Prelucrarea automată

Informații privind situația actuală a acceptării mijloacelor de comunicare electronice de către instanțele naționale.

În ultimii ani, tot mai multe state membre au introdus modificări în legislație prin care se permite utilizarea tehnologiilor moderne de comunicare și de informare în cadrul procedurilor judiciare civile. Aceste schimbări permit comunicarea dintre autoritățile judiciare și părțile implicate în proceduri prin intermediul unor mijloace noi, cum ar fi internetul.

În unele cazuri, procedurile pot fi inițiate în urma unei cereri electronice pe care reclamantul o trimite online instanței; în alte cazuri, instanțele pot notifica sau comunica părților acte judiciare în format electronic; iar în alte cazuri, toate comunicările sunt efectuate pe cale electronică. Există unele state membre în care utilizarea internetului în scopuri de comunicare este acceptată în aproape toate tipurile de proceduri civile, în timp ce în alte state aceasta este limitată la anumite tipuri speciale de proceduri.

Utilizarea tehnologiilor moderne de comunicare în proceduri civile nu trebuie să pună în pericol drepturile fundamentale ale părților. Accesul la justiție nu poate fi împiedicat de faptul că părțile nu dispun de anumite mijloace tehnice de comunicare. În plus, legislația națională ar trebui să garanteze că procesul de comunicare prin intermediul internetului nu pune în pericol protecția adecvată a datelor sensibile utilizate în cursul procedurilor.

Pentru informaţii detaliate de la nivel naţional, selectaţi drapelul ţării care vă interesează.

Ultima actualizare: 30/05/2023

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

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

This issue is covered by the 'Phenix laws', more specifically:

the Law of 10 July 2006 on legal proceedings conducted by electronic means (*loi relative à la procédure par voie électronique*) (Belgian Official Gazette of 7 September 2006);

the Law of 5 August 2006 amending certain provisions of the Judicial Code for legal proceedings conducted by electronic means (*loi modifiant certaines dispositions du Code judiciaire en vue de la procédure par voie électronique*) (Belgian Official Gazette of 7 September 2006).

The Phenix laws owe their name to the IT project of the same name that aims to provide computer access to all the courts in Belgium so that the entire legal process can be conducted electronically in due course.

Since 31 December 2012, two laws have gradually come into force in addition to the Phenix laws referred to above. These are:

the Law of 31 December 2012 laying down various provisions, particularly in the area of justice (*loi portant dispositions diverses, spécialement en matière de justice*);

the Law of 31 December 2012 laying down various provisions in the area of justice (*loi portant dispositions diverses en matière de justice*).

However, this gradual entry into force does not yet mean that legal proceedings can be carried out electronically, as these provisions are mainly those that could also be applied to written legal proceedings. 'Conventional' non-electronic legal proceedings therefore remain the rule for the time being.

In the meantime, court registries and public prosecution secretariats have been provided with a case-management IT application enabling them to process all documents and information electronically. Furthermore, numerous options are being studied to enable procedural documents and evidence to be submitted to court registries electronically.

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

Not applicable.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

Not applicable.

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

Not applicable.

5 How is transmission and storage of data secured?

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Not applicable.

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

Not applicable.

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

Not applicable.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Article 32 ter of the Judicial Code (*Code judiciaire*) provides that any notification or communication to or any filing with the courts and tribunals, public prosecution service or judicial services, including court registries and public prosecution secretariats, or any notification or communication to a lawyer, court officer or notary by the courts or tribunals, public prosecution service or judicial services, including court registries and public prosecution secretariats, or by a lawyer, court officer or notary can be carried out using the judicial IT system.

Based on this provision, the e-Box network has been set up for notifications or communications and for filings, and the e-Deposit system has been set up more specifically for filing conclusions, submissions and evidence in civil and criminal matters.

These tools can only be used in the courts listed in a ministerial order.

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

Not applicable.

14 Can judicial decisions be given electronically?

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

Last update: 25/01/2019

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

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

Bulgarian law does not provide for such an option. Applications are submitted in writing to a court registry and should be written in Bulgarian. Applications may be sent through the post but not by fax or email.

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

See the answer to Question 1.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

See the answer to Question 1.

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

See the answer to Question 1.

5 How is transmission and storage of data secured?

See the answer to Question 1.

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

See the answer to Question 1.

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

See the answer to Question 1.

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

See the answer to Question 1.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

See the answer to Question 1.

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

See the answer to Question 1.

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

See the answer to Question 1.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Under Bulgarian law, procedural actions by parties in civil and commercial cases are not considered valid if they are performed electronically and signed with an electronic signature. Parties bring a case before a court by means of an application written in Bulgarian and bearing their signatures. An application may be handed to the office of the clerk of the relevant court or addressed and sent to the court by post.

Article 184 of the Code of Civil Procedure (GPK) allows electronic documents as well as paper documents to be presented as evidence in civil and commercial cases. The electronic document may be presented to the court on paper. If contested by the opposing party, the document should be submitted on an electronic medium. In the absence of the equipment and staff needed to reproduce the electronic document in a court hearing, the party that submitted the electronic document may be required by the court to provide the other parties with an electronic copy.

The procedure for challenging an electronic document, and in particular the electronic signature that is a mandatory feature of an electronic document, is laid down in the Electronic Document and Electronic Signature Act.

The only provision made by the Code of Civil Procedure for online procedural action is the attachment of a debtor's claims in enforcement proceedings. This legal framework is part of the enforcement process and the action is carried out by a bailiff.

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

Article 42(4) of the Code of Civil Procedure allows communications to be served on a party in a civil or commercial case by email. Communications are deemed to have been served when they are entered in the specified information system, and service is attested by a copy of the relevant electronic record, in accordance with Article 44(3) of the Code.

14 Can judicial decisions be given electronically?

See the answer to Question 13.

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

See the answer to Question 13.

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

Bulgarian law does not provide for this. See the last subparagraph of the answer to Question 12.

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

Public access to judicial decisions is available (without having to register) via the website of the Supreme Judicial Council of the Republic of Bulgaria: http://legalacts.justice.bg/. Judicial decisions can be searched for using a number of criteria, namely 'court', 'type of case', 'year', 'case number', and 'keywords'. Advanced searches using more specific criteria are also possible. As a result of the search, a party to the case, or their representative, can download the judicial decision in '.doc' format. Decisions are published as soon as they are taken, subject to the requirements of the Personal Data Protection Act and the Classified Information Protection Act. Decisions are published in such a way that the natural and legal persons named in them cannot be identified. Decisions in cases concerning the civil or health status of individuals are published without their grounds.

Furthermore, the website of each court allows the progress of cases and the related judicial decisions to be monitored. Judicial decisions and information on the progress of cases can be found using the search criteria listed above, and the decisions are published in the manner described. As a result of the search, the party to the case, or their representative, can download the judicial decision taken in '.doc' format.

Last update: 08/12/2017

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

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

Yes, any claim may be submitted electronically in the Czech Republic.

Claims may be submitted (a) by electronic mail with a certified electronic signature or (b) by data box, i.e. a special electronic repository for delivering and executing acts vis-a-vis public authorities. These procedures are equivalent to standard written submissions. Claims may also be submitted by standard electronic mail without a certified electronic signature, but this must be followed up within three days by the submission of an identical text in standard written format or by the methods described in (a) and (b) above. For details of all these procedures see our reply to question 6.

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

A claim may be submitted electronically for any type of case. An application for an electronic payment order may only be made electronically.

The procedure for an electronic payment order is a special accelerated procedure. Claimants submit their claims by filling in an electronic form on the ePodatelna website http://epodatelna.justice.cz/ and signing them using a certified electronic signature. Claimants can claim up to CZK 1 million. The form must be correctly completed and payment of the court fee made before an electronic payment order can be issued. Once all the requirements are met, the court may issue an electronic payment order. In it, the court orders the defendant to pay the amount owed and the costs of the proceedings to the claimant within 15 days of its receipt, or to lodge an appeal with the court that issued the order within the same time limit. An electronic payment order that has not been appealed has the effect of a final judgement. If any of the defendants submits an appeal within the time limit, the electronic payment order is cancelled in full and the court sets a hearing.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

An electronic claim may be filed at any time.

