Nacionalinė teismų praktika

Europos Sąjungos (ES) valstybių narių teismai taiko ir aiškina atitinkamų valstybių narių bei ES teisę. Todėl piliečiams ir praktikuojantiems teisininkams aktualu susipažinti ne tik su savo valstybės narės, bet ir su kitų ES valstybių narių teismų praktika.

Dauguma valstybių narių turi vieną arba kelias duomenų bazes, kuriose pateikiami jų teismų sprendimai ir nuomonės – dėl ES teisės, nacionalinės teisės, taip pat regioninės ir (arba) vietos teisės. Kartais internete gali būti skelbiama informacija tik apie tam tikrus teismus (pavyzdžiui, aukščiausiuosius teismus) arba tam tikrų rūšių sprendimus.

Valstybių narių teismų praktikos galima ieškoti per valstybės narės duomenų bazę: **pasirinkę vieną iš dešinėje pusėje pateiktų vėliavėlių, pateksite į atitinkamą nacionalinį puslapį**; arba galima pasinaudoti viena iš **Europos duomenų bazių** (toliau pateikiamas sąrašas gali būti nebaigtinis):

JURE, Europos Komisijos sukurta duomenų bazė, kurioje skelbiama teismų praktika dėl jurisdikcijos civilinėse ir komercinėse bylose ir dėl teismų sprendimų pripažinimo bei vykdymo kitoje valstybėje, nei buvo priimtas teismo sprendimas. Čia skelbiama ir teismų praktika dėl svarbių tarptautinių konvencijų (t. y. 1968 m. Briuselio konvencijos, 1988 m. Lugano konvencijos) bei ES ir valstybių narių teismų praktika.

Europos Sąjungos valstybės tarybų ir aukščiausiųjų administracinių teismų asociacija (ACA Europe) tvarko dvi valstybių narių teismų praktikos duomenų bazes, kuriose skelbiama informacija apie ES teisės taikymą – „JuriFast“ ir „Dec.Nat“. Sprendimai skelbiami originalo kalba, pateikiama jų santrauka anglų ir prancūzų kalbomis. Duomenų bazėje „Dec.Nat“ taip pat yra nuorodų į nacionalinius sprendimus, kuriuos pateikė Europos Teisingumo Teismo Tyrimų ir dokumentacijos tarnyba, bei jų analizių.

ES aukščiausiųjų teismų pirmininkų tinklo interneto svetainėje galima rasti kelių nacionalinių (taip pat šalių kandidačių) duomenų bazių svetaines, kuriose skelbiama tų valstybių narių aukščiausiųjų teismų praktika.

ES Pagrindinių teisių agentūros informaciniame portale yra teismų ir specialiųjų organų nacionalinių sprendimų su diskriminacijos teise susijusiais klausimais duomenų bazė.

CODICES, vadinamosios Venecijos komisijos ir Europos Tarybos sukurta duomenų bazė, kurioje skelbiama ne tik ES valstybių narių, bet ir kitų Europos Tarybos narių teismų praktika konstitucinėse bylose.

Be to, Europos e. teisingumo portale taip pat pateikiama informacijos apie įvairius valstybių narių teismus. Daugelis šių teismų turi interneto svetainę, kurioje skelbiama jų teismų praktikos duomenų bazė.

Paskutinis naujinimas: 17/11/2021

Šį puslapį tvarko Europos Komisija. Šiame tinklalapyje pateikta informacija nebūtinai atitinka Europos Komisijos oficialią poziciją. Europos Komisija neprisiima atsakomybės ar įsipareigojimų už šiame dokumente pateiktą informaciją arba duomenis. Informacija apie ES tinklalapių autorių teises pateikiama teisiniame pranešime.

National case law - Belgium

In this section you will find an overview of the sources and content of Belgian case-law, as well as links to relevant databases.

Available websites

The JUPORTAL public database of Belgian case-law has existed since the end of 2017.

Case-law in the JUPORTAL system is available using the JUPORTAL search engine, which has replaced the former Jure-Juridat search engine since November 2020.

Part of the JUPORTAL database may also be consulted via the ECLI European search engine, namely the case-law of the following courts:

the Constitutional Court (*Cour constitutionnelle / Grondwettelijk Hof*)
the Court of Cassation (*Cour de cassation / Hof van Cassatie*)
the courts of appeal (*cour d'appel / hof van beroep*)
the labour courts of appeal (*cour du travail / arbeidshof*)
the courts of first instance (*tribunal de première instance / rechtbank van eerste aanleg*)
the commercial courts (*tribunal de l'entreprise / ondernemingsrechtbank*)
the labour courts (*tribunal du travail / arbeidsrechtbank*)

Monitoring of ongoing proceedings

	Supreme court	Other courts
Is information provided on: The existence of an action/appeal?	Yes	Yes
The fact that the case is still pending?	Yes	No
The outcome of an action/appeal?	Yes	No
The irrevocable and final nature of a decision?	No	No
The fact that further proceedings may be brought before - another court (e.g. Constitutional Court)? - the European Court of Justice? - the European Court of Human Rights?	Yes Yes Yes/No	Yes/No Yes/No Yes/No

Publication rules

	At national level?	For decisions of some courts?
Are there mandatory rules concerning publication of court decisions?	No	No

There are non-binding rules of conduct.

	Supreme court	Other courts

Is the full text published or just selected parts?	Selected parts	Selected parts
If selected parts are published, what are the criteria?	**Societal and legal interest**	**Societal and legal interest**

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National case law - Bulgaria

This section provides an overview of Bulgarian case law as well as descriptions of and links to the relevant case law databases.

Justice is administered by the Supreme Court of Cassation, the Supreme Administrative Court, the courts of appeal, the regional courts, the military courts and the district courts. Convictions and decisions are stored in the information databases of the relevant courts, both on paper and in electronic form.

The Supreme Court of Cassation is the supreme judicial instance in criminal, commercial and civil cases. Under Article 124 of the Constitution of Bulgaria, the Supreme Court of Cassation exercises supreme judicial oversight over the accurate and uniform application of the law by all courts. Its jurisdiction covers the whole of Bulgaria.

The Supreme Administrative Court exercises supreme judicial oversight over the accurate and uniform application of the law by the administrative courts.

The Supreme Administrative Court has jurisdiction over:

challenges to statutory regulations, excluding those issued by municipal councils;

challenges to acts of the Council of Ministers, the Prime Minister, Deputy Prime Ministers and Ministers issued in the exercise of their constitutional leadership and governance powers; in the cases provided for by law and where those authorities have delegated their powers to the officials concerned, administrative acts issued by them are challenged before the relevant administrative court;

challenges to decisions of the Supreme Judicial Council;

challenges to acts of the Bulgarian National Bank and its bodies;

appeals in cassation and appeals against decisions issued at first instance;

appeals by parties to proceedings against rulings and orders;

applications for final judicial decisions in administrative cases to be overturned;

challenges to other acts specified by law.

Case law available on the website

The Supreme Administrative Court has had a website since the beginning of 2002. The site was created to meet the needs of natural persons, legal persons and administrative bodies requiring easy access to information on the judicial activity of the Court.

Case law is available on the Court's website. Access to the database is subject to standard registration open to all (username and password).

The Supreme Court of Cassation has a website providing direct access to the information database of the Supreme Court.

Presentation of decisions / Titles

Supreme Administrative Court

There are no titles/headings on the internet that link to decisions or other activities of the Supreme Administrative Court. Acts are published together with their number, date of issue and the number of the case to which they relate, for example:

Decision No 5908 of 23.06.2005 in Case No 4242/2005

Supreme Court of Cassation

Decisions are issued on paper and published in the Bulletin, the Yearbook and on the website of the Supreme Court of Cassation of Bulgaria.

You can search by: **Court and the names of the parties to the case; case number registered with the Supreme Court of Cassation; case number in the division of the Supreme Court of Cassation.**

The full text of decisions issued since 1 October 2008 (with personal data deleted) is available via a link at the bottom of the 'search result' page.

News and press releases from the Supreme Court of Cassation of Bulgaria are regularly published in the press releases section of the website of the Supreme Court. **Decisions in cases of major public interest** are published in this section as well as in the information database of the Supreme Court of Cassation.

Formats

Supreme Administrative Court

Case law is available on the Supreme Administrative Court's website in HTML format.

Supreme Court of Cassation

Case law is available on the Supreme Court of Cassation's website in PDF format.

Courts

Supreme Administrative Court

Supreme Court of Cassation

Further proceedings

	Supreme Courts - Supreme Administrative Court and Supreme Court of Cassation	**Other courts**
Is information also available on: appeals?	Yes	Yes
whether a case is still pending?	Yes	Yes
the results of appeals?	Yes	Yes
the irrevocability of decisions?	Yes	Yes
other proceedings before: other national courts (Constitutional Court, etc.) the Court of Justice of the European Union the European Court of Human Rights?	Not applicable	Not applicable

Publication rules

	At national level	At court level
Are there binding rules for the publication of case law?	Yes - Article 64(1) of the Judicial System Act	Yes

	Supreme Courts	Other courts
Is full case law published or a selection thereof?	Supreme Administrative Court and Supreme Court of Cassation - full case law	Full case law / only a selection thereof
What criteria are used to make the selection?	Not applicable	Not applicable

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National case law - Czechia

This section provides an overview of the case law in the Czech Republic as well as a description of and links to relevant case law databases.

Case law available on the Internet

Case law is accessible to the public on the website of the Ministry of Justice https://www.justice.cz/, (reference 'Judikatura' (case law)).

Each of the following courts maintains a database of its own case law:

the Constitutional Court (*Ústavní soud*)

the Supreme Court (*Nejvyšší soud*)

the Supreme Administrative Court (SAC) (*Nejvyšší správní soud*).

Summaries of all decisions made by the SAC are published, in anonymised form, on the SAC's website. Some of the SAC's decisions, as well as some made by lower administrative courts and selected by the plenum of all SAC judges according to the importance of the decisions, are treated in greater detail.

Presentation of decisions / headline

Judgments are made available on the websites of the relevant supreme courts.

Formats

Case law is available in html format.

Courts concerned

The following courts are concerned:

the Constitutional Court (CC database)

the Supreme Court (SC database)

the Supreme Administrative Court (SAC database)

Further proceedings

	Supreme Court	Other courts
Is information available as to: appeals?	No	Yes (https://www.justice.cz/, reference InfoSoud)
whether a case is still in progress?	No	Yes (InfoSoud)
the result of appeals?	No	Yes (InfoSoud)
the irrevocability of the decision?	No	No
on further proceedings before: another domestic court (e.g. Constitutional Court)? the European Court of Justice? the European Court of Human Rights?	No No No	No No No

Publication rules

	at national level?	at court level?
Are there binding rules for the publication of case law	Yes	Yes

	Supreme Court	Other courts
Is full case law published or only a selection?	Fully anonymised	Fully anonymised
If a selection is done what criteria are applied?		Protection of personal data

Legal databases

Name and URL of the database

Portal of the public administration

Is access to the database free of charge?

Yes, access to the database is free of charge.

Brief description of content

The database contains legislation of the Czech Republic in Czech.

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National case law - Denmark

Domsdatabasen [Judgments database] is a database containing selected judgments of the Danish courts.
It is being populated gradually, starting in 2022. The database contains civil rulings, along with a small selection of judgments in criminal cases of particular public interest.
The database can be used free of charge.
It can be found at: https://domsdatabasen.dk/
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National case law - Germany

This page provides you with an overview of case law in Germany.
Judicial authority is vested in judges; it is exercised by the Federal Constitutional Court, the federal courts and the courts of the 16 *Länder* (cf. Article 92 of the Basic Law).

Online case law databases

Since 2010 the Federal Ministry of Justice and Consumer Protection has published selected rulings by the Federal Constitutional Court, the federal supreme courts and the Federal Patent Court on the Rechtsprechung im Internet [online case law] website. This information is available free of charge for those interested.
In addition, the Federal Constitutional Court and the federal courts publish rulings on their own websites. This information is available free of charge for non-commercial use. Press releases are also published on the websites, providing information on significant pending cases and their outcome.
Since the Federal Republic of Germany is a federal state, the *Länder* arrange the publication of their own court rulings. For this purpose they have set up their own websites, to which links are provided on the Justizportal des Bundes und der Länder [federal and state justice portal].

