however, a network of people who are experts in particular policy areas has been developed. The contact point can turn to these colleagues for answers to specific queries.

Contacts have also been developed elsewhere in the Scottish Government. The contact point turns to these individuals for advice or answers to queries relating to their work. The contact point also works with others outside of government, where relevant. Examples include the Law Society of Scotland and the Faculty of Advocates, the professional bodies representing respectively solicitors and advocates. The contact point has also established links with the representative body for enforcement officers, the Society of Messengers at Arms and Sheriff Officers (SMASO).

The most common way in which information is accessed and exchanged is by email. The contact point has also attended meetings in person.

The contact point ensures that relevant policy, administrative or other experts are consulted before relevant meetings of the Network. Notes of meetings and relevant action points are disseminated as appropriate.

The contact point dials into some meetings of the Lord Chancellor's Advisory Committee on Private International Law, whose remit is UK-wide. This Committee is composed of senior judges and academics and provides advice on EU proposals in the area of civil judicial cooperation.

### Providing information

There is no national website for the EJM in Scotland. Information is provided through other existing sites. Reference is increasingly made to the e-Justice portal. The contact point has worked with others who provide sources of information, including the Scottish Courts and Tribunals Service (SCTS). The SCTS website provides guidance to citizens about cross-border claims - in particular relating to the European Enforcement Order, European Order for Payment and European Small Claims Regulations. Opportunities are taken to raise awareness of the EJM and the pages of the e-Justice portal at appropriate meetings and conferences and in relevant publications.

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