When filing a claim by electronic mail with a certified electronic signature, claimants may consult the ePodatelna http://epodatelna.justice.cz/ website (although this is only available in Czech). Claims may also be filed to the email address of the appropriate court registry. Registry email addresses can be found at https://justice.cz/soudy.

When claims are submitted to a court's data box, the identifiers for individual courts' data boxes can be found on the public administration portal in the list of entities with data boxes (https://www.mojedatovaschranka.cz/sds) – in the 'central government bodies' section, or on the Ministry of Justice website https://www.justice.cz/ under the contact details for individual courts.

Claims may also be lodged by directly completing the electronic form using the web application https://epodatelna.justice.cz/ePodatelna/homepage - see 'Making court claims'.

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

As a general rule, all operations may be carried out in any format, unless a specific format is prescribed by law for certain operations. Above all, filings must be comprehensible and specific.

When employing certain electronic procedures, claimants may be restricted by the technical parameters for various means of communication. For example, when using the ePodatelna portal http://epodatelna.justice.cz/ (see questions 2, 3 and 6), the maximum size of all attachments is restricted to 10 MB and the acceptable document formats are pdf, rtf, xls, doc and txt. Similarly, the size of messages sent to data boxes is limited to 10 MB and the acceptable formats for data messages sent to data boxes are pdf, PDF/A, xml (where this corresponds to the publicly available XSD schema published by the data message recipient), fo/zfo, html/htm, odt, ods, odp, txt, rtf, doc/docx, xls/xlsx, ppt/pptx, jpg/jpeg/jfif, png, tif/tiff, gif, mpeg1/mpeg2, wav, mp2/mp3, isdoc /isdocx, edi, dwg, shp/dbf/shx/prj/qix/sbn/sbx, dgn and gml/gfs/xsd. Submissions made to an email address should be in HTML format, PLAIN TEXT with coded text - ISO-8559-2, ISO - 8559-1(LATIN-1), Unicode or UTF-8. The size of the email (including attachments) is limited to 5 MB. Supported operating systems are: Windows 98, Windows 2000, Windows 2003, Windows XP and Windows Vista (a problem has been identified with Windows Vista for certain HW repositories of electronic qualified certificates (e.g. Smart card reader SCR3320); electronic submissions cannot currently be signed or sent using this reader. A submission can be signed and sent if the pfx file (p12) is specified in the Java Applet and a password for a private key is entered). Claimants intending to use the ePodatelna portal or data boxes can refer to the instructions and user manuals on the website for detailed information.

5 How is transmission and storage of data secured?

Courts and bailiffs proceed according to the legislation governing data protection (in particular Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (GDPR)) and other relevant legislation.

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

Four different electronic procedures can be used to file claims in ordinary civil proceedings:

First, a claim can be lodged by electronic mail with a certified electronic signature. A certified electronic signature is defined in Section 11 of Act No 227/2000 on electronic signatures; it is (a) a guaranteed signature based on a qualified certificate issued by a Czech accredited provider of certification services and containing information enabling the unequivocal identification of the signee (the list of accredited providers in the Czech Republic is available on the Czech Interior Ministry website http://www.mvcr.cz/clanek/prehled-udelenych-akreditaci.aspx) or (b) a guaranteed electronic signature based on a qualified certificate issued by a provider of certification services based outside the Czech Republic, where the qualified certificate was issued as part of a service entered in the list of trusted certification services as a service which the provider of the certification services is accredited to provide, or as a service whose provision is overseen in accordance with the relevant EU legislation. This type of submission is equivalent to a standard written submission. Claimants wishing to submit claims in this way should consult the ePodatelna website http://epodatelna.justice.cz/. Claims can also be sent to the email address of the relevant court registry. Registry email addresses can be found on https://justice.cz/soudy in the contact details for individual courts.

Second, data boxes may be used. These are special electronic repositories for delivering and executing acts vis-a-vis public authorities in the Czech Republic. Data boxes are primarily governed by Act No 300/2008 on electronic operations and authorised conversion of documents. This type of submission is equivalent to a standard written submission. Details concerning the data box system can be found on the website http://www.datoveschranky.info/, and

users can access accounts via the website https://www.mojedatovaschranka.cz/. All courts have data boxes. The data box identifiers for each court can be found on the public administration portal in the list of entities with data boxes (https://www.mojedatovaschranka.cz/sds) – in the 'central government bodies' section, or on the Ministry of Justice website https://www.justice.cz/ under the contact details for individual courts.
Third, claims may also be submitted by standard electronic mail without a certified signature. However, these submissions must be followed up within three days by the submission of an identical text in standard written format or by the methods described above, otherwise the court will disregard them (Section 42 of the Code of Civil Procedure).
Fourth, claims and their annexes may be filed with courts electronically by directly completing the electronic form using the web application https://epodatelna.justice.cz/ePodatelna/homepage. An online guide for creating claims is available - see 'Making court claims'. The guide to online claims enables claimants to complete selected e-forms and generate claims in PDF format. To file a court claim correctly, claimants must have Adobe Acrobat Reader installed and 'own a certified electronic signature'.

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

Yes, court proceedings incur a fee. The claimant can pay the fee, which is based on a fee scale, either to the relevant court's account held at the Czech National Bank or by revenue stamp (for amounts up to CZK 5 000). If the fee is not paid when the claim is lodged, the court will set a deadline for the claimant to pay it and inform him or her of the consequences of non-payment. The proceedings are suspended if the fee has not been paid within the deadline.
Fees and payment methods for proceedings initiated by electronic filings are no different from fees and payment methods for proceedings initiated in the standard manner. The exception is the electronic payment order procedure, where the court fee is slightly lower than for ordinary civil proceedings.

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

Yes. Claims made via the internet can be withdrawn in the same way as those made in the standard way. Claims may be withdrawn electronically or in the standard way.
Claimants may withdraw claims in whole or in part until such time as the court's ruling has become final. If a claim is withdrawn the court will suspend the proceedings completely or to the extent in which the claim is being withdrawn. If a motion to initiate proceedings is withdrawn after the court has ruled on the case, but the ruling is not yet final, the court will decide whether to also withdraw the decision to the extent in which the motion is being withdrawn. Should the other parties disagree with the withdrawal of a claim for good reason, the court will decide that the withdrawal is not effective, except in certain specific proceedings. (Section 96 of the Code of Civil Procedure)

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

A defendant may communicate via the internet but is not obliged to do so.

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

If the defendant appeals against an electronic payment order within the statutory time limit, it is cancelled in full, the court sets a hearing and the court proceedings then continue in the normal way, i.e. standard first-instance civil court proceedings.

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

If the defendant does not appeal against an electronic payment order within the statutory time limit, the payment order acquires the force of a final judgement.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Documents may be submitted to court electronically for any type of proceedings. The technicalities are set out in our reply to question 4.

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

Courts serve documents to data boxes of entities that have them set up. For more on data boxes, see our reply to question 6.
Courts may also serve documents and judgments by electronic mail with a certified signature to an email address which the addressee has given the court, provided the addressee has requested or consented to service of the materials by the court in this way and has identified an accredited provider of certification services which has issued his/her qualified certificate and keeps a record of it, or has submitted his/her own valid qualified certificate. For information about qualified certificates, see our reply to question 6. For the service to have effect, the addressee must confirm receipt by data message within 3 days of the document having been sent (e.g. to the email address of the court in question) with his/her guaranteed electronic signature.

14 Can judicial decisions be given electronically?

Judicial decisions are delivered to data boxes of entities that have them set up. For information on data boxes, see our reply to question 6.
Judicial decisions may also be delivered by electronic mail with a certified signature to an email address which the addressee has given to the court, provided the addressee has requested or consented to service of the materials by the court in this way and has identified an accredited provider of certification services which has issued his/her qualified certificate and keeps a record of it, or has submitted his/her own valid qualified certificate. For information about qualified certificates, see our reply to question 6. For the service to have effect, the addressee must confirm receipt by data message within 3 days of the document having been sent (e.g. to the email address of the court in question) with his/her guaranteed electronic signature.