Related links

Rechtsprechung im Internet
Federal Constitutional Court
Federal Court of Justice
Federal Administrative Court
Federal Finance Court
Federal Labour Court
Federal Social Court
Federal Patent Court
Justizportal des Bundes und der Länder

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National case law - Estonia

This section gives an overview of Estonian case law and a description of the relevant case-law databases.

Case law available on the internet

Case law of courts of first and second instance has been available on the internet since 2001. Case law of the Supreme Court has been available since the court system was reorganised in 1993 and is published in the electronic edition of *Riigi Teataja* (the Estonian State Gazette) and on the Supreme Court website. Case law of courts of first and second instance is available in the electronic *Riigi Teataja*.
The obligation to make case law available is laid down in the Public Information Act, with more specific rules given in the various codes of court procedure. Usually all final judgments are published. Exemptions are provided for in civil and administrative court proceedings, whereby courts do not disclose in their judgments, either on their own initiative or at the request of the individual in question, the name of the individual (replacing it with initials or other characters), their personal identification number, date of birth, registration number and address. Courts may also decide in civil and administrative court proceedings, either on their own initiative or at the request of the individual in question, to publish only the operative part of a judgment containing sensitive personal data or not to publish it at all, if replacing the name of the individual with initials or other characters might prejudice his or her privacy. Courts may also publish only the operative part of a judgement if the judgment contains information legally subject to some other access restriction.
All finalised judgments in criminal proceedings are published, but only the personal details of the defendant (name and personal identification code or date of birth) are made public. As a general rule, the personal details of under-age defendants are not disclosed (their name and personal identification code or date of birth are replaced by initials or other characters). At the request of an individual or on their own initiative, courts may, in criminal proceedings, publish only the introduction and operative part or the final part of a given judgment, if the judgment contains sensitive personal data. The same applies if the judgment contains personal data legally subject to some other access restriction and enables the individual in question to be identified, despite the fact that names and other personal details have been replaced by initials or other characters.
Publishing case law is deemed to be a part of the administration of justice and the publication of specific data may be contested. Courts must therefore consider how judgments are to be published.

Presentation of judgments and titles

	Supreme Court	Other courts
Case law presented with titles?	Yes	No

Case law of the Supreme Court can be searched in *Riigi Teataja* and on the Supreme Court's website by year, type of case, case number, date of judgment, court composition, type of proceeding, type of offence, annotation and content. On the Supreme Court's website case law can also be searched by keyword. Judgments of courts of first and second instance can be searched under the appropriate type of procedure and, depending on the type of procedure, cases can also be searched using a range of criteria. In all types of procedures, judgments can be searched by case and ECLI number, courthouse, procedure

type, judgment type and date, start date of the proceedings, annotation and content. In criminal cases judgments can also be searched by the number of the pre-trial proceedings, case category and resolution, procedure type, type of claim and sentence or, for example, by grounds for acquittal. Judgments in civil and administrative cases can also be searched by category of case, procedure type, and case resolution.

Example of title

Constitutional review of the second sentence of Section 71(2) of the Aviation Act.

Formats

	Supreme Court		Other courts	
	Document	Metadata	Document	Metadata
Is case law available in XML?	No	No	No	No
What other formats are used?	HTML	HTML	PDF	HTML

Further proceedings

	Supreme Court	Other courts
Is information available: on appeals?	-	No
on whether a case is still pending?	Yes	No
on the result of appeals?	-	Yes
on the irrevocability of the judgment?	Yes	Yes
on further proceedings before: another domestic court (e.g. Constitutional Court)? the European Court of Justice? the European Court of Human Rights?	No No No No	No No No No

Publication rules

	At national level	At court level
Are there binding rules for the publication of case law?	Yes	-

Rules about publishing case law are laid down in the relevant codes of procedure. There are different rules for criminal and civil procedures.

	Supreme Court	Other courts
Is full case law published or only a selection?	Only a selection.	Only a selection.
What criteria are used to **make the selection**?	The selection is made on the basis of the following: 1) the judgment must have entered into force; 2) the judgment may be published if: a) (in civil and administrative cases) it contains no sensitive personal data; the judgment is published with names replaced by initials or other characters and in such a way as not to prejudice the privacy of the individual in question; the judgment contains no information legally subject to some other access restriction; b) (in criminal cases) it does not contain sensitive personal data or personal data legally subject to some other access restriction, or if names and other personal details are replaced in the judgment with initials and other characters, such that the individual in question cannot be identified; the judgment contains no information legally subject to some other access restriction.	The selection is made on the basis of the following: 1) the judgment must have entered into force; 2) the judgment may be published if: a) (in civil and administrative cases) it contains no sensitive personal data; the judgment is published with names replaced by initials or other characters and in such a way as not to prejudice the privacy of the individual in question; the judgment contains no information legally subject to some other access restriction; b) (in criminal cases) it does not contain sensitive personal data or personal data legally subject to some other access restriction, or if names and other personal details are replaced in the judgment with initials and other characters, such that the individual in question cannot be identified; the judgment contains no information legally subject to some other access restriction.

Legal databases

Name and URL of the database

Published case law of the Supreme Court can be found on the website of the Supreme Court and in *Riigi Teataja*.

Case law of courts of first and second instance that has entered into force and has been published can be found by searching case law in *Riigi Teataja*.

Applications from Estonian courts to the European Court of Justice for a preliminary ruling are available via the Supreme Court website. Here you will see the name of the court applying for the preliminary ruling, the date of submission and a description of the content of the application, and the Estonian and ECJ case numbers.

Summaries of the case law of the European Court of Human Rights are available in *Riigi Teataja*.

The Courts website gives statistics on proceedings in courts of first and second instance since 1996. Supreme Court statistics are available on the Supreme Court website. Statistics on constitutional review have been available since 1993, while statistics on administrative, civil, criminal and misdemeanour cases have been available since 2002.

The Supreme Court website also gives case law analyses of selected topics since 2006.

Is access to the databases free of charge?

Yes, access to the databases is free of charge.

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National case law - Ireland

This section provides you with an overview of the Irish case law as well as a description and links to relevant case-law databases.

Case law has been built up out of precedents or previous decisions of courts. In certain circumstances those decisions may be binding on another court, if the facts of the case are similar. It is usually the case that lower courts make decisions consistent with decisions of higher courts. Case law is based on two doctrines the doctrine of stare decisis and the doctrine of res judicata. The doctrine of stare decisis means the doctrine of binding precedent. The doctrine of res judicata means the matter has already been adjudicated upon.

Case Law made available on a website

Presentation of decisions

Much of the case law from Irish courts is available to the public.

Case law is available free on the Courts Service of Ireland website for the Supreme Court, the Court of Appeal (since November 2014), the Court of Criminal Appeal (now the Court of Appeal) and the High Court. Case law for the Supreme Court is also available on the Supreme Court of Ireland website (http://www.supremecourt.ie).

Case law for the Supreme Court is available since 2001; and for the Court of Criminal Appeal and the High Court since 2004, and for the Court of Appeal since 2014.

Case law for the Supreme Court, the Court of Criminal Appeal and the High Court is also available free on the BAILII (British and Irish Legal Information Institute) database and the IRLII (Irish Legal Information Initiative) database.

The following collections are available through the BAILII website:

Supreme Court of Ireland Decisions

Irish Court of Criminal Appeal Decisions

High Court of Ireland Decisions

Irish Competition Authority Decisions

Irish Competition Authority Decisions (Notice Decisions)

Irish Information Commissioner's Decisions

Irish Data Protection Commission Case Studies

Publication rules

There are no binding rules for the publication of case law on a national or court level. All reserved judgments from the Supreme Courts are published. (These are cases where the judge/ court adjourned for a period of time to consider and write the judgment.) Judgments delivered ex tempore, when the court does not adjourn before handing down the judgment, are only published if they contain a particular point of law, or if the court delivering them specifically so directs.

Content made available on the web about court decisions is not anonymised unless so required by statute or directed by the court. Certain cases are required by law to be heard other than in public, and certain statutory provisions require that the name of the victim may not be disclosed. In such judgments, names are anonymous. All decisions tried in camera or in which the judgment contains sensitive personal data about a party or witness are also anonymised.

Before they are published on the website, judgments are issued in hard copy to:

All judges

The libraries of the legal professions:

the Attorney General,

the Chief State Solicitor and

A range of government departments.

Related Links

Courts Service of Ireland

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National case law - Greece

Case law made available on a website

Presentation of decisions/Headlines

	Council of State *(Symvoúlio tis Epikrateías)*	Supreme Court *(Áreios Págos)* (civil and criminal court of cassation)	Other courts
Case law presented with headlines	Yes (summaries of judgments of the Plenary with the corresponding headline have been posted since 2018)	Yes (all criminal and civil judgments since 2006)	Yes (summaries of judgments of the largest administrative courts are posted on the website of the Council of State) (it is possible to search case law on the website of the Piraeus Court of First Instance (*Protodikeío*) and Court of Appeal (*Efeteío*))

Examples of headline/s

Wills, Motor vehicles, Employment, Compensation, Appeals

Formats

	Council of State and Supreme Court		Other courts			
	Document	Metadata	Document		Metadata	
What other formats are used?	HTML, TXT	HTML, TXT	HTML (administrative courts)	No (other courts)	HTML (administrative courts)	No (other courts)

Further proceedings

	Council of State	Supreme Court	Administrative courts	Other courts
Is information available as to appeals?	Yes	Yes	Yes	Yes
As to whether a case is still pending?	Yes	Yes	Yes	Yes
As to the result of appeals?	Yes	Yes	Yes	Piraeus Court of First Instance and Court of Appeal
As to the irrevocability of the decision?	Yes	Yes	- Athens Administrative Court of Appeal: Yes, if not appealed	No
As to further proceedings before another national court (Constitutional Court, etc.)? The European Court of Justice? The Court of Human Rights?	Yes Yes Yes	No No No	No No No	No No No

Publication rules

	At the national level?	At the level of courts?
Are there binding rules for the publication of case law?	Yes {personal data – Law 4624/19 and General Data Protection Regulation [Regulation (EU) 2016/679]}	Yes {personal data – Law 4624/19 and General Data Protection Regulation [Regulation (EU) 2016/679]}

	Council of State and Supreme Court	Other courts
Is full case law published or only a selection?	- Council of State: About 80% of all decisions have already been published. All decisions will be published gradually. - The Supreme Court publishes full case law for criminal and civil judgments, except judgments under the procedure in Article 565 of the Code of Civil Procedure (*Kódikas Politikís Dikonomías*).	- Administrative courts: A selection of court judgments is published. - Piraeus Court of First Instance and Court of Appeal: A selection of court judgments is published.
If a selection is done, what are the criteria applied?	- Council of State: Significance of the case	- Athens Administrative Court of Appeal: Significance of the case

	Council of State	Supreme Court	Other courts
Are court decisions made available on the web anonymised (names removed)?	Yes	Yes	Yes
If yes, all decisions?	The Council of State anonymises all judgments posted on its website.	Yes -except judgments under the procedure in Article 565 of the Code of Civil Procedure.	
Decisions since	1990	2006	2017

Related links

Supreme Court
Council of State
Athens Court of Appeal
Athens Administrative Court of Appeal
Athens Administrative Court of First Instance
Athens Court of First Instance

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National case law - Spain

In Spain, case-law is not considered to be a source of law, on the basis that Article 1(1) of the Spanish Civil Code (*Código Civil*) establishes the law, custom and the general principles of law as such sources (Article 1(1) of the Spanish Civil Code).

However, Article 1(6) of the Spanish Civil Code lays down that case-law «shall complement the legal order with the doctrine established over time by the Supreme Court (*Tribunal Supremo*) in its interpretation and application of the law, custom and the general principles of law».