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

Yes, an appeal can be made electronically, in the same way as a claim. See question 6.

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

Yes, enforcement proceedings can be initiated electronically, in the same way as a claim.
Where a claimant chooses to enforce payment through a bailiff, our reply to question 6 applies mutatis mutandis. The list of bailiffs and their email addresses and data box identifiers can be found on the website http://www.ekcr.cz/.
In the case of judicial enforcement, please refer to our reply to question 6.

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

Czech court offices generally communicate with parties and their legal representatives by electronic mail or telephone to handle enquiries regarding their case status.
Basic information on events that have occurred during the proceedings (without personal details) are also available online on the InfoSoud website: http://infosoud.justice.cz/InfoSoud/public/search.jsp (only available in Czech). Information on upcoming proceedings is available on the InfoJednání website: http://infojednani.justice.cz/InfoSoud/public/searchJednani.jsp. To access the system, the name of the court and the case file number must be entered.

Last update: 21/06/2021

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

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

For civil proceedings, it is possible to electronically file a claim or application to the court as an electronic document. Such a claim or application must bear a qualified signature of the person responsible or (simply) be signed by the person responsible and submitted by a secure means of transmission. Secure means of transmission are defined in Section 130a(4) of the Code of Civil Procedure (*Zivilprozessordnung* - ZPO).

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

In principle, a claim or an application may be filed with the court electronically, as described in question 1, in all civil proceedings. In addition, some proceedings can be conducted entirely electronically. Examples include registration proceedings and order-for-payment proceedings (*Mahnverfahren*).

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

There are no time limits.

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

The electronic document must be suitable for processing. The technical parameters for transmission and suitability for processing are laid down in the Electronic Justice Ordinance (*Elektronische-Rechtsverkehr-Verordnung*).

5 How is transmission and storage of data secured?

The technical parameters are laid down in the Electronic Justice Ordinance.

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

A claim or application filed as an electronic document must bear a qualified signature of the person responsible or (simply) be signed by the person responsible and submitted by a secure means of transmission (see question 1).

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

In principle, the type of communication technologies used does not affect the level of court fees. A range of payment methods are available: invoice, direct debit and electronic payment. Further information is available from the *Land* judicial authorities.

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

It is possible: the general rules apply.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Irrespective of the form in which a claim is brought, lawyers, public authorities and public-law legal persons are generally obliged to send a reply to the court as an electronic document. Parties to proceedings are also free to file submissions with the court in electronic form.

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

The general rules apply. There is currently no standalone electronic civil procedure.

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

The general rules apply. There is currently no standalone electronic civil procedure.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Documents may, under certain conditions, be sent to a court in electronic form (see question 1).

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

Judicial documents, in particular decisions, may be served electronically by secure means of transmission (Section 173(1) of the Code of Civil Procedure). Lawyers, notaries, bailiffs, authorities, corporations and public-law institutions are required to provide a secure means of transmission for service. An electronic document may be served on someone else only if, as a natural person, they have consented to the service of electronic documents for the proceedings in question or, as a legal person, they have given blanket consent to the service of electronic documents (first and third sentences of Section 173 (4) of the Code of Civil Procedure).

14 Can judicial decisions be given electronically?

Yes, a court decision can be communicated in electronic form, as described in question 13.

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

The general rules on the transmission and service of electronic documents described above apply (see questions 1 and 13).

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

As described in question 1, electronic means may also be used to send enforcement orders to bailiffs and applications for enforcement to courts of enforcement. Certain senders, in particular lawyers and authorities, are even obliged to submit their applications or orders electronically (Section 753(5), Section 130d of the Code of Civil Procedure). Enclosures can or must also be submitted electronically, except where the law provides for the document to be submitted in writing. A copy of the executory title must normally be sent in writing. Exceptionally, if the executory title is an enforcement decision that does not require an enforcement order and the claim does not exceed EUR 5 000, the executory title may, under certain conditions, be sent electronically. This applies, for example, to an electronic application for enforcement concerning the attachment and transfer of a pecuniary claim (Section 829a of the Code of Civil Procedure). It also applies to an order for the enforcement of a pecuniary claim that has been submitted electronically (Section 754a of the Code of Civil Procedure).

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

This is not generally possible. In some cases, information on land register/registration cases and appointments in civil proceedings can be consulted electronically.

Last update: 18/01/2024

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

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

Yes, court proceedings can be initiated using the e-File proceedings information system (*the e-File system*).

The system can be accessed at https://etoimik.rik.ee/.

A video explaining how to use the e-File system is available online at: https://www.youtube.com/watch?v=Qu9azQs_Ctc&t=3s .

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

The e-File system may be used by parties in civil and administrative law proceedings as well as in criminal and misconduct proceedings. With regard to civil and administrative court proceedings, it is possible to initiate proceedings and file documents and appeals. In criminal and misconduct proceedings, it is possible to submit a limited number of documents concerning existing court proceedings.

Payment orders for fast-tracking debt or maintenance claims may only be submitted via the internet.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

Yes, the facility is available at all times.

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

In order to file a court case, you will need to fill in the details using the forms provided, entering text and data. They differ according to the type of proceedings and petition, but they are all in a similar format: you will need to provide general information about the case, details about the parties, any documents attached to the petition and any details relating to the payment of the state fee.

The application form for a fast-track payment order is more detailed, and the whole application should be entered in the form of metadata.

5 How is transmission and storage of data secured?

In order for the system to recognise a person logging in, they must log in to the e-File system using their ID-card or Mobile-ID. The portal is secure. When logging in to the portal (with an ID-card or Mobile-ID), users will only be provided access to proceedings and data that relate to them. People not involved with the proceedings do not have access to other people's court proceedings. Date is transmitted using the national information system data exchange layer, X-Road. This is a technical and organisational environment which enables secure internet-based data exchange between the state information systems.

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

If the law requires certain types of documents to be signed, they are signed electronically using an ID card. Procedural documents may be filed via the e-File system using a digital signature. If the case is referred to court, the e-File system automatically saves the date on which the court case was initiated. A person who forwards a document initiating a court case or another procedural document to a court via the e-File system will be sent automatic confirmation of receipt by email, stating the date and time the document was received by the court.

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

The state fee must be paid for the performance of any tasks which by law are subject to a state fee. In general, the state fee must be paid before requesting the task be done. The state fee may be paid via a bank link in the e-File system, as well as outside the system through internet banking or at a bank branch.

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

A claimant may withdraw a claim until the end of the preliminary proceedings if he or she files a withdrawal request to the court. With the defendant's consent, an action may be withdrawn until such time as the court decision concerning the action enters into force. The court should be informed of the withdrawal of the action in writing or a record should be made in the minutes. The request may also be submitted through the e-File system.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

There is no obligation to reply via the internet. The defendant may reply via the internet, electronically or in writing.

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

There is no difference between proceedings initiated via the internet or in any other way. How the proceedings are handled depends on the subsequent action taken by the body conducting the proceedings and may differ depending on the type of proceedings, as well as on the type of claim.

If in the fast-track procedure for payment orders the debtor files an objection, the court will either continue to hear the case or it will terminate proceedings. It depends on the wishes of the claimant.

Civil cases may be resolved by written procedure if the parties file a request for this, or the court may decide that the matter is to be heard in a court session. The procedure followed will depend on the type of case and the objections filed by the defendant.

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

In the case of a payment order for fast-track proceedings, if the defendant does not reply to a payment proposal, i.e. does not file an objection, the court will issue a payment order for the appropriate amount. This order is immediately enforceable, so the court must be sure that the defendant has received the payment proposal.

In other civil proceedings, where the court has ordered the defendant to respond by a deadline, but the defendant has not done so, the claimant may in certain cases give a default judgment at the claimant's request. If the court does not consider this possible, it can set a new deadline for the defendant to reply or for a court session. A request for a default judgment may be filed together with the claim. The court will not give default judgments in the cases provided for by law.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

It is possible to file applicants and documents to the court electronically by email or through the information system (e-File) designed for the purpose.

All documents relating to civil and administrative proceedings may be filed through the e-File system, and a limited number of documents in criminal and misconduct proceedings. Procedural documents may be filed via the e-File system using a digital signature.

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

Court judgments, rulings and summons may be served on participants in proceedings electronically either via the e-File system or via the participant's main email address or any other email address of which the court has been notified. The recipient of a document must notify the court of receipt if the document has been sent by email, while if the document is served via the e-File system, the date on which the recipient receives and opens it is automatically registered.

14 Can judicial decisions be given electronically?

In civil and administrative proceedings, the court may issue the decision electronically, protecting it with the judge's digital signature or in another similar technically secure manner.

In a fast-track procedure for a payment order, all court documents, including decisions, are created automatically in an information system.

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

It is possible to lodge an appeal through the e-File system and deliver relevant decisions made in civil and administrative proceedings.

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

Court proceedings can be initiated via the e-File system. It is possible to search for the additional documents referred to in Section 2(1)(1)-(4) of the Enforcement Act in the e-File system, then fill in the application for enforcement and if necessary add additional files. A completed application for enforcement must be digitally signed by the claimant. The application is then sent together with the additional document selected and the additional files to the bailiff's email address.

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

It is possible to follow cases online via the e-File system. The user must be logged into the system using an ID card or mobile ID app, to ensure identity is verified. In civil and administrative proceedings, all documents not marked confidential due to personal identity information and which have been made available are shown in the system to the parties.

Payment orders for fast-track proceedings can be followed in full via the e-File system.

For criminal and misconduct cases, the e-File system displays only limited information.

Related links

The e-File system

https://www.e-toimik.ee/

Jurist Aitab portal - lodging claims at courts

https://v1.juristaitab.ee/et/oigusnoustamine
The Estonian judicial system
https://www.kohus.ee/en/estonian-courts/estonian-court-system
Riigi Teataja [State Gazette]
https://www.riigiteataja.ee
Last update: 31/01/2023
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Online processing of cases and e-communication with courts - Ireland

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

Yes. It is possible to initiate certain proceedings i.e. those involving Small Claims via the Internet.

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

Claimants pursuing a Small Claim (i.e. certain claims to a maximum value of €2,000) can opt to process their claim electronically. The Small Claims procedure is an alternative method of commencing and dealing with a civil proceeding in respect of a small claim. It is a service provided by District Court offices and is designed to handle consumer claims cheaply without involving a solicitor.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

The facility is available at all times.

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

No. The only provision is that details of the claim should not exceed 1,500 words.

5 How is transmission and storage of data secured?

The information is kept secure through the use of firewalls, SSL (Secure Socket Layer) for communications, an Intrusion Detection System at the hosting site and user account security etc

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

No.

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

Court Fees for a Small Claim are paid by credit or debit card and the fee (€25 in 2012) is the same for both electronic and non-electronic Small Claim proceedings.

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

Yes. If the claim has not yet been listed for court, a claim may be withdrawn by emailing the Small Claims Registrar requesting withdrawal of the claim.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Yes it is possible for the defendant to respond using the Internet.

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

The Small Claims Registrar must use his or her best endeavours to settle the claim before it is listed for hearing before the Judge

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

The claim is treated as undisputed and the claimant may apply for a judgment in default of appearance

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

No. It is not possible to submit documents to a court electronically.

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

No.

14 Can judicial decisions be given electronically?

No.

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

No.

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

No.

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

Parties to a claim can track the status of their own claim on-line.

Related links

https://www.csol.ie/ccms/welcome.html

Last update: 26/04/2023

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

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

An application has been set up and is in operation for the electronic submission of legal documents to the Hellenic Council of State and the Athens Court of First Instance. The following are still provided: (a) monitoring information on legal documents submitted electronically and conventionally to the Athens Court of First Instance, (b) the option to monitor the progress of a legal document electronically, even if it is submitted using conventional methods, on the websites of the Piraeus and Thessaloniki Courts of First Instance. Moreover, an application has been set up for the electronic submission of legal documents to administrative courts *(dioikitika dikastiria)*, and a similar application is about to be established for the Court of Audit *(Elenktiko Synedrio)*.

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

Legal documents can be submitted electronically for cases relating to all civil procedures, which are progressively being included in the online function. The progress of the documents for all procedures can be monitored electronically. At present, there are no procedures which can be initiated solely via the internet.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

The progress of legal documents can be monitored electronically on a 24-hour basis. Legal documents can currently be submitted electronically to the Athens Court of First Instance during working days and hours, however, this option will soon be available 24/7.

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

To submit a legal document electronically, a system user (lawyer) completes an electronic form and submits it to the court along with the complete text of the claim in a WORD file. Upon completion of the submission procedure, it is sent back to the sender in the same, 'locked' format, marked 'submitted'.

5 How is transmission and storage of data secured?

Special passwords and electronic signatures are used to access to the system, both currently and when it will be fully operational.

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

The use of electronic signatures has been included in the system.

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

Court fees are normally paid electronically, which is a step included in the electronic legal document submission application. The fees are the same as those paid for conventional submission.

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

No. Withdrawal of a legal document is only possible in accordance with the provisions applicable to legal documents submitted conventionally, based on the rules of the Code of Civil Procedure.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Presidential Decree 142/2013 has provided for the electronic submission of proposals and related documents before civil courts. This option is not yet technically available. A working party is currently working on setting up the appropriate technical framework. It is not mandatory for defendants to respond solely via the internet.

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

All legal and other documents of a case are made available to the court during the hearing.

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

Should the defendant fail to submit any proposals, in any way whatsoever, he is tried *in absentia.*

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Presidential Decree 142/2013 has provided (in addition to the electronic submission of proposals) for the electronic submission of related documents before civil courts.

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

Not yet. It is being looked into.

14 Can judicial decisions be given electronically?

Not yet. It is being looked into.

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

Not yet. It is being looked into.

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

No.

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

See the answer to question 1.

Last update: 30/11/2017

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

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

Yes, partially.

In general, in a large majority of territories, it is mandatory for court procedural representatives and lawyers representing the parties, although in some territories it is not yet possible for professionals to do so.

In some territorial jurisdictions, it is also mandatory for private individuals and legal entities. In others, meanwhile, where the system is still under development, it is not yet possible to initiate all procedures online, though it may be possible and/or mandatory to initiate certain procedures in this way. Although it has been optional for private individuals since 1 January 2017, it is not yet possible in territorial jurisdictions where the system is still under development.

The Ministry of Justice keeps the 'ELECTRONIC COURTHOUSE' (*Sede Judicial Electrónica*)(https://sedejudicial.justicia.es/tramites-y-servicios) with a register, available electronically, containing information and details of the relevant resources and addresses, and also allows the Electronic Courthouse to grant the court procedural representative the general power of representation for litigation and other practical services.

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

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

It is available for all civil and social procedures under national law, although there are limits in some territorial jurisdictions and procedures, and it is fairly widely used for order for payment and oral procedures.

The document initiating the European Order for Payment Procedure and the Small Claims Procedure can be submitted online only if it is signed by means of an electronic signature of a court procedural representative or lawyer authorised in Spain to represent the parties, which is assimilated to direct submission, but only in those territories where court procedural representatives can file claims.

Access for private individuals is still under implementation and in some territorial jurisdictions may provisionally be limited to procedures at national level, such as orders for payment, oral procedures or claims for action brought under labour law. It does not extend to the submission of procedural documents.

It is mandatory for court procedural representatives and other legal representatives to initiate all procedures online and, in general, this system is being implemented nationwide, with a few exceptions, such as the Basque Country.

In Andalusia and Madrid it is mandatory for court procedural representatives and lawyers for all types of procedures.

Individuals can only initiate civil oral procedures and orders for payment, and orders for payment before employment courts.

In Galicia professionals and individuals can only initiate civil orders for payment, orders for payment before employment courts and oral civil procedures.