Moreover, the right of access to public information is specifically recognised in Article 105(b) of the Spanish Constitution (*Constitución Española*).

Access to case-law

Article 560(1)(10) of the Organic Law on the Judiciary (*Ley Orgánica del Poder Judicial*) establishes the following as one of the powers of the General Council of the Judiciary (*Consejo General del Poder Judicial*): “the official publication of judgments and other decisions issued by the Supreme Court and the other judicial bodies.

To that end, the General Council of the Judiciary shall, subject to a report from the competent authorities, lay down rules on how the electronic court records are to be drawn up, compiled, processed, disseminated and certified, in order to guarantee access to them, ensure their integrity and authenticity, and ensure that they comply with the legislation on the protection of personal data”.

Likewise, Article 560(1)(16)(e) of the Organic Law on the Judiciary grants the General Council of the Judiciary the regulatory power to publish and re-use judicial decisions strictly within the framework of the implementation of the provisions of the Organic Law on the Judiciary.

To guarantee compliance with the law, the General Council of the Judiciary created the Centre for Judicial Documentation (*Centro de Documentación Judicial* , CENDOJ), headquartered in San Sebastian, in 1997. In accordance with the provisions of Article 619 of the Organic Law on the Judiciary, this technical

body within the General Council of the Judiciary is responsible for selecting, managing, processing, disseminating and publishing legal information on legislation, case-law and doctrine.
This new public service for accessing case-law produced in the various judicial bodies under the best technical conditions, with special protection of individuals with regard to the processing of automated data and establishing appropriate mechanisms to facilitate the accessibility, interoperability, quality and re-use of the information published, is organised on the basis of the legal mandates contained in Organic Law 6/1985 of 1 July 1985 on the Judiciary, Law 19/2013 of 9 December 2013 on transparency, access to public information and good governance, Regulation 1/1997 on the Centre for Judicial Documentation, and Law 18/2015 of 9 July 2015 amending Law 37/2007 of 16 November 2007, on re-using public-sector information, transposing Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013.
In order to comply with the above, the Centre for Judicial Documentation implements a system for the dissemination of judgments and other judicial decisions by means of the official publication of the judgments and other decisions of the Supreme Court and other judicial bodies, a) available to the general public through an online search engine, freely accessible and free of charge, following removal of personal data; b) within an environment restricted to the Judiciary with additional features (links to national and foreign case-law and legislation, as well as the judgments of the Constitutional Court (*Tribunal Constitucional*)) within the functions inherent to the General Council of the Judiciary as the governing body of Spanish judges and courts; c) the international dissemination of decisions of the Spanish courts published by CENDOJ via the website www.poderjudicial.es, for the shared knowledge of the legal systems and case-law of the Member States of the European Union, in accordance with Council conclusions (2011/C 127/01) on the «European e-Justice» portal and via the Iberian-American Network of Judicial Information and Documentation (*Red Iberoamericana de Información y Documentación Judicial*, Iberius), and the provision of information to the various re-users, as well as other users (who are not re-users) in accordance with the provisions of the aforementioned legal standards.
The CENDOJ database should also be supplemented by the database of the Constitutional Court, which contains information on judgments handed down by that High Court.
There are also private databases, with access granted on payment of a fee.

Presentation of the case-law

In relation to the case-law of the Supreme Court, CENDOJ has created a technological platform structured in the form of a tab-based navigation system. When consulting this platform, a tab will open called 'RESULTADOS' [results] (which lists the results obtained) and another called 'BÚSQUEDA' [search] (which allows you to access the form at any time).
The search engine gives you rapid, secure access to all the judicial decisions issued by the Supreme Court. You can search for decisions using selection fields, which identify or categorise those decisions, and/or free text fields.
In addition, you also have the option to go straight to the 50 most recent decisions for each jurisdiction by clicking on the buttons displayed at the bottom of the interface. This allows you to access the latest judgments that have been received and incorporated into the database that forms the basis of case-law.
The system also features a tag cloud with the most popular search subjects; clicking on one of these gives you judgments relating to that subject.

Searches by selection fields

Some of the information fields for the decisions may be limited by a set of possible values. For example:
The Jurisdiction ['Jurisdicción'] box has a selection of areas of law: civil, criminal, administrative appeal, labour, military.
The Type of decision ['Tipo de Resolución'] box allows you to select either Judgments, Orders or Agreements of the Supreme Court
Date of decision: the calendar ['Calendario'] button allows you to restrict your search by entering dates
Language: drop-down list allowing you to select the language of the decisions you want to retrieve.

Searches using free text fields

In addition to the selection fields, there are also other fields for the decision search, which do not have restricted sets of values but may contain any text string, used to perform free searches.

RESULTS

Once a search has been carried out, the results are presented, by default, with 10 results per page.
The results are shown as follows:
RELATED TERMS - the system automatically provides terms associated with the search performed, but only within the restricted environment.
TITLE - the Spanish Official Case-Law Repository (*Repositorio Oficial de Jurisprudencia*, ROJ) number of the retrieved case-law and the European Case Law Identifier (ECLI) are shown here.
SUBTITLES - the following information fields are shown here:
Type of body: for example, Supreme Court.
Municipality: for example, Madrid -- Section: 1
Rapporteur: for example, name... surname(s)...
Action No: for example 88/2007 -- Date: 26/06/2008
Decision type: for example, Judgment
Body, alphabetical order
Lastly, clicking on the title of the desired result opens up a new page showing the full content of the document retrieved. This document is accessible to the public in PDF format.

Format

Judgments are usually available in the databases in PDF format (to the public), and RTF and HTML formats (in the environment restricted to the judiciary).

Judgments and orders available

Supreme Court

Supreme Court: Supreme Court case-law is published in full, freely and free of charge, on the internet, for your information. The full texts, with any personal data removed (anonymised) and with an efficient search engine that removes these data, especially from the text of decisions. You can access this database via the CENDOJ Supreme Court search function.

Other courts

In addition to the decisions and agreements of the Supreme Court, the CENDOJ database also gives the public free-of-charge access to the judgments issued by the Spanish National High Court (*Audiencia Nacional*), the High Courts of Justice (*Tribunales Superiores de Justicia*) and Provincial Courts (*Audiencias Provinciales*), as well as a selection of orders from those collegial courts and of judgments and orders issued by the Central Military Court (*Tribunal Militar Central*), Regional Military Courts (*Tribunales Militares Territoriales*) and single judges.

Other procedures

Is information available...

about the actions?
about whether the case has been resolved?

about the outcome of actions?
about whether the decision is irrevocable?
about other procedures?
The information open to the public contains the full text of the judgments without additional features, without prejudice to the fact that, in many cases, the decision itself contains information about whether or not it is final (irrevocable). Moreover, those decisions also include the dissenting opinions issued, if any. Notwithstanding the above, the database provided in the environment restricted to the Judiciary (CENDOJ Document Base) includes links connecting the decision being challenged with that issued by the High Court (*Tribunal Superior*), summaries, the meaning of the judgment, reference to judgments cited in favour or against; case-law cited, applied or interpreted; description of the judgment: implements general concepts, consolidates an innovative judgment or case-law and classification of the decision in accordance with the terms used in the CENDOJ legal thesaurus.

Publication Rules

Are there any binding rules for the publication of case-law at national level or depending on the type of Court?

These are laid down in Article 560(1)(10) of the Organic Law on the Judiciary, which specifies that the General Council of the Judiciary shall be competent in matters of the official publication of judgments and other decisions issued by the Supreme Court and other judicial bodies.
There are also publication rules in the Regulation creating the Centre for Judicial Documentation.

Is the judgment or just a selection of the text published? In the latter case, what criteria are applied?

Judgments are published in full, not as extracts, and all judgments issued by the collegiate courts and a selection of those issued by single judges are published under the terms set out above.

Related links

Centre for Judicial Information case-law search engine:
http://www.poderjudicial.es/search/indexAN.jsp
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National case law - France

In this section you will find an overview of case-law sources and what they contain, as well as links to the relevant databases.

Websites available

1. Global official portal: Legifrance
Judicial Case Law
Administrative Case Law
Constitutional Case Law
2. Websites for the courts:
Court of Cassation
State Council
Constitutional Council
Audit Office
3. Website for the Ministry of Justice

Presentation of Decisions / Summaries

In general, decisions begin with a list of keywords or an ‘abstract’ followed by a summary (résumé) of the most important points of law and references to statutes or to previous decisions.

Example

For the Court of Cassation, in addition to identification references, documents contain elements of analysis. The **summary**, drafted by a magistrate of the court that gave the decision, is a résumé of the legal question addressed. The title, created from the decision’s summary, is a succession of **keywords** presented in order of importance. The keywords used are taken from the Court of Cassation’s nomenclature, as provided in the annual published tables of the Court’s Bulletin, available under the heading ‘Titrage’. They can be accessed by clicking titrage in the judicial case-law advanced search form.
For example: **Court of Cassation, Civil chamber 2, Public session of Thursday 18 December 2008, Appeal no. 07-20238**, **Appeal from the decision of:** Appeal Court of Basse-Terre of 23 April 2007
Titles and résumés: CIVIL PROCEDURE – Conclusions – Appeal Conclusions – Final pleadings – Field of application
The court of appeal has breached Article 954, paragraph 2, of the Civil Procedure Code by ruling that claims and grounds not repeated in the final pleadings were abandoned, whereas they did not determine the subject matter of the proceedings and did not raise a point of law capable of bringing the proceeding to an end.
CIVIL PROCEDURE – Conclusions – Appeal conclusions – Final pleadings – Compliance with the provisions of Article 954, paragraph 2, of the new Civil Procedure Code – Fault – Scope
CIVIL PROCEDURE – Conclusions – Appeal conclusions – Final pleadings – Definition – Exclusion – Case – Conclusions requiring inquiry procedure
JUDGMENTS AND DECISIONS – Conclusions – Appeal Conclusions – Final pleadings – Field of application
Case-law precedents: On the notion of final pleadings in the context of Article 954, paragraph 2, of the Civil Procedure Code, see Civil 2, 3 May 2001, no. 99-16.293, Bull. 2001, II, no. 87 (rejected), and the opinion quoted; Civil 2, 20 January 2005, no. 03-12.834, Bull. 2005, II, no. 20 (quashed), and the decisions quoted
Law applied: Article 954, paragraph 2, of the Civil Procedure Code

Formats

Case-law is available in the following formats: (e.g. PDF, html and XML)? XML for decisions of the supreme courts, otherwise html.

Courts whose case-law is covered

Supreme court

The Court of Cassation, State Council and Constitutional Council

Ordinary courts

Judicial and administrative appeal courts

Specialised courts

Audit Office

Tracking of proceedings in progress

	Supreme court	Other courts
Is information provided on: The existence of an appeal?	Yes for the Constitutional Council Being implemented for the Court of Cassation Reserved to the parties for the State Council	No
The fact that the case is still pending	No	No
The result of an appeal	Yes	No
Whether a decision is irrevocable and definitive	Yes	Yes
The fact that the proceedings may be pursued in Another court (Constitutional Court)? The European Court of Justice? The European Court of Human Rights?	No Yes Yes	Yes Yes Yes

Publication rules

	At a national level?	For decisions of certain courts?
Are there any binding rules on the publication of court decisions?	Yes	No

Court of Cassation

According to Article R433-3 of the French Code of Judicial Organisation, the documentation and analysis service has a **database** containing, under the same nomenclature:

firstly, the **decisions and opinions of the Court of Cassation** and of the courts or court commissions attached to it, published or not in the monthly bulletins referenced in Article R433-4; and

secondly, the decisions of particular interest given by **other judicial courts.**

For that purpose, judicial decisions of particular interest are sent to the service, under the conditions fixed by an order of the French minister of justice, by the chief justices of the appeal courts or directly by the presiding justices or the judges presiding over the first level courts.

The database is **accessible to the public** under the conditions applicable to the public service for legal publishing on the Internet.

The documentation and analysis service has **a separate database** containing all the **decisions pronounced by the appeal courts** and the judicial decisions made by the chief justices of these courts or their delegates. The conditions under which these orders and decisions are sent to the service and used by the service are fixed by a minister of justice order.