In the Basque Country it is not possible to initiate procedures online.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

It is generally available 24 hours a day, 7 days a week. However, as some days are non-working days, if procedures are initiated on a non-working day, they will only come into effect on the next working day.

Furthermore, the system may occasionally be taken out of service on non-working days for technical or maintenance purposes, especially during the month of August.

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

The following formats are recommended: .pdf, .rtf, .jpeg, .jpg, .tiff, .odt, .zip.

Compressed .zip files may only contain the following document formats: .pdf, .rtf, .jpeg, .jpg, .tiff, .odt.

In no case will it be possible to submit via LexNET audio, video or compressed zip files containing documents in formats other than those indicated above.

If the electronic document is too big for the system to handle, it will need to be filed in hard copy. Artificially combining several documents in one single digital document is not permitted.

5 How is transmission and storage of data secured?

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

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

Yes, through a system of prior authentication.

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

Court fees are payable for claims from legal entities but not from private individuals.

Payment must be made electronically online and the claim must be accompanied by proof of payment (failure to comply with this requirement can be rectified at a later date).

There is no difference between electronic and non-electronic procedures.

More information can be found on https://www.administraciondejusticia.gob.es/paj/publico/pagaj/Pagina1Columna1Fila/!ut/p/c4/04_SB8K8xLLM9MSSzPy8xBz9CP0os3hjL0MjCydDRwN3k0AzA8cgI0sTRwsnIwMLA_2CbEdFADc9sTY!/?itemId=240416

The court fee can be paid on the Tax Agency's website (https://sede.agenciatributaria.gob.es/Sede/procedimientoini/GC07.shtml)

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

Once submitted, a claim cannot be cancelled.

It may, however, be withdrawn by submitting notice of official withdrawal in electronic format.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Each party will respond using the appropriate procedure according to their particular circumstances, as indicated above.

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

Nothing. The electronic procedure only applies to the submission of documents and notices served on the parties' legal representatives. Court files are not processed automatically.

The court will provide the document in electronic format and/or hard copy and will give notice in either electronic format or hard copy, depending on which rules apply and what the parties have opted for.

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

Nothing. Court files are not processed automatically. The court will provide the document in electronic format and/or hard copy, and will give notice in either electronic format or hard copy, depending on which rules apply and what the parties have opted for.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Yes, the submission of procedural documents and the provision of documents will be subject to the same terms as those set out in section (1) for initiation of the procedure. The only restrictions are those applicable to the type of document and its size.

The system can be used by court procedural representatives and lawyers in all procedures, although private individuals' access is still under implementation and in some territorial jurisdictions it may be provisionally restricted while in others it may not yet be possible, where the system is still under development.

In the Basque Country, all documents other than the first written submissions by the parties must be submitted electronically in the case of court procedural representatives and lawyers. Private individuals are not allowed to carry out procedures electronically.

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

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

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

Yes. For the parties' legal representatives, it is mandatory.

In some territorial jurisdictions, it is also mandatory for both private individuals and legal entities. However, in others, where the system is still under development, it may not yet be possible.

For private individuals, and following authentication, it is optional in those territorial jurisdictions in which the system has been implemented.

If the parties have submitted their claim and documents online they will be notified of the court decisions by the same medium.

14 Can judicial decisions be given electronically?

Yes. For the parties' legal representatives, it is mandatory.

In some territorial jurisdictions, it is also mandatory for both private individuals and legal entities. However, in others, where the system is still under development, it may not yet be possible.

For private individuals, and following authentication, it is optional in those territorial jurisdictions in which the system has been implemented.

If the parties have submitted their claim and documents online they will be notified of the court decisions by the same medium.

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

Yes, on the same terms under which the application and documents have been submitted. For the parties' legal representatives, it is mandatory.

In some territorial jurisdictions, it is also mandatory for both private individuals and legal entities. However, in others, where the system is still under development, it may not yet be possible.

For private individuals, and following authentication, it is optional in those territorial jurisdictions in which the system has been implemented.

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

Yes, under the same terms as those set out in section (1) for initiating the procedure.

In many territorial jurisdictions, it is mandatory for the parties' legal representatives.

In some territorial jurisdictions, it is also mandatory for both private individuals and legal entities. However, in others, where the system is still under development, it may not yet be possible.

For private individuals, following authentication, it is optional in those territorial jurisdictions in which the system has been implemented.
In the Basque Country it is not possible to initiate procedures online and the application for enforcement must be submitted in hard copy.
The Ministry of Justice keeps the 'ELECTRONIC COURTHOUSE' (*Sede Judicial Electrónica*)(https://sedejudicial.justicia.es/tramites-y-servicios) with a register, available electronically, containing information and details of the relevant resources and addresses.
It is also possible to participate in court auctions by electronic means (https://subastas.boe.es/); information is provided on the 'ELECTRONIC COURTHOUSE' (https://sedejudicial.justicia.es/tramites-y-servicios).
A registered electronic signature is required in order to guarantee the authenticity of the contents and provide proof of sending and receipt.

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

Only in some territorial jurisdictions. Access is provided from the above-mentioned ELECTRONIC COURTHOUSE of the Ministry of Justice (https://sedejudicial.justicia.es/tramites-y-servicios).
The parties' legal representatives can consult online cases in Aragon, Navarre, Cantabria and Valencia.
In other territorial jurisdictions, such as the Balearic Islands or Catalonia, the system is being implemented and will be accessible to legal representatives in the near future.
In Andalusia, the parties and their legal representatives have access to some information, such as parties, status of procedures and courts' daily case list.
In the Basque Country, professionals have access only to videos with recordings of trials.
Conversely, in other territorial jurisdictions there are no plans to provide this access, even for legal professionals.
Private individuals cannot currently access the court file.

Last update: 27/10/2022

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

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

Following the entry into force of the Rules on forms in enforcement proceedings, the method of e-communication between participants and the assignment of cases to notaries public (*Pravilnik o obrascima u ovršnom postupku, načinu elektroničke komunikacije između sudionika i načinu dodjele predmeta u rad javnom bilježniku*) (*Narodne Novine* (NN; Official Gazette of the Republic of Croatia) Nos 43/21 and 94/21) and the publication of the Decision issued by the minister responsible for judicial affairs on the fulfilment of technical requirements for e-communication between participants in enforcement proceedings on the website of the Ministry of Justice and Administration (*Ministarstvo pravosuđa i uprave*), a system has been launched to enable motions for enforcement based on authentic instruments to be sent in electronic, machine-readable form via the e-Ovrha system.
The Civil Procedure Act (*Zakon o parničnom postupku*) (NN Nos 53/91, 91/92, 112/99, 129/00, 88/01, 117/03, 88/05, 2/07, 96/08, 84/08, 123/08, 57/11, 25 /13, 89/14, 70/19, 80/22 and 114/22; hereinafter: the ZPP) provides for the possibility of submitting documents electronically via an IT system. This means that action to initiate civil proceedings (or a motion to initiate certain non-contentious proceedings) may be filed via a separate IT system. In addition, courts may use the IT system to deliver their decisions to a secure electronic mailbox. In this manner, a two-way communication channel has been established through a dedicated IT system.

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

A motion for enforcement based on an authentic instrument can be filed solely through the eOvrha online application. In other words, the procedure to enforce collection of monetary claims can only be initiated electronically.
Other proceedings are initiated in writing, with the possibility of using the e-communication system for the electronic exchange of submissions between the parties and the court.
The submissions of state authorities, the Public Prosecutor's Office, lawyers, notaries public, expert witnesses, court assessors, court interpreters, insolvency administrators, court commissioners, representatives referred to in Article 434a of the ZPP, commissioners in consumer insolvency proceedings, liquidators, special guardians employed at the Special Guardianship Centre (*Centar za posebno skrbništvo*), as well as legal entities and natural persons (tradesmen, doctors, etc.) engaged in a registered activity where the dispute concerns that activity, must always be filed in electronic form.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

Motions for enforcement based on authentic instruments can be filed through the eOvrha online application and submissions be sent in electronic form via the IT system 24 hours a day.