According to Article R433-4, the documentation and analysis service produces **two monthly bulletins**, one for the **civil chambers**, the other for the **criminal chamber**, which refer to the **decisions and opinions** that are to be published by decision of the presiding judge of the court that pronounced them. The service produces schedules.

State Council

According to Article L10 of the Code of Administrative Justice, judgments are **public**. They include the name of the judges that pronounce them.

	Supreme court	Other courts
Is the entire text published, or a selected part?	Entire text of all decisions in the online databases. **Selection** of entire decisions on **paper** (Court of Cassation and State Council) and résumés for another selection of decisions.	Publication of **grounds** for a **selection** of decisions of the appeal courts
If a selection is published, what are the criteria?	Court's choice	Court's choice

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Dėmesio! Šiame puslapyje originalo kalba (hr) neseniai atlikta pakeitimų.

Puslapį jūsų pasirinkta kalba šiuo metu rengia mūsų vertėjai.

National case law - Croatia

Database of the Supreme Court of the Republic of Croatia

'**SuPra**' contains all the decisions of the Supreme Court since 1 January 1990. In addition to those decisions, it contains the most significant decisions of the other courts in the Republic of Croatia.

A more recent database of case law, entitled '**SupraNova**', contains the decisions of municipal courts, county courts, commercial courts, the High Commercial Court, the High Misdemeanour Court and the Supreme Court of the Republic of Croatia.

The following information is accessible for each decision: the name of the court that adopted the decision, the name of the department, the type of case, the date of the decision and the date of publication, together with the full text in doc, pdf and html format. All decisions that have been adopted since 1 January 2004 have the relevant index information as well as the full text.

The legal positions are published for particularly important and interesting decisions.

The full text that is published for the general public differs from the original text in order to protect the privacy of the parties to the proceedings. This is done by expunging all information on the identity of natural and legal persons in accordance with the Rules on ensuring anonymity of court decisions and Instructions on how to ensure anonymity of court decisions of the President of the Supreme Court of the Republic of Croatia.

The rules adopted on the publication of court decisions state that:

the courts themselves are to select the most significant decisions to make public, and

the decisions of lower courts that are referred to by the Supreme Court of the Republic of Croatia are to be published, in accordance with Article 396a of the Civil Procedure Act

The **High Administrative Court of the Republic of Croatia** currently has two departments (the Pension-Invalidity-Health Department and the Financial-Labour Law and Property Law Department) and the Council for the Assessment of the Legality of General Acts.

The Service for Monitoring and Examining the Case Law of each of those departments chooses, together with the Head of Department concerned, the relevant decisions to have emerged from the work of those departments over the month. At the end of the year the Heads of Department and the Service for Monitoring and Examining Case Law meet to choose the most important decisions to have been adopted in the Court's work, which are prepared for the bulletin which the High Administrative Court of the Republic of Croatia issues regularly every year.

The legal positions of the decisions which the bulletin contains are also published on the website of the High Administrative Court of the Republic of Croatia under the relevant heading.

All the decisions of the Council for the Assessment of the Legality of General Acts are published on the website of the High Administrative Court of the Republic of Croatia.

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National case law - Italy

This section provides you with an overview of the Italian case law, as well as a description of and links to relevant case law databases.

Case law online

The Italian judicial system provides information on case law on various websites.

The Supreme Court of Cassation (*Corte Suprema di Cassazione*), is the highest court in the Italian judicial system. Its portal is rich in content and includes two main sections.

One is dedicated to current civil and criminal cases. Access is reserved to identified and authorised lawyers participating in specific cases, in line with Italian law on data protection. Access is via a valid digital certificate attached to a smart card.

The other is the Italgiure DB system, which is accessible through the same portal. This contains millions of documents about past proceedings (mainly judgments) in both civil and criminal matters. These data are accessible free of charge to operators of the judicial system (judges, public prosecutors, court administrators) and can also be accessed by lawyers, universities and other interested parties on payment of a modest subscription fee.

Information recorded in court registries, as well as registers of case law and digital documents in computerised civil law case files, can be found online at all courts and appeal courts.

Access is granted to lawyers and court-appointed experts with strong authentication (smart card compatible with the *Carta Nazionale dei Servizi*) on the IT Services Portal (*Portale dei Servizi Telematici*).

Information recorded in the court registries of the 'justice of the peace' (*giudice di pace*) can also be found via this portal.

Anonymised information from court registry records can be viewed via this portal without authentication.

Presentation of decisions/Details

Current proceedings on authorised subjects are classified by the names of the parties or by case number, as listed in the general register of the Supreme Court or the court concerned.

Judgments on completed cases can also be found by using text searches, or searching by subject or specific details (date of the action, name of a party).

Formats

Case law documents and information are available in PDF and html formats.

Courts

Supreme Court

Information is available on the website of the Supreme Court of Cassation.

Ordinary courts

An up-to-date list of links to ordinary courts can be found on the website of the Ministry of Justice .

Further proceedings

	Supreme Court	Other courts
Information available		
on whether a case is ongoing	yes	yes
on the results of appeals	yes	no
on whether a decision is irrevocable	yes	yes

When an individual court or court of appeal has a website, this will frequently provide information on how to take legal action, institute proceedings or appeal against a decision.

Legal databases

Italgiure DB provides access to a database containing details of numerous court decisions, in particular those of the Supreme Court. The website contains more than 35 million documents (including laws and regulations, as well as references to specialist literature).

Access to the databases is restricted, as explained above

A large part of the case law of the appeal courts and and other courts is available through the IT Services Portal, as explained above.

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National case law - Cyprus

Case-law made available on a website

There is no official website on which judgments are published. A selection of recent judgments is published on the website of the Supreme Court (Ανώτατο Δικαστήριο).

A number of private websites offer access to case-law either for a fee or free of charge.

Related Links

Selection of recent judgments

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National case law - Latvia

This section provides you with an overview of Latvia's case-law.

Online databases of case law

The Case-law database is an essential part of the National Courts Portal (*Latvijas Tiesu portāls*).

A case-law database was set up by Latvia's Supreme Court (*Latvijas Republikas Augstākā tiesa*). It catalogues court rulings that are relevant for the consistency of, research into and development of case-law.

The case-law of the Supreme Court can be selected by judicial institution, type of case, sector, sub-sector, legal principles, essence of the case (arguments) and keywords in the text.

The Supreme Court case-law database is accessible via the Supreme Court e-services portal and the Supreme Court home page.

The Anonymised rulings section of the Courts Portal (*Tiesu portāla sadaļa "Anonimizētie nolēmumi"*) contains anonymised Latvian court judgments that entered into force after 1 September 2013.

In addition, valid rulings given in open court can be published on the portal on matters of public interest (i.e., rulings published for civic or legal educational purposes), as can other rulings delivered in open court at the discretion of the court concerned.

Presentation of rulings/titles

Formats

The judgments in the Case-law database of the National Courts Portal are available in HTML format.

The judgments published on the National Courts Portal are available in PDF format.

Relevant courts

Supreme Court

Judgments of the Supreme Court are available in the Case-law database of the Supreme Court's website and on the National Courts Portal website.

Ordinary courts

Judgments of the ordinary courts are available on the National Courts Portal website.

Follow-up proceedings

Information on follow-up proceedings is available on the National Courts Portal, by using the option Progress of proceedings (*Tiesvedības gaita*) in the E-services section or through the section available to authorised users of the portal My cases (*Manas lietas*).

Unauthorised users can access general information about the progress of a case in the Progress of proceedings section by entering the case or summons number.

In the My cases' section, authorised users have the possibility of viewing the data and case material of cases to which they are a party (including rulings and audio files of proceedings in the case).

Authorisation to use the National Courts Portal is granted based on:

an ID card,

electronic signature,

mobile electronic signature,

eIDAS.

Rules on publication

Delivery

If the case is heard in open court, the court ruling (comprising an introductory part, descriptive part, grounds and operative part) becomes generally accessible information from the date on which it is delivered.

If no ruling or judgment is delivered in court (if a case is considered only by written procedure, for instance), the decision is considered generally accessible from the date on which it is received.

If a case is heard in closed session, and if the introductory and operative parts of the court ruling or judgment are read out in open session, those parts of the respective court ruling or judgment are considered generally accessible information and may be published.

Accessibility

The accessibility of court rulings is governed by the Law on the judiciary and Cabinet Regulation No 123 of 10 February 2009 on Rules on publishing judicial information on an internet website and the processing of court rulings before they are issued (hereinafter 'Cabinet Regulation No 123').

Cabinet Regulation No 123 lays down that when preparing a ruling for publication, certain data, enabling natural persons to be identified, are to be erased and replaced by an appropriate indicator:

a person's name and surname, to be replaced by a capital letter freely chosen from the Latvian alphabet (the letter chosen to replace the name and surname is selected so that the persons referred to in the ruling can be distinguished from each other);

a person's personal identification number is replaced by the words 'personal identification number';

a person's home address is replaced by the words 'place of residence';

the address of a person's immovable property is replaced by the word 'address';

the reference number of any immovable property in the property register is replaced by the words 'cadastral reference';

and a vehicle registration number is replaced by the words 'registration number'.

In preparing the ruling for publication or issuing, the details of judges, prosecutors, certified lawyers, certified notaries, insolvency administrators, presiding judges and certified bailiffs are not deleted or redacted.

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National case law - Lithuania

Case-law made available on a website

Presentation of decisions / Headline

After completed search the results are presented in the following way:

No.	Court	Year	Case type	Case number	Judge	Date of decision	Result of case hearing	
			Civil, criminal or administrative		Name, last name and code			Link to decision file in DOC format

Formats

Case-law is available in the following format:

*.doc

Courts concerned

The following courts are represented in the database:

Supreme Court (Aukščiausiasis Teismas)
Court of Appeal (Apeliacinis teismas)
Vilnius district court (Vilniaus apygardos teismas)
Kaunas district court (Kauno apygardos teismas)
Klaipeda district court (Klaipėdos apygardos teismas)
Panevezys district court (Panevėžio apygardos teismas)
Siauliai district court (Šiaulių apygardos teismas)
The Supreme Administrative Court (Vyriausiasis administracinis teismas)
Vilnius regional administrative court (Vilniaus apygardos administracinis teismas)
Kaunas regional administrative court (Kauno apygardos administracinis teismas)
Klaipeda regional administrative court (Klaipėdos apygardos administracinis teismas)
Siauliai regional administrative court (Šiaulių apygardos administracinis teismas)
Panevezys regional administrative court (Panevėžio apygardos administracinis teismas)

Further proceedings

	Supreme Courts	Other courts
Is information available: as to appeals?	No	No
as to whether a case is still pending?	No	No
as to the result of appeals?	No	No
as to the irrevocability of the decision?	No	No
as to further proceedings before: another internal court (Constitutional Court…)? the European Court of Justice? the Court of Human Rights?	No	No

Publication rules

Courts' decisions are published according to Court Council's 2005 regulation No. 13P-378 (148 Kb) lt.

Full impersonalised decision is published.

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National case law - Luxembourg

This section contains information on the case-law of the Luxembourg courts.

Online database of case-law

Judgments are presented online by date or number.

Formats

Case-law is available in PDF format.

Courts concerned

The website of the Ministry of Justice has a section dedicated to the Constitutional Court where a list of the Court's decisions can be accessed.

The website of the Administrative Court (*Cour administrative*) and Tribunal (*Tribunal administratif*) of Luxembourg also contains a database of the decisions of these two courts.

Judgments of the Constitutional Court, the Court of Cassation (*Cour de Cassation)* and the Administrative Courts (rendered anonymous) can be consulted on the website of the judicial administration.

Other procedures

Information is also available on:

appeals;
the status of a case (e.g. ongoing);
the results of appeals;
the irrevocability of judgments;
other proceedings before the Constitutional Court and the Administrative Courts.

The case-law of the Supreme Court (*Cour Supérieure de Justice*), the Constitutional Court and the Administrative Court and Tribunal is published on Luxembourg's Justice Portal and on the website of the administrative courts.