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

Not applicable.

5 How is transmission and storage of data secured?

A motion for enforcement based on an authentic instrument must be signed using a qualified electronic signature. This allows holders of the required signature certificate to file a motion for enforcement. The same principle applies to e-communication with the court. Furthermore, these systems also use a qualified time stamp as an electronic time stamp which binds the date and time to data in such a manner as to reasonably preclude the possibility of the data being changed undetectably. The time stamp is based on an accurate time source linked to Coordinated Universal Time and is signed using an advanced electronic signature or sealed with an advanced electronic seal of the qualified trust service provider, or by some equivalent method.

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

A motion for enforcement based on an authentic instrument must be signed using a qualified electronic signature. This allows holders of the required signature certificate to file a motion for enforcement. The same principle applies to e-communication with the court. Furthermore, these systems also use a qualified time stamp as an electronic time stamp which binds the date and time to data in such a manner as to reasonably preclude the possibility of the data being changed undetectably. The time stamp is based on an accurate time source linked to Coordinated Universal Time and is signed using an advanced electronic signature or sealed with an advanced electronic seal of the qualified trust service provider, or by some equivalent method.

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

When proceedings are brought before a court, court fees are payable in accordance with the provisions of the Court Fees Act (*Zakon o sudskim pristojbama*) to the amount set out in the Court Fee Tariff.
Submissions filed in electronic form under special legislation via the IT system used by the court in its operations are subject to a fee of one half of the fee amount specified in the Tariff and which is payable at the time of their filing.
Decisions served by the court in electronic form under special legislation via the IT system used by the court in its operations are subject to a fee of one half of the fee amount specified in the Tariff, if payment is made within 3 days from the day of electronic service of the decision.
Court fees can be paid via the e-communication system or by attaching proof of fee payment to the submission sent using e-communication.

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

Any submissions specified in the ZPP, including those used to withdraw a claim, may be sent in electronic form via the IT system.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

The defendant may send submissions in electronic form via the IT system regardless of whether the claimant has filed an electronic submission or not.
Article 106a(5) of the ZPP specifies which persons are required to send a submission to the court in electronic form.

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

A procedure in which a defendant responds to a claim electronically does not differ from a procedure in which a defendant delivers their response in non-electronic form.

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

Article 106a(5) of the ZPP establishes that the submissions of state authorities, the Public Prosecutor's Office, lawyers, notaries public, expert witnesses, court assessors, court interpreters, insolvency administrators, court commissioners, representatives referred to in Article 434a of the Act, commissioners in consumer insolvency proceedings, liquidators, special guardians employed at the Special Guardianship Centre, as well as legal entities and natural persons (tradesmen, doctors, etc.) engaged in a registered activity where the dispute concerns that activity, must always be filed in electronic form.
If any of those persons fail to respond to a claim in electronic form, the court will order them to do so within 8 days. If they fail to file their submission in electronic form by the specified time limit, the submission will be considered to have been withdrawn.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

The ZPP provides for the possibility of filing submissions and documents attached to the submissions in electronic form via an IT system. Electronically submitted documents must be signed using a qualified electronic signature in accordance with special legislation. Where public documents which are already available in electronic form are attached to the submission, they are to be filed as original documents electronically signed by the document issuer. While the electronic submission must be in PDF format, attachments can be provided in any electronic form.

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

An electronic noticeboard (*e-Oglasna ploča*) service has been developed and implemented, which makes it possible to serve judicial documents to participants of court proceedings via the court's e-Noticeboard by using IT solutions.
The e-Noticeboard publishes judgments in accordance with the conditions of Article 335 of the ZPP and all documents pursuant to Article 8 of the Enforcement Act (*Ovršni zakon*) (NN Nos 112/12, 25/13, 93/14 and 55/16, 73/17, 131/20 and 114/22).
Additionally, the e-Noticeboard publishes all documents that are published under the procedural rules on the court notice board.
Furthermore, courts may use the IT system to deliver their decisions to a secure electronic mailbox.

14 Can judicial decisions be given electronically?

It is not possible.

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

Any submissions specified in the ZPP, including appeals, may be sent in electronic form via the IT system. The court may deliver its decision on the appeal to the secure electronic mailbox of the recipient using the IT system.

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

A motion for enforcement based on an authentic instrument can be filed solely through the eOvrha online application. In other words, the procedure to enforce collection of monetary claims based on an authentic instrument can only be initiated electronically.

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

Not applicable.

Last update: 23/05/2023

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

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

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

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

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

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

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

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

Yes, the technical specifications to be complied with are set out in a measure dated 16 April 2014. They can be found at the following link:
http://pst.giustizia.it/PST/resources/cms/documents/SpecificheTecnicheTestoCoordinatoArticolato.pdf

5 How is transmission and storage of data secured?

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

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

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

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

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

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

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

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

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

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

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

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

The same rules as for paper proceedings apply.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

See the replies to questions 1 and 2.

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

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

14 Can judicial decisions be given electronically?

Yes. Pre-trail injunctions are issued in electronic format only (from 30 June 2014).
Civil courts issue some 300 000 decisions in electronic format every month.

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

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

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

Yes.

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

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

Related links

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

Last update: 21/07/2022

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

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

No

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

Not applicable.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

Not applicable.

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

Not applicable.

5 How is transmission and storage of data secured?

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Not applicable.

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

Not applicable.

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

Not applicable.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Not applicable.

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

Not applicable.

14 Can judicial decisions be given electronically?

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

Last update: 07/12/2023

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

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

Latvia has developed an online portal e-case (*e-lieta*), which enables a person to initiate legal proceedings under the Law on civil procedure, and to submit procedural documents, keep track of the course of legal proceedings and to receive and review documentation in legal proceedings.

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

Personal rights and the possibility to initiate legal proceedings using the online portal, both in civil and administrative proceedings. Likewise, in all proceedings the parties are given the opportunity to communicate with the institution and to consult the case file via the e-case portal. At the same time, in civil proceedings and administrative proceedings, a person retains the right to apply to the court in paper format if they cannot or do not want to use electronic tools.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

Court documents can be submitted and accessed electronically and online at any time, but the court or authority having jurisdiction will review and process the documents during its working hours.

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

To submit a claim through the e-case online portal, it is possible to fill in a specially prepared form and to enclose all documents required by legislation, but an individual may also choose to upload a self-prepared application.

5 How is transmission and storage of data secured?

In accordance with the current regulatory framework, compliance with the security requirements of the e-case platform, of which the e-case portal is one of the shared solutions, is ensured by the platform operator. The Courts Administration (*Tiesu administrācija*), as the operator of the e-case platform, is also the controller of personal data with regard to personal data necessary to ensure access to the organisation of the e-case platform's operation in accordance with legislation. However, with regard to personal data collected from other national information systems, the controller for the processing of personal data on the e-case platform is the national authority responsible for the processing of personal data in the relevant national information system.

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

In order to use the e-case portal, one of the following authentication tools is required: eID card (*eID karte*), eSignature (*eParaksts*), eSignature mobile (*eParaksts mobile*), eIDAS.

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

Court fees can be paid using the e-case online portal. The amount of fees does not differ from the amount of fees outside of the electronic procedure.

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

Any person who has brought an application has the right to withdraw it in the cases specified by law, irrespective of the form in which the application was brought before the court.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

The respondent has the right to choose the way in which they communicate with the court. In accordance with legislation, communication is possible via the e-case portal, e-mail, the official electronic address of the addressee or in paper format. If a person has agreed to the use of one of the electronic means of communication mentioned above to communicate with the court, they must be reachable via the e-case portal, the e-mail address they have provided or the official e-mail address.

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

In order to use one of the electronic means of communication, the respondent must notify the court that they agree to use the online system or email to communicate with the court. At the same time, within the framework of the proceedings for non-judicial enforcement of obligations, the debtor's response must be drawn up in conformity with the template approved by the Cabinet of Ministers. A debtor may reply using the online form available in the online system. In such a case, the debtor has agreed to use the online system for communication with the court.