Publication rules

Constitutional cases must be published in the Official Journal («Mémorial»).

Related links

Administrative courts

Ministry of Justice

Luxembourg's Justice Portal

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Puslapį jūsų pasirinkta kalba šiuo metu rengia mūsų vertėjai.

Jis jau išverstas į šias kalbas: hu.

National case law - Hungary

This section provides an overview of Hungarian case-law as well as a description of and links to case law databases.

Case-law published on Internet websites

Act CLXI of 2011 on the organisation and administration of courts provides that from 1 January 2012 the Curia (Hungary's supreme court), the five regional courts of appeal and the administrative and labour courts (the latter only where an administrative decision under review in an administrative case was issued in first-instance proceedings, and the court's decision is not subject to ordinary appeal) are required to publish the decision on the merits of the case in digital form in the collection of Hungarian court decisions (Bírósági Határozatok Gyűjtemény). At present, the collection of Hungarian court decisions is accessible on the website of the register of anonymous decisions (Anonim Határozatok Tára - link: http://birosag.hu/ugyfelkapcsolati-portal/anonim-hatarozatok-tara). (In the past, the Supreme Court and the five regional courts of appeal were required under Act XC of 2005 on the freedom of electronic information to publish all their decisions on merit from 1 July 2007.)

Decisions given in the following proceedings are an exception, and therefore do not have to be published in the collection of court decisions:

court decisions given in order-for-payment, enforcement, company-court, bankruptcy and winding-up proceedings, as well as proceedings involving registers kept by the court;

decisions given in matrimonial proceedings, proceedings aimed at determining paternity and origin, proceedings on the termination of parental responsibility as well as guardianship proceedings may not be published if either party so requests;

decisions given in proceedings involving alleged sex offences may not be published without the victim's consent.

Moreover, the Curia is required to publish judicial uniformity decisions (link: https://kuria-birosag.hu/hu/jogegysegi-hatarozatok), judicial judgments of principle (link: http://www.kuria-birosag.hu/hu/elvi-birosagi-hatarozatok) and judicial decisions of principle (http://www.kuria-birosag.hu/hu/elvi-birosagi-dontesek). These are also available on the website of the register of anonymous decisions (link: http://birosag.hu/ugyfelkapcsolati-portal/anonim-hatarozatok-tara).

The decision and the name of the president of the court that gave the decision must be published in the collection of court decisions within 30 days of the decision being recorded in writing.

The description of the published decision must include the name of the court and of the legislative area, the year in which the decision was given, the reference number, as well as the provisions on the basis of which the decision was given by the court.

As a rule, all the parties' personal data must be deleted from the decisions ('anonymous decision'), and the parties must be identified according to the role played by them in the proceedings.

Presentation of decisions / Titles

There are no specific titles, because the search engine gives all relevant data of the results. In the results list, there is an identification number referring to data that is also highlighted in the results list (court, type of procedure).

(The detailed rules for indicating decisions published in the collection of court decisions are laid down in Decree No 29/2007 of 31 May 2007 of the Minister for Justice and Law Enforcement.)

Formats

Case-law is available in .rtf format.

Courts concerned

The Curia and regional courts of appeal are required to publish all decisions on merit. All decisions of lower courts directly connected to these decisions are also to be published.

Administrative and labour courts are required to publish their decisions on merit only where they were issued in first-instance administrative proceedings, and the court's decision is not subject to ordinary appeal.

Furthermore, the presidents of the courts can decide whether they intend to publish other decisions on merit.

Central website: Court.

Further proceedings

	Curia	Other courts
Is information available as to appeals?	No	No
whether a case is still in progress?	No	No
the result of appeals?	No	No
the irrevocability of the decision?	Yes	Yes
further proceedings before another Hungarian court (Constitutional Court…)? the European Court of Justice? the Court of Human Rights?	No No No	No No No

Publication rules

	at national level?	at court level?

Are there binding rules for the publication of case-law?	Yes	Yes

	Curia	**Other courts**
Is all case-law published or only a selection?	All case-law	Only a selection
If a selection is made what are the criteria applied?		The five courts of appeal publish all decisions on merit. All decisions of lower courts directly connected to these decisions are also to be published. Furthermore, the presidents of the courts can decide whether they intend to publish other decisions on merit. As of 1 July 2007.

Legal databases

Name and URL of the database

Hungarian courts portal

Is access to the database free of charge?

Yes, access to the database is **free of charge**.

Brief description of content

Since 1 July 2007 all decisions on merit of the Curia (known before 1 January 2012 as the Supreme Court) and the five regional courts of appeal, and since 1 January 2012 decisions on merit of the administrative and labour courts in administrative cases (where an administrative decision under review was issued in first-instance proceedings, and the court's decision is not subject to ordinary appeal).
All decisions of lower courts directly connected to these decisions.
Other decisions given by the court president.
All the parties' personal data must be deleted from the decisions, and the parties must be identified according to the role played by them in the proceedings. However, the following information must not be deleted:
the name of a body performing state or local governmental functions, or any other public functions laid down in legislation and - unless otherwise provided by law - the first name and surname or names (collectively known as 'name') and position of a person acting in that capacity, where the person in question was involved in the proceedings by virtue of his or her public function;
the name of the lawyer acting as authorised representative or defending counsel;
the name of the natural person losing the case as defendant, as well as the name and registered address of legal persons or bodies without legal personality, if the decision was given in proceedings in which there is a right by law to assert claims of public interest;
the name and registered address of business organisations or foundations, as well as the name of their representative;
data accessible on grounds of public interest.

Related links

Search in the collection of Hungarian court decisions

Last update: 06/04/2017

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National case law - Malta

This page provides you with information on Maltese case law.

Case-law

Presentation of decisions / Headline

Although keywords do not feature as a headline in the case law, there is a function in the national judgments application (part of the Legal Case Management system used at the Courts of Justice) whereby certain judgments deemed to be of interest are indexed. For example, a set of keywords together with a summary of the judgment is linked to the record.
One specific template is used for all court decisions, comprising the national coat of arms, court, judiciary name, sitting date, case reference number, litigants involved in the case (A vs B) followed by the actual text of the court judgment. The font, header and footer are also set within the template.

Formats

Case law is available in PDF format.

Further proceedings

	Supreme Courts	Other courts
Is information available: as to appeals?	 Yes	 Yes
as to whether a case is still pending?	Yes	Yes
as to the result of appeals?	Yes	Yes
as to the irrevocability of the decision?	Yes	Yes
as to further proceedings before - another internal court (Constitutional Court…)? - the European Court of Justice? - the Court of Human Rights?	- - Yes No No	- - Yes No No

Publication rules

	on the national level?	on the level of courts?
Are there binding rules for the publication of case law	Yes	Yes

Current rules state that the judgment has to be made public without indicating through which medium.
Full case law is published in Malta.
All Family Court judgments are anonymised. Moreover, if the presiding judge orders the non-publication of the name of anyone of the litigants involved or accused, the judgment in this case is also anonymised.
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National case law - Netherlands

Case law made available on a website

Since 9 December 1999, the case-law of district courts (*rechtbanken*), courts of appeal (*gerechtshoven*), the Supreme Court of the Netherlands (*Hoge Raad der Nederlanden*), the Administrative Jurisdiction Division of the Council of State (*Afdeling Bestuursrechtspraak van de Raad van State*), the Central Appeals Tribunal (*Centrale Raad van Beroep*) and the Trade and Industry Appeals Tribunal (*College van Beroep voor het bedrijfsleven*) has been published online. Judgments can be searched in the case-law database at rechtspraak.nl by text, case number, date of judgment or publication, judicial authority, (sub-) jurisdiction, ECLI or publication reference.

Presentation of decisions/Headlines

The headline is called an 'indication of content', and may consist of a head note (one sentence), a short or long summary, some keywords, a paragraph summarising the law the case is about, or a literal citation of the most important dictum of the decision.

Example of headlines

Law applicable to renting: cancellation of the rental contract of an office space (*Huurrecht; ontbinding van huurovereenkomst kantoorruimte (81 RO)*).

Formats

Judgments are published on rechtspraak.nl in HTML format. Information is also available in RDF for professional (re-)users.

Courts concerned

Judgments of all courts can be found on the website via Search judgments. These are:
Supreme Court of the Netherlands
Administrative Jurisdiction Division of the Council of State
Central Appeals Tribunal
Trade and Industry Appeals Tribunal
Four courts of appeal
Eleven district courts

Further proceedings

	Higher courts	Other courts
Is there information available:		
– on appeals?	Yes	Yes
– on whether a case is still pending?	No	No
– on the result of appeals?	Yes	Yes
– on the irrevocability of the decision?	No	No
– on further proceedings before:	Yes	Yes
– another domestic court (Constitutional Court,…)?	No	No
– the European Court of Justice?	No	No
– the Court of Human Rights?		

Publication rules

The courts have developed two sets of guidelines on the publication of case law. One deals with **anonymisation** (removing personal details), while the other deals with **selection**.

Anonymisation guidelines rechtspraak.nl

The anonymisation guidelines require published judgments to be anonymised. This means that judgments should not contain information on any persons not professionally involved in a case.
This set of guidelines is based on recommendation R (95) 11 'Concerning the selection, processing, presentation and archiving of court decisions in legal information retrieval systems' of the Council of Europe: the **highest jurisdictions** publish all cases, unless they are clearly not of legal or societal interest, while **other** courts publish only those cases that are of clear legal or societal interest. The Dutch guidelines go into further detail as regards these concepts.
Last update: 27/03/2023
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National case law - Austria

This section provides an overview of Austrian case law and the relevant legal databases.

Online case law databases

Judgments made by Austrian courts are published in the legal information system of the Republic of Austria and can be found at http://www.ris.bka.gv.at/.
Judgments by the highest courts and the administrative courts are published in full; those of the other courts are published only in some individual cases.
The legal information system (*Rechtsinformationssystem – RIS*) is an electronic database operated by the Austrian Federal Chancellery. Its main purpose is to announce legislation published in the Austrian federal law gazette (*Bundesgesetzblatt*) and provide information about the law in the Federal Republic of Austria.
The RIS offers good web accessibility (WAI-AA in accordance with WCAG 2.0).

Presentation of decisions / headlines

	Supreme courts	Other courts
Case law presented with headlines	Yes	Partially

Examples of headline/s:
Serial number RS0127077
Reference number 11 Os 87/11w
Date of judgment 25.8.2011
Text of the headline
Generally a headline is composed of the following elements: number of the division: 11, procedure type reference: Os, running number: 87, and year: 11. Then the date of judgment is added: 25.8.2011.
European Case Law Identifier (ECLI)
The European Case Law Identifier (ECLI) can be found under this heading. It is a unique identifier for court judgments within the EU Member States.
Formats
Judgments are available in the following formats: XML, RTF, PDF and HTML.
Courts and other institutions concerned
Supreme courts
Supreme Court (*Oberster Gerichtshof*)
Constitutional Court (*Verfassungsgerichtshof*)
Administrative Court (*Verwaltungsgerichtshof*)
Courts and other institutions
Higher regional courts (*Oberlandesgerichte*) and other courts (civil and criminal cases)
Federal Administrative Court (*Bundesverwaltungsgericht*)
Regional Administrative Courts (*Landesverwaltungsgerichte*)
Federal Finance Court (*Bundesfinanzgericht*, external)
Data Protection Authority (*Datenschutzbehörde*) (prior to 2014: Data Protection Commission (*Datenschutzkommission*))
Disciplinary Commissions (*Disziplinarkommissionen*), Supreme Disciplinary Commission (*Disziplinaroberkommission*), Appeals Tribunal (*Berufungskommission*)
Supervisory Authority for Employee Representation (*Personalvertretungsaufsichtsbehörde*) (prior to 2014: Supervisory Commission for Employee Representation (*Personalvertretungs-Aufsichtskommission*)
Equal Treatment Commissions (*Gleichbehandlungskommissionen*) from 2014
Equal Treatment Commissions (*Gleichbehandlungskommissionen*) from 2008 (external)
Independent Administrative Tribunals (*unabhängige Verwaltungssenate*) – selected rulings from 1991 to 2013, then Regional Administrative Courts
Financial documentation, Independent Finance Tribunal (*unabhängiger Finanzsenat*) (external; rulings until 2013, then Federal Finance Court)
Independent Federal Asylum Tribunal (*unabhängiger Bundesasylsenat*) (selected rulings from 1998 to 2008)
Asylum Tribunal (*Asylgerichtshof*) (rulings from July 2008 to 2013, then Federal Administrative Court)
Environmental Tribunal (*Umweltsenat*) (selected rulings from 1994 to 2013, then Federal Administrative Court)
Federal Communications Board (*Bundeskommunikationsenat*) (selected rulings from 2001 to 2013, then Federal Administrative Court)
Public Procurement Review Authorities (selected decisions up to 2013, then Federal Administrative Court)
Note: Not all the answers below are applicable to all the above courts and tribunals
Further proceedings

	Supreme courts	Other courts
Is information available on: appeals?	 No	 No
whether a case is still pending?	No	No
the outcome of appeals?	No	Yes, providing the rulings by the highest courts are published
the irrevocability of the judgment?	Only irrevocable judgments are published.	Only irrevocable judgments are published.
Further proceedings before: another national court (Constitutional Court, etc.)? the European Court of Justice? the European Court of Human Rights? Special summaries of the Supreme Court's judgments indicate that proceedings before another national or international high court are pending.	Yes Yes Yes	No No No

Publication Rules

	At national level?	At the level of courts?
Are there binding rules for the publication of judgments?	Yes	Yes

Sections 15 and 15a of the Supreme Court Act (OGH Act), Section 48a of the Court Organisation Act (GOG), Section 23 of the Federal Finance Court Act (BFGG), Section 20 of the Federal Administrative Court Act (BVwGG)

	Supreme courts	Other courts
Are all judgments published or only a selection?	With few exceptions	Only a small selection in the case of the ordinary courts; extensively in the case of the administrative courts
If a selection is made, what criteria are applied?	Judgments are published in full together with a summary. Supreme Court judgments which reject an appeal without substantial reasoning are not published.	Judgments are published in full together with a summary. Judgments by other courts are published if their significance extends beyond the individual case.

Last update: 04/05/2023

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Puslapį jūsų pasirinkta kalba šiuo metu rengia mūsų vertėjai.

National case law - Poland

Case law made available on a website

Presentation of decisions / Headlines

	Supreme courts	Other courts
Case law presented with headlines	Constitutional Tribunal (Trybunał Konstytucyjny) Supreme Administrative Court (Naczelny Sąd Administracyjny) Supreme Court (Sąd Najwyższy) (the judgements of four chambers): Criminal Law Chamber, Civil Law Chamber, Labour Law, Social Security and Public Affaires Chamber Military Chamber	No

Example of headline/s

Constitutional Tribunal – Community's subvention in the activities of a non-public nursery school.

	Explanation
The ruling of 2008-12-18, number K 19/07	Type of decision (judgement/ decision/...), date and file reference number of case.
Community subvention in the activities of a non-public nursery school.	Headline
Z.U. 2008 / 10A / 182	Published in the official collection of the Constitutional Tribunal's jurisdiction, issued by the Office of Tribunal
Dz. U. 2008.235.1618 of 2008-12-30	Published in the official journal
	Links to the judgement in MS WORD and PDF formats

Supreme Administrative Court

	2009-04-07 Judgement is irrevocable
Date of receipt	2007-09-10
Name of the court	Supreme Administrative Court (Naczelny Sąd Administracyjny)
Names of judges	Janusz Zubrzycki Marek Kołaczek Tomasz Kolanowski
Symbol with a description:	6110 VAT
Key words:	Taxation procedure VAT
Other related cases:	I SA/Lu 454/05 - Wyrok WSA w Lublinie z 2007-05-09 I FZ 201/06 - Postanowienie NSA z 2006-07-17
Against:	Director of Fiscal Chamber
Content:	Appealed judgement has been annulled, and case has been transferred to the district administrative court for re-examination
Reference to the law:	Dz.U. 2005 nr 8 poz 60 art. 70 par. 1, art. 108 par. 2 pkt 2 lit a, art. 116 par. 1, art. 118 par. 1, art. 127, art. 151, art. 152, art. 187, art. 188, art. 191 Act of 29 August 1997 on taxation procedure (ustawa z dnia 29 sierpnia 1997 r. Ordynacja podatkowa) Dz.U. 2002 nr 153 poz 1270 art. 141 par. 4, art. 145 par. 1 pkt 1 lit. a, art. 151 Act of 30 August 2002 concerning the procedure of administrative courts (ustawa z dnia 30 sierpnia 2002 r. Prawo o postępowaniu przed sądami administracyjnymi) Dz.U. 1934 nr 93 poz 836 art. 1, art. 2, art. 4, art. 20. Regulation of President of Republic of Poland of 24 October 1934 on the composition of a proceeding (rozporządzenie Prezydenta Rzeczypospolitej z dnia 24 października 1934 r. Prawo o postępowaniu układowem).

Formats

Constitutional Tribunal (Trybunał Konstytucyjny)– DOC, PDF
Supreme Administrative Court (Naczelny Sąd Administracyjny) – HTML
Supreme Court (Sąd Najwyższy) – PDF

Further proceedings

	Supreme Courts	Other courts
– Is information available on appeal?	Yes, by a constitutional tribunal. All supreme court judgements are the result of an appeal.	Data not available
– Is the case still pending?	Yes, in the constitutional tribunal.	

	Supreme Court appeal will be made depending on contents of the judgement.	Data not available
– **The result of appeals?**	Yes	Data not available
– **Is the decision irrevocable?**	Yes, at the constitutional tribunal Yes, where the case was brought in the Supreme Administrative Court Decision will be made depending on contents of the judgement.	Data not available
Were there earlier proceedings before another internal court: – **Constitutional Court?** – **An external court:** – **European Court of Justice?** – **Court of Human Rights?**	No	Data not available

There are provincial administrative courts (first instance) as well as the Supreme Administrative Court (second instance) for which judgements are available on the website. There is also a link between the relevant judgements.

Publication rules

There are binding rules for the publication of case law in Poland. They apply to:

The Constitutional Tribunal (Trybunał Konstytucyjny), for which full case law is published

The Supreme Administrative Court (Naczelny Sąd Administracyjny) , for which full case law is published

The Supreme Court (Sąd Najwyższy), for which only selected case law is published

The publishing responsibilities of the **Supreme Court (Sąd Najwyższy)** are set out in Article 7 of the Act on the Supreme Court (23rd November 2002) (ustawa z dnia 23 listopada 2002 r. o Sądzie Najwyższym). According to the **book of instructions of the Supreme Court**, the press spokesperson and judge's assistants are in charge of the publication service.

Case law publication of the **Constitutional Tribunal (Trybunał Konstytucyjny)** is envisaged in Article 190 of the Polish Constitution.

A full version of a judgement is published on the website as soon as the judges have signed the justification.

Article 42 of the Act on the Organisation of Administrative Courts (Prawo o ustroju sądów administracyjnych) also imposes an obligation to publish on the **President of Supreme Administrative Court (Prezes Naczelnego Sądu Administracyjnego)**. More detailed rules are specified by the Ordinance of the President of the Supreme Administrative Court, with a requirement to establish a central database of judgements and Information in administrative court cases, and on providing access to these judgements on the website.

Last update: 10/12/2012

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Puslapį jūsų pasirinkta kalba šiuo metu rengia mūsų vertėjai.

Jis jau išverstas į šias kalbas: bg es cs da de et el fr hr it lv lt hu mt nl pl ro sk sl fi sv

National case law - Portugal

This page provides you with information on Portuguese case law.

In Portugal the right to information on the justice system is a fundamental right of citizens expressly provided for in Article 20(2) of Portugal's Constitution and implemented by Law No 34/2004 of 29 July 2004, as amended by Law No 47/2007 of 28 August 2007 establishing the rules for access to justice and to the courts.

According to Article 4 of this law, it is the duty of the government to take steps to make known the law and the legal system, the Ministry of Justice being responsible for providing legal information, either through publications or any other form of communication, with a view to ensuring a better exercise of rights and fulfilment of the obligations laid down in law.

Publicising judicial decisions is an international principle enshrined in both Article 10 of the Universal Declaration of Human Rights and Article 6 of the European Convention on Human Rights. This principle is laid down first in Article 206 of the Constitution (also in relation to court hearings) and in various laws governing different jurisdictions, namely:

Articles 167 and 656 of the Code of Civil Procedure

Articles 86(1), 87 and 321(3) of the Code of Civil Procedure

Articles 3 and 115 of the law governing the organization, functioning and procedure of the Constitutional Court.

Article 30 of the Code of Administrative Court Procedure

The Ministry manages a number of data bases of legal documents that can be found at http://www.dgsi.pt/. They are also published in the Official Gazette and available at https://dre.pt/:

Decisions and pronouncements of the Constitutional Court on the unconstitutionality or illegality of a law or on the unconstitutionality of an omission

Decisions of the Supreme Court of Justice and the Court of Auditors to harmonise case-law and the decisions of the Supreme Administrative Court that by law are generally binding

Decisions of other courts that are generally binding

Presentation of decisions/headings

The website http://www.dgsi.pt/provides access to a set of databases of precedents and to the bibliographic reference libraries of the Ministry of Justice. In visiting any of these bases you see the most recent documents entered and a navigation bar that give access to the various types of search allowed (free search by term, by field and by descriptor).

The entry page or results page shows documents by title, content and the following information:

Case Number

Date of case

Judge delivering opinion of the court
Descriptor
Example of headings
Decisions of the Supreme Court of Justice

DATE OF HEARING	CASE IDENTIFICATION	JUDGE DELIVERING OPINION OF THE COURT	DESCRIPTOR
25.3.2009	08S2592	BRAVO SERRA	END OF EMPLOYMENT CONTRACT

Formats
The full text of the judgment is available (subject to personal data protection rules) in html format.
Courts concerned
The data bases available at http://www.dgsi.pt/ contain case-law of the following courts/entities:
Supreme Court of Justice
Courts of Appeal (Coimbra, Évora, Lisbon, Porto and Guimarães)
Constitutional Court
Supreme Administrative Court
Central Administrative Courts (North and South)
Court of Conflicts of Jurisdiction
Opinions of the Public Prosecutor's Office
Justices of the Peace
Other proceedings
In Portugal, information is available on a number of cases, as shown in the table below.

Information is available about:	Supreme Courts	Other courts
Appeals?	Yes	Yes
Is a case is still pending?	No	No
Result of appeals?	Yes	Yes
Irrevocability of the decision?	No	No
Other cases		
before another Portuguese court (Constitutional Court, etc.)?	Yes	Yes
before the Court of Justice of the European Union?	Yes	Yes
before the Court of Human Rights?	Yes	Yes

Publication rules
At national level there are no binding rules on the publication of case-law. However, there are binding rules in Portugal concerning publication by courts.
Only selected case-law is published in Portugal. The criteria applied are importance and relevance.
Useful links
Data bases of legal documents
Last update: 29/01/2024
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Puslapį jūsų pasirinkta kalba šiuo metu rengia mūsų vertėjai.

National case law - Romania

This page provides an overview of case law in Romania.

Case law available online
Romanian case law is available on the website of the Supreme Court (High Court of Cassation and Justice).
Presentation of judgments / Headers
Two types of decision are published on the website of the High Court of Cassation and Justice:
1. **Summaries of judgments**, and their headers. The template contains the following information:
keywords;
summary of legal areas;
alphabetical index;
legislation applied in the judgment (number and year of the act, articles);
abstract of the judgment (personal data are not made available: names and personal details of the parties are not displayed and the names of the judges are not mentioned).
2. Anonymised judgments without headers (different from summaries of judgments). The search interface allows searches using seven different criteria:
individual keywords;
expression;
section;
number of the judgment;
year of the judgment;
number of the case;
year of the case.
Headers in the civil section
Below is an example of a header from the Civil section:
Withdrawal of trademark rights. Calculation of the period of five years of non-use of the trademark. Objection regarding the premature character of this action.
Table of contents by area: Civil law. Intellectual property law. Trademarks.