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

If a respondent has not given consent to use any of the electronic means of communication with the court, they must be reachable at their declared place of residence, at the additional address indicated in the declaration or at another address indicated by the person for communication with the court. The fact that judicial documents have been delivered to the address of a declared place of residence, an additional address indicated in the declaration, an address the person has indicated for communication with the court, and a notice of delivery is received from the post or the documents are returned, does not in itself affect the fact of the documents having been served. There is a presumption that documents have been served on the seventh day from the day of dispatch if sent by post or on the third day from dispatch if sent electronically.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

In Latvia, it is possible to send documents electronically.

Pursuant to Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures, courts are obliged to accept electronically signed documents.

Latvian national legislation on electronic documents (the Law on electronic documents (*Elektronisko dokumentu likums*) states that electronic documents for the purpose of establishing their authenticity, must include data confirming both the authenticity of the document and the identity of its signatory and, in order to be considered as having been signed by the signatory themselves, must be signed with a secure electronic signature. When using electronic documents, data security is ensured by the providers of secure electronic signature services in accordance with the provisions of the Law on electronic documents and the rules on personal data protection in Latvia. An individual must give special consent for correspondence with a court using electronic mail. This means that the court will send documents it has drawn up to the party.

Moreover, claims of any kind may be brought using documents certified with a secure electronic signature except where the law lays down a special procedure for initiating proceedings. The procedure for the exchange of electronic documents does not apply to certain types of contract relating to real estate, family and inheritance law, and certain types of guarantee contract.

With regard to time stamp, where legislation specifies that in addition to the other requisites a document requires also a time stamp, this requirement is fulfilled with regard to an electronic document, if the electronic document has a secure electronic signature and time stamp, or an electronic signature if the parties have agreed in writing that electronic documents may be signed with an electronic signature.

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

Yes, the court may issue documents, including judgments, using the internet, if the parties have consented to such. In addition, if the court finds that it is not possible to issue a judgment at a hearing, it may set a date when the judgment will be drawn up and available online. The court sets a date within the next 30 days when the judgment will be available online. The date on which the judgment is available in the online system is deemed to be the date of delivery of the judgment.

14 Can judicial decisions be given electronically?

Court documents, including judgments, may be served electronically if the applicant has indicated in the application that they are prepared to use electronic mail for correspondence with the court.

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

Yes, an individual can submit and receive appellate decisions using the e-case online portal.
An individual must give special consent for correspondence with a court using electronic mail. This means that the court will send documents it has drawn up to the party.

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

Yes, with the introduction of the e-case system, a solution has been put in place for the provision of electronic enforcement documents issued by the court, modernising the circulation of enforcement documents between the court, debt collectors and sworn bailiffs. The circulation of enforcement documents takes place online between the Judicial Information System and the Register of Enforcement Cases. The court prepares the enforcement order within the term laid down by law and makes it available in the Judicial Information System. A bailiff initiates enforcement action pursuant to a written application from a debt collector, which may be submitted either in paper form, signed by the debt collector, or by sending the application with a secure electronic signature to the official e-address or e-mail address of the bailiff. When entering an enforcement file, a bailiff transfers the enforcement document in the form of structured data from the Court Information System to the Register of Enforcement Cases.

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

The parties and their legal representatives can consult the case file and submit procedural documents via the e-case online portal.

Last update: 11/07/2023

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

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

Since 1 July 2013, it has been possible to file civil claims electronically via the Lithuanian Court Information System (LITEKO), which can be accessed through the Public Electronic Services (PES) Subsystem at https://www.teismai.lt/en and http://www.epaslaugos.lt/ by selecting the link to the E-Services Portal of the Lithuanian Courts.

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

Different claims in civil proceedings or complaints against individual acts and applications in administrative proceedings may be filed electronically. Electronic documents may be filed to the court in relation to both new and existing paper files. When electronic documents are filed in relation to an existing paper file, the applicant should also file the required number of paper copies (one copy to be added to the paper file and one copy to be sent by the court to each party to the proceedings).

Since 1 January 2014, the electronic format has been exclusively used in civil cases heard by district courts regarding the issue of court orders, where the application initiating the court proceedings was filed on after 1 July 2013 using information and electronic communications technologies;

1.2. civil cases heard by district courts, where the procedural document on which the court proceedings are based was filed on or after 1 January 2014 using information and electronic communications technologies;

1.3. civil cases hear by regional courts as first instance courts, administrative cases heard by administrative courts as first instance courts, where the procedural document on which the court proceedings are based was filed on or after 1 July 2013 using information and electronic communications technologies;

1.4. all proceedings before courts of general jurisdiction and specialised courts hearing appeal or cassation cases based on appeals filed on or after 1 January 2014 against judgments or rulings in cases that had been processed exclusively in electronic format.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

This service is available at all times.

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

Procedural documents may be submitted by completing the templates available on the LITEKO PES subsystem or by uploading existing documents in the formats supported by the system: formats of text documents: doc, docx, odt, rtf, txt.; spreadsheet formats: xls, xlsx, ods; presentation formats: ppt, pptx, ppsx, odp; vector graphics image and text formats: pdf, application/pdf, ADOC; dot matrix image formats: tif, tiff, jpg, jpeg, jfif, png, gif, bmp; video formats: avi, mpg, 3gp, 3g2, asf, asx, swx, swf, flv, vob, wmv, mov, rm.; audio formats: wav, aif, mp3, mid, wma, flac, aac.

5 How is transmission and storage of data secured?

Electronic data relating to court proceedings are processed, accounted for and stored using information and electronic communications technologies in accordance with the arrangements laid down by the Judicial Council (*Teisėjų taryba*) and agreed with the Chief Archivist of Lithuania (*Lietuvos vyriausiasis archyvaras*).

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

The electronic services portal can be accessed using the tools available at the e-government portal: using electronic banking, a personal identification card or an electronic signature. The system also has a time stamp function.

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

Residents filing e-documents enjoy a 25% discount on the court fee; they do not need to print any procedural documents or mail them to the court, go to the bank to pay the fee or provide proof of payment.

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

Claims filed via the internet are subject to the same civil procedure rules as regular claims. Article 139(1) of the Code of Civil Procedure (*Civilinio proceso kodeksas*) stipulates that a claimant is entitled to withdraw his/her claim as long as the court has not sent a copy of it to the defendant. The claim may be withdrawn at a later stage only if the defendant agrees and the claim is withdrawn before the court of first instance adopts its decision. Until such time as it is registered, a claim may be withdrawn by simply deleting it. After registration, the claim may be withdrawn on the system only by filing a withdrawal application.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Both paper and electronic documents can be filed to the court.

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

The use of electronic communications during civil proceedings does not affect the civil procedure rules.

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

The use of electronic communications during civil proceedings does not affect the civil procedure rules.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Electronic documents may be filed in relation to both existing paper files and electronic files;

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

Yes.

14 Can judicial decisions be given electronically?

Cases regarding the issue of court orders, other cases specified by the Judicial Council and information relating to court proceedings may be processed electronically. Where an electronic file has been created, any printed information received or sent by the court is digitised, while printed documents are processed, stored or destroyed in accordance with the arrangements laid down by the Judicial Council and agreed with the Chief Archivist of Lithuania.

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

Yes, an appeal can be made via the internet in both civil and administrative proceedings. Judicial decisions may be delivered both electronically and by other means provided for under specific laws.

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

An amendment to the Code of Civil Procedure regulating the use of information and electronic communications technologies in bailiffs' activities came into force on 1 July 2013, but the possibility of initiating enforcement proceedings via the internet has not yet been implemented. The electronic information system for bailiffs should be operational from April 2015.

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

From 1 July 2013, lawyers and lawyers' assistants may receive procedural court documents using electronic communications.

Last update: 21/10/2019

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

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

No, under Luxembourg law, documents initiating legal proceedings must all be drafted on paper.

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

Not applicable.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

Not applicable.

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

Not applicable.

5 How is transmission and storage of data secured?

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Not applicable

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

Not applicable.

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

Not applicable.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

No.