Alphabetical index: Withdrawal of trademark rights.
Time limit for withdrawal.
Premature withdrawal.
Act No 84/1998: Article 45(1)(a).

Headers in the criminal section

Below is a header from the Criminal section:
Jurisdiction of the High Court of Cassation and Justice. Jurisdiction based on the person's status. Jurisdiction in the event of a change in the defendant's status.
Table of contents by area: Procedural criminal law. General part. Jurisdiction. Jurisdiction based on the case matter and the person's status
Alphabetical index: Procedural criminal law.
Jurisdiction of the High Court of Cassation and Justice.
Jurisdiction in the event of a change in the defendant's status.
Code of Criminal Procedure, Article 29(1) and Article 40.

Headers on the Courts' Portal

Below is a header from the Romanian Courts' Portal:
Title: Provisional detention. Legal termination of the defendant's provisional detention.
Case type: Judgment
Case number: 55
Case date: 1/7/2004
Related area: Criminal and civil procedure (appeals, jurisdiction, etc.)
Institution (specific court): Alba Iulia Court of Appeal - Criminal section

Formats

Documents provided by the High Court of Cassation and Justice and other courts are available in html format.

Courts concerned

The courts concerned include the High Court of Cassation and Justice and ordinary courts.

Subsequent proceedings

	Supreme Courts	Other courts
Is there information available as to: appeals?	-	Yes
pending cases?	-	Yes
outcomes of appeals?	-	Indirectly Requires a search for the case specifying the type of trial stage as being 'appeal'.
the irrevocable character of the judgment?	Is there information available as to: the irrevocable character of judgments of the High Court of Cassation and Justice?	Yes
subsequent proceedings before: other national courts (Constitutional Court, etc.)? the Court of Justice of the European Union? the European Court of Human Rights?	-	Yes

In the case of ordinary courts, there is case information available on the Courts' Portal, referring to cases (files): procedural stage (substantive, appeal, etc.), parties, hearings, lodged appeals and published summons (this is a newly-added functionality). A case can be accessed by using the general search engine on the Courts' Portal (this is a newly-added functionality). The published summaries of judgments may include information regarding the irrevocable character of the judgment and subsequent proceedings before other national courts (Constitutional Court).

Publication rules

High Court of Cassation and Justice

Given the significance and specific nature of the cases and the corresponding judgments, only a selection of the case law of the Romanian High Court of Cassation and Justice is published.
The publications of the High Court of Cassation and Justice are updated on a monthly basis and are available from 2002 onwards.

Other Romanian courts

In the case of other Romanian courts, only a selection of judgments is published, depending on the significance and unique nature of the cases concerned. The selection takes place at each individual court.
The publications of other Romanian courts are updated on a monthly basis and are available from 2004 onwards.

Last update: 04/11/2013

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Puslapį jūsų pasirinkta kalba šiuo metu rengia mūsų vertėjai.
Jis jau išverstas į šias kalbas: sl.

National case law - Slovenia

This section provides you with information on Slovenian case law.

Case law available online

Presentation of decisions / Headlines

The full text of judgments of the Supreme Court of the Republic of Slovenia, all four higher courts of general jurisdiction, the Higher Labour and Social Court and the Administrative Court of the Republic of Slovenia are available free-of-charge on the website of the Slovenian judiciary. The names of parties are not given, as the judgments are redacted before publication. As well as the original text and keywords, detailed information is provided on the legal basis for a decision and a summary of the judgment. Keywords are given to help the user identify the applicable legal concepts and the area of law to which a judgment relates. The summary contains the main points of the grounds for the court's judgment in 10 to 100 words.

A selection of the most important decisions of the Supreme Court is also available in English at Supreme Court Key Decisions.

Judgments are also available that relate to financial compensation for non-material (non-pecuniary) damage awarded in civil disputes via the special search engine, which helps the user to search for similar case law by damage type and by date.

A new test version of the upgraded case-law search engine is available at https://www.sodnapraksa.si/

After 8 February 2013 this will be available at http://www.sodnapraksa.si/.

All the published decisions of the Constitutional Court of the Republic of Slovenia are available on the court's website. The text of majority and separate (dissenting and concurring) opinions is given in full and free-of-charge, together with keywords, detailed information on the legal basis for the decision, and a summary. Selected important decisions have also been translated into English. All important majority decisions of the Constitutional Court (excluding separate opinions) are also available in Slovenian in the Official Gazette of the Republic of Slovenia.

Example of headlines

Example 1: Decision of the Supreme Court of the Republic of Slovenia

(translation from the Slovenian text)

Document No VS1011121

Reference number: Decision I Up 44/2009

Panel: Administrative law

Date of session: 12 March 2009

Domain: VISA, ASYLUM AND IMMIGRATION LAW – (General Administrative Procedure Act – ZUP)

Legal concepts: asylum – hearing – international protection – repeat application – minor asylum seeker – procedural capacity to act of a minor

Legal basis: International Protection Act (ZMZ): Articles 42, 42/2, 42/3, 56, 119; General Administrative Procedure Act (ZUP): Articles 46, 237, 237/1-3; Marriage and Family Relations Act (ZZZDR): Articles 107, 108; Civil Procedure Act (ZPP): Article 409; Administrative Disputes Act (ZUS-1): Articles 27, 27/3, 64, 64/1-3, 77.

Summary: A child under the age of 15 does not have capacity to act in legal proceedings, so the administrative body has not breached procedural rules if it does not offer a child the opportunity to make a statement on the facts and circumstances on which the administrative decision is based.

EXAMPLE 2: Decision of the Constitutional Court of the Republic of Slovenia, reference No: U-I-425/06

(available in English)

Note: Some data from the Slovenian version is sometimes omitted from the English version of a published document, but at least the summary of the judgment is always retained.

Legal act: Act on the Registration of Same-Sex Partnerships (Official Gazette of the Republic of Slovenia, No 65/05) (ZRIPS), Article 22.

Operative provisions: Article 22 of the Act on the Registration of Same-Sex Partnerships (OGRS, No 65/05) (ZRIPS) is unconstitutional. The National Assembly must remedy this inconsistency within six months of the decision being published in the Official Gazette of the Republic of Slovenia. Until the unconstitutional provision on inheritance between partners in a registered same-sex partnership is remedied, the same rules apply as apply to inheritance between spouses pursuant to the Inheritance Act (Official Gazette of the Socialist Republic of Slovenia, Nos 15/76 and 23/78 and Official Gazette of the Republic of Slovenia, No 67/01).

Summary: In terms of the right of inheritance following the death of a partner, the status of partners in registered same-sex partnerships (Article 22 of the Act on the Registration of Same-Sex Partnerships) is comparable to the status of spouses in the essential elements of law and fact. Differences in the regulation of inheritance between spouses and partners in a registered same-sex partnership are not based on objective, non-personal distinguishing circumstances, but on sexual orientation. Sexual orientation is one of the personal circumstances referred to in Article 14(1) of the Constitution. Since there is no constitutionally permissible reason for the differentiation, the challenged regulation is not consistent with Article 14(1) of the Constitution.

Descriptors: 1.5.51.1.15.1 – Constitutional justice – Decisions – Type of Constitutional Court decision – Theoretical review procedure – Finding that a regulation is not consistent with the Constitution. 1.5.51.1.16 – Constitutional justice – Decisions – Type of Constitutional Court decision – Theoretical review procedure – Call on the legislator to harmonise a regulation with the Constitution/law. 5.2.2.1 – Fundamental rights – Equality (14.2) – Criteria for differentiation (14.1) – Sex.

Legal basis: Constitution of the Republic of Slovenia (URS): Articles 14.1, 14.2; Convention on the Protection of Human Rights and Fundamental Freedoms (EKČP): Article 14; Constitutional Court Act (ZUstS): Articles 40.2, 48.

Formats

The case law of the Supreme Court and other general and specialised courts is available in HTML format. The case law of the Constitutional Court of the Republic of Slovenia is always available in HTML format and sometimes also in PDF format.

Further proceedings

The information available on judgments does not include whether they are still pending, whether a decision is irrevocable, and whether there will be further proceedings.

However, the Constitutional Court website does offer basic information on pending cases such as the reference numbers and the date of application. A separate weekly work schedule is also posted – listing the cases that will be heard in the regular Thursday plenary session – on a weekly basis.

Publication rules

The courts select appropriate case law for publication. The main criterion is the level of a case's importance to the development of case law in the lower courts. Judgments and decisions of interest to the general media are usually published together with a press release.

Related links

Constitutional Court case law, case law

Last update: 05/12/2016

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Dėmesio! Šiame puslapyje originalo kalba (sk) neseniai atlikta pakeitimų.
Puslapį jūsų pasirinkta kalba šiuo metu rengia mūsų vertėjai.

National case law - Slovakia

This page provides you with information on Slovakia's case law.

Case-law available online

Ordinary courts' case law

Case law of all courts of the Slovak justice system can be accessed, in Slovak language, from the online legal database JASPI.

The Supreme Court's case law

The Supreme Court's case law can be accessed, in Slovak language, from the website of the Supreme Court.

Formats

Ordinary courts' case-law is available in html format whereas the Supreme Court's case law is available in pdf format.

Further proceedings

Information is available:
the outcome of appeals
the irrevocability of the decision

Publication rules

Court judgments in Slovakia **do not have general legally binding force**. They are not a source of law. However, judgments made by the courts respect rulings of the Slovak Supreme Court, which, de facto, are sources of law.

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National case law - Finland

This page provides you with an overview of Finland's case law.

Case law made available on a website

Presentation of decisions / Headline

For Supreme Courts and most other courts, keywords and headline are shown together with dates, registration number.

Example of headline/s

Finnish Supreme Court

keyword	Employment contract - Transfer of undertaking - EU law - Impact of interpretation of the directive Registration number: S2006/340 Date of presentation: 29.1.2009 Date of judgment: 23.4.2009 File: 835
brief summary	Case concerns the right of an employee who has resigned during the transfer of an undertaking to receive compensation from the transferee, on the basis of Section 6 of Chapter 7 of the Employment Contracts Act, taking into account the paragraph 2 of article 4 in the Directive of the EU Council 2001/23/EC.
legislation	Employment Contracts Act 55/2001, Chapter 7 Section 6 EU Council Directive 2001/23/EC on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses, Article 4 Paragraph 2

The above table shows the information available on Supreme Court judgements. The keywords section includes the keywords and the date of the judgement; the brief summary describes the key content of the judgement, and the references to legislation contain information on relevant national and EU legislation.

Formats

Case law in Finland is available in HTML format.

Further proceedings

Information is available on further proceedings in the following courts:
General information on appeals is available from the Supreme Court and other courts
Information on cases pending is available from both the Supreme Court and other courts
The results of appeals are available from the Supreme Court and other courts
Information about the irrevocability of a decision is available from the Supreme Court and other courts
Information before another court (such as the Constitutional Court) is not available from the Supreme Court or other courts
Information about further proceedings before the European Court of Justice is available from the Supreme Court but not from other courts.

Publication rules

There are binding rules for the publication of case law at the national level and at the level of courts.
Full case law is published by the Supreme Courts and special courts. In other courts, only a selection of the case law is published, depending on the importance of the case, the implementation of new or changes to legislation, and the need to harmonise implementation.

Last update: 05/11/2020

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National case law - Sweden

This section provides you with an overview of the Swedish case law, as well as a description of relevant case-law databases.

Case law made available on a website

Presentation of decisions / Headline

	Supreme courts	Other courts
Case law presented with headlines	Yes	Yes

The headlines are in the form of a sentence, or a few sentences, describing the core of the case.

Example of headline/s

“Question concerning the buyers of a property return; errors of the property within a reasonable time after they noticed or should have noticed the error.”

Formats

Case law is available in HTML format.

Further proceedings

	Supreme Courts	Other courts
Is information available		
as to appeals?	No	No
as to whether a case is still pending?	No	No
as to the result of appeals?	No	No
as to the irrevocability of the decision?	No	No
as to further proceedings before another internal court (Constitutional Court…)? the European Court of Justice? the Court of Human Rights?	No	No

The system contains only judgements which have entered into legal force.

Publication rules

	on the national level?	on the level of courts?
Are there binding rules for the publication of case law	Yes	Yes

There is a governmental ordinance regulating, among other things, how to publish personal data on the case law database.

	Supreme Courts	Other courts
Is full case law published or only a selection?	only a selection	only a selection

The same ordinance also states that the court itself decides which decisions should be recognised as guiding and published in the database.

	Supreme Courts	Other courts
Are court decisions made available on the web anonymised?	Yes	Yes
If yes, all decisions?	Yes	Yes

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National case law - England and Wales

This section provides you with a description of UK case law, focusing on the jurisdiction of England and Wales. The description concentrates on case law from databases that are freely available to the public.

Case-law available in England and Wales

Much of the case law from courts in the England and Wales jurisdiction of the UK is accessible to the public.

All Supreme Court cases and all substantive Civil Court of Appeal judgments are reported. All Administrative Court judgments, and a selection of High Court judgments that are of particular legal or public interest, are published. Judgments of the criminal division of the Court of Appeal are published if they are of legal or public interest. Decisions from family and some criminal cases may be anonymised. Decisions of the First-tier Tribunal and the Upper Tribunal are published when they are of legal or public interest.

Once a judgment is given, it is usually published between 24 hours and 2 weeks afterwards. If the judgment is given in writing, it is usually published on the same day.

Legal databases

House of Lords judgements: archive. The House of Lords was the UK's highest Court of Appeal until 30 July 2009. All judgments of the Law Lords from 14 November 1996 to 30 July 2009 are available on the Parliament website.

Parliamentary Archives. Access to House of Lords judgments prior to 1996 can be arranged through the Parliamentary Archives. The Archives holds appeal cases and other records of the House of Lords acting in its judicial capacity, dating from 1621

Supreme Court website. From 1 October 2009, the Supreme Court of the United Kingdom assumed jurisdiction on points of law for all civil law cases in the UK and all criminal cases in England and Wales and Northern Ireland. All judgments are available from the Supreme Court website.

The Incorporated Council of Law Reporting (ICLR) is a legal charity that was set up in 1865. They publish law reports of the judicial decisions of the Superior and Appellate Courts in England and Wales. Most of their products are only provided by subscription but they do also produce a free Case Search facility.

BAILII, the British and Irish Legal Information Institute provides free online access to a very comprehensive set of British and Irish primary legal materials including case law. The search facility allows users to search s for cases in specific courts or across multiple jurisdictions.

Through the Open Law Project, BAILII is also identifying leading cases from the past and making these freely and openly available on the internet to support legal education.

BAILII has recently collaborated with ICLR and now provides links to the ICLR summaries of judgments (where one exits) with an option to purchase the authorised case report from ICLR in PDF format.

The following **collections** are available through the BAILLI website:

England and Wales Court of Appeal (Civil Division) Decisions
England and Wales Court of Appeal (Criminal Division) Decisions
England and Wales High Court (Administrative Court) Decisions
England and Wales High Court (Admiralty Division) Decisions
England and Wales High Court (Chancery Division) Decisions
England and Wales High Court (Commercial Court) Decisions
England and Wales High Court (Court of Protection) Decisions
England and Wales High Court (Senior Court Costs Office) Decisions
England and Wales High Court (Exchequer Court) Decisions
England and Wales High Court (Family Division) Decisions
England and Wales High Court (King's Bench Division) Decisions
England and Wales High Court (Mercantile Court) Decisions
England and Wales High Court (Patents Court) Decisions
England and Wales High Court (Queen's Bench Division) Decisions
England and Wales High Court (Technology and Construction Court) Decisions
England and Wales Patents County Court Decisions,
Intellectual Property Enterprise Court decisions (from 2013)
England and Wales Magistrates' Court (Family)
England and Wales County Court (Family)

The English Reports (1220 to 1873) are available on CommonLII

Tribunals

England and Wales Care Standards Tribunal Decisions
England and Wales Lands Tribunal

BAILLII also contains details of decisions from various United Kingdom tribunals:

Upper Tribunal (Administrative Appeals Chamber)
Upper Tribunal (Tax and Chancery Chamber)
Upper Tribunal (Immigration and Asylum Chamber)
Upper Tribunal (Lands Chamber)
First-tier Tribunal (General Regulatory Chamber)
First-tier Tribunal (Health Education and Social Care Chamber)
First-tier Tribunal (Tax)
United Kingdom Competition Appeals Tribunal
Nominet UK Dispute Resolution Service
Special Immigrations Appeals Commission
United Kingdom Employment Appeal Tribunal
United Kingdom Financial Services and Markets Tribunals Decisions
United Kingdom Asylum and Immigration Tribunal
United Kingdom Information Tribunal including the National Security Appeals Panel
United Kingdom Special Commissioners of Income Tax Decisions
UK Social Security and Child Support Commissioners' Decisions
United Kingdom VAT & Duties Tribunals Decisions
United Kingdom VAT & Duties Tribunals (Customs) Decisions
United Kingdom VAT & Duties Tribunals (Excise) Decisions
United Kingdom VAT & Duties Tribunals (Insurance Premium Tax) Decisions
United Kingdom VAT & Duties Tribunals (Landfill Tax) Decisions

Related Links

BAILLII House of Lords Supreme Court website ICLR

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National case law - Northern Ireland

This section provides you with a description of UK case law, focusing on the Northern Ireland jurisdiction. The description concentrates on the case law that is available in databases that are accessible to the public.

Case-law available in Northern Ireland

Much of the case law from courts in the Northern Ireland jurisdiction of the UK is available to the public.

Case law is published for the Crown Court, High Court, the Court of Appeal and the Supreme Court of the United Kingdom.

Decisions from family and some criminal cases may be anonymous.
Case law has been **published since 1999** in Northern Ireland. Once a judgment is given, case law is usually published between 24 hours or 2 weeks afterwards.

Legal databases

https://www.judiciary-ni.gov.uk has published the judgments of **the Crown Court, High Court and the Court of Appeal on its website since 1999**. Access to these judgments is **free of charge**.
Judgments are available from the Appellate Committee of the House of Lords from 14 November 1996 to 30 July 2009. In October 2009 the Supreme Court replaced the Appellate Committee of the House of Lords and its Judgments are available on the Supreme Court website. Access to these judgments is free of charge.
There are a number of national legal repositories and legal databases available.
The 'Bailii' (British and Irish Legal Information Institute) database contains decisions from the Crown Court , High Court Chancery Division, High Court Family Decision, High Court Queen's Bench, High Court Master's Decisions, Court of Appeal since November 1998, the House of Lords since 1838, and the judgments of the Supreme Court since October 2009. Access to these judgments is free of charge.
The Bailii website also contains details of decisions from **various United Kingdom tribunals**:
Upper Tribunal (Administrative Appeals Chamber)
Upper Tribunal (Finance and Tax)
Upper Tribunal (Lands Chamber)
First-tier Tribunal (Health Education and Social Care Chamber)
First-tier Tribunal (Tax)
United Kingdom Competition Appeals Tribunal
Nominet UK Dispute Resolution Service
Special Immigrations Appeals Commission
United Kingdom Employment Appeal Tribunal
United Kingdom Financial Services and Markets Tribunals Decisions
United Kingdom Asylum and Immigration Tribunal
United Kingdom Information Tribunal including the National Security Appeals Panel
United Kingdom Special Commissioners of Income Tax Decisions
UK Social Security and Child Support Commissioners' Decisions
United Kingdom VAT & Duties Tribunals Decisions
1. United Kingdom VAT & Duties Tribunals (Customs) Decisions
2. United Kingdom VAT & Duties Tribunals (Excise) Decisions
3. United Kingdom VAT & Duties Tribunals (Insurance Premium Tax) Decisions
4. United Kingdom VAT & Duties Tribunals (Landfill Tax) Decisions

Related Links

Bailii
House of Lords
Bailii website
House of Lords
Supreme Court website
Northern Ireland Courts and Tribunals Service

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National case law - Scotland

This section provides you with a description of UK case law, focusing on the Scotland jurisdiction. The description concentrates on the case law that is available in databases that are accessible to the public.

Case law available in Scotland

Much of the case law from courts in the Scottish jurisdiction of the UK is available to the public.

Civil courts

Case law is published for the **Court of Session and the Appellate Committee of the House of Lords,** which will be replaced on 1 October 2009 by the new Supreme Court of the United Kingdom. Judgments of particular interest from the Sheriff Courts are also published.

Criminal courts

Only judgments of significant points of law are published for the **Sheriff Courts and the High Court of Justiciary,** which is the Supreme Criminal Court for Scotland.
Decisions from family and some criminal cases may be made anonymous.
Case law has been published since 1998. Once a judgement is given, case law is usually published between 24 hours and 2 weeks later.

Legal databases

The Scottish Courts and Tribunals Service has published **judgments of the Sheriff Courts, Court of Session and the High Court of Justiciary** on its website since September 1998. Two separate searches are available covering the Court of Session and the High Court of Justiciary and the Sheriff Courts. Access to these judgments is **free of charge**.
Judgments are available from the **Appellate Committee of the House of Lords** from 14th November 1996 to 30 July 2009. Access to these judgments is **free of charge**. In October 2009 the Supreme Court replaced the Appellate Committee of the House of Lords and its judgments are available on the Supreme Court website . Access to these judgments is **free of charge**.
There are also a number of national legal repositories and legal databases available.
The 'Bailii' (**British and Irish Legal Information Institute**) database contains a collection of the decisions from the Court of Session since 1879, the High Court of Justiciary since 1914, the Sheriff Court since 1998 and the House of Lords since 1838. Access to these judgments is **free of charge**.

Decisions from the following Scottish Tribunals are available by following the links on the 'About Scottish Tribunals' page of the Scottish Courts and Tribunals Service website below:
The Additional Support Needs Tribunal for Scotland
The First Tier Tribunal Housing and Property Chamber
The Lands Tribunal for Scotland
The Mental Health Tribunal for Scotland
The Scottish Charity Appeals Panel
The Tax Tribunals for Scotland
Scottish Courts and Tribunals Service
Decisions from the NHS Tribunal and National Appeals Panel are available on their individual websites:
NHS Tribunal
NHS Appeal Panel
The Bailii website also contains details of **decisions from various United Kingdom tribunals**:
Upper Tribunal (Administrative Appeals Chamber)
Upper Tribunal (Tax and Chancery Chamber)
Upper Tribunal (Immigration and Asylum Chamber)
Upper Tribunal (Lands Chamber)
First-tier Tribunal (General Regulatory Chamber)
First-tier Tribunal (Health Education and Social Care Chamber)
First-tier Tribunal (Tax)
United Kingdom Competition Appeals Tribunal
Nominet UK Dispute Resolution Service
Special Immigrations Appeals Commission
United Kingdom Employment Appeal Tribunal
United Kingdom Financial Services and Markets Tribunals Decisions
United Kingdom Asylum and Immigration Tribunal
United Kingdom Information Tribunal including the National Security Appeals Panel
United Kingdom Special Commissioners of Income Tax Decisions
UK Social Security and Child Support Commissioners' Decisions
United Kingdom VAT & Duties Tribunals Decisions
United Kingdom VAT & Duties Tribunals (Customs) Decisions
United Kingdom VAT & Duties Tribunals (Excise) Decisions
United Kingdom VAT & Duties Tribunals (Insurance Premium Tax) Decisions
United Kingdom VAT & Duties Tribunals (Landfill Tax) Decisions

Related Links

Bailii
House of Lords
Bailii website
Supreme Court website
House of Lords
Scottish Court and Tribunals Service
Court of Session and the High Court of Justiciary
Sheriff Courts

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