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

No: depending on the case, they must be served by a bailiff (in person or by post) or notified by the clerk of the court (by post).

14 Can judicial decisions be given electronically?

No, parties are notified of court decisions via their respective lawyers. As a rule, this notification takes place when the clerk of the court deposits the decision in the 'pigeonhole' (French *case*) of the legal practice concerned. All legal practices have a 'pigeonhole' in the form of a locked letterbox within the Cité Judiciaire complex. Decisions can be notified direct to the parties by post.

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

No.

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

No.

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

No.

Related links

http://www.legilux.lu/

Last update: 09/01/2020

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

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

Yes, it is possible. The detailed rules of communication with the courts by electronic means are accessible at https://birosag.hu/e-per-2018/e-kapcsolattartas-altalanos-tajekoztato and the related links.

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

An important change compared to previous regulations on proceedings that may be initiated over the internet is that for certain contentious and non-contentious proceedings initiated on 1 January 2018 or afterwards the parties not only have the opportunity to conduct their affairs electronically, but have a duty to do so. Thus, as a general rule, any economic operator, State, municipality, budgetary agency, public prosecutor, notary, public body, other administrative body acting as a client and the legal representative of such client are obliged to conduct their affairs electronically.
In addition, certain types of cases may only be conducted electronically irrespective of whether the parties are acting in any of the above capacities. For example, a procedure for company registration (or a change in company data) may only be initiated electronically and in civil registration procedures an application may only be filed electronically if, for example, the applicant requests a simplified procedure for registration (change of data) or an organisation files an application to be qualified as a public benefit entity, while bodies that are already public benefit entities may only file their submissions electronically following this date.
If an applicant is not required to use electronic means, they may still choose to file their application electronically.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

Yes, the facility is available at all times except for periods of scheduled maintenance works and unforeseen malfunctions in system operation. Time-limits set in days and working days by legislation or the court do not include any day - or for time-limits set in months and years the day of the deadline - on which a malfunction or an interruption of service, as defined in legislation, lasted more than four hours. If a time-limit set in hours were to expire during a malfunction or interruption of service, as defined in legislation, the time-limit will expire at the end of the first hour following the start of office hours on the next working day. If the interruption of electronic services exceeds one working day, the body providing electronic administration services must provide for the receipt and processing of clients' submissions in a manner that does not require electronic means, even in cases where the relevant legislation only allows electronic processing for that type of procedure.

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

If a standard form exists for filing an application (submission) or its attachment, it cannot be changed, thus the format of the data cannot be modified either. The forms may be viewed at https://birosag.hu/ and may be filled in with the help of the Általános Nyomtatványkitöltő Program (framework programme for filling in forms). In accordance with Government Decree No 451/2016 of 19 December 2016 on the detailed rules of electronic administration and the order of the National Office for the Judiciary, the file formats that may be inserted into specific court e-files are: .odt, .doc, .docx, .pdf, .txt, .xlsx, .ods, .tif, .tiff, .bmp, .jpg, .jpeg, .png, .mp4, .m4a, .avi, .mp3, .wav. Attachments in .dosszie, .dossirt, .es3, .etv, .eak, .et3, .nsack., .pdf, .asic or .asice format may be attached to the forms. It is important that the size of individual files attached to the forms may not exceed 150 MB, while the total size of all attachments attached to the forms may not exceed 300 MB. If the total size of the attachments to be attached to the form or submission nevertheless exceeds the size limit of 300 MB, the files to be attached may be submitted on a storage medium, as an enclosure to a special form No 28 designated for this purpose, in a number of copies that is one more than the number of parties concerned by the case. The court only accepts submissions on CD R-, CD R+, DVD R-, DVD R+ and USB key as storage media.

5 How is transmission and storage of data secured?

In electronic procedures, the secure transmission and storage of data is ensured by the IT tools protecting communication, delivery and internal administrative systems. Procedures may be conducted online only through a 'client gateway' (*'ügyfélkapu'*), 'company gateway' (*'cégkapu'*) or 'official gateway' (*'hivatali kapu'*), following prior registration. The transmission and storage of data is secured for example by electronic identification services, secure delivery services and electronic signature services, as well as the strict provisions laid down in Act L of 2013 on State and local governments' electronic information security and other related legislation.
For example, persons communicating by electronic means have the opportunity to send their submissions to the court encrypted with their own encryption key in addition to using the encryption key released by the court. The encryption key is sent to the court as part of the submission of the person communicating by electronic means and in such cases the court serves the court's documents on the person communicating by electronic means encrypted with the encryption key of that person.

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

A submission submitted by electronic means to the court must be filed in such a way that
• the signatory has affixed his/her qualified electronic signature or advanced electronic signature or seal based on a qualified certificate on the electronic document and has affixed it with a time stamp, where required by law,
• the signatory authenticates the electronic document using an identification-based document authentication service, or
• the electronic document has been created within the framework of a service where the service provider assigned the document to the issuing person by identifying the issuer and the assignment to such person was authentically certified with information that can clearly be traced back to a signature in the issuer's own hand or on the basis of such information, and the service provider issued a certificate of having clearly assigned the document to the person in a clause that is linked to and inseparable from the electronic document and the service provider has affixed the clause, together with the document, with at least an advanced electronic seal and at least an advanced time stamp.

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

Court fees and the fees payable for procedures are the same for both paper-based and electronic proceedings.
If there is an obligation to pay a fee, in addition to indicating this in the application, the field 'Payable fee' (on the form to be submitted) also needs to be filled in with the appropriate amount and then the fee may be paid according to the acknowledgement of receipt automatically received following the submission of the form. The fee may be paid through the Electronic Payment and Settlement System (*'Elektronikus Fizetési és Elszámolási Rendszer'* - EFER), which allows fulfilment of a payment obligation on the Judicial Payment Portal (*'Igazságügyi Fizetési Portál'*) from a VPOS/home banking interface. Another method for the payment of fees is to transfer the fees to the account of the regional court held at the Hungarian State Treasury for this purpose.
In the case of procedures for the registration of companies (or a change in company data) the fees for the procedure and the publication costs are payable, by electronic means, prior to the submission of the application for registration (or change of data), indicating the file number for the payment of fees and costs which may be downloaded from the website of the Company Information System. Fees must be paid by transfer to the account of the Commercial Court kept for this purpose with the Hungarian State Treasury while the publication cost is payable to the treasury account of the ministry headed by the minister for justice.

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

It is not technically possible to withdraw a document once it has been submitted. Proceedings may be discontinued (or other applications or appeals withdrawn) strictly in accordance with the rules of civil procedure. Parties opting for an electronic procedure have the same rights and obligations as parties submitting their applications on paper.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Electronic administration does not depend on the form the claimant has chosen to conduct his or her affairs; rather, it depends on whether the defendant is required to conduct his or her affairs electronically. If the defendant is a person required to conduct his or her affairs electronically under Question 2, as a

general rule, he or she may make a declaration concerning the claim only through the internet and according to conditions laid down in legislation, otherwise his or her submission will be invalid. In other cases the defendant may freely choose whether he or she wishes to respond on paper or by electronic means. If the defendant chooses to proceed by electronic means (submitting documents by electronic means), he or she must communicate with the court during the procedure by electronic means and the court will also serve all court documents to such party by electronic means. If a party proceeding without legal representation or the party's representative not qualifying as a legal representative has undertaken to communicate electronically with the court, the court may be requested afterwards to authorise a transition to a paper-based procedure at the same time as a paper-based submission is filed. The application must make the case that, due to changes in the situation of the party or his or her representative, continuing the procedure by electronic means would represent a disproportionate burden.

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

The same rules of procedure apply in electronic and paper-based procedures.

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

See the answers to Questions 9 and 10.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

If in a given case electronic administration is compulsory for the party or if the party has opted for this form of administration, the document and its attachments must be submitted on a standard form - if available - and the form to be used in this case is non-editable. If there is no standard form available for documents or attachments, the parties must submit such documents and attachments in a format which corresponds to any of the document formats approved by the President of the National Office for the Judiciary and listed under Question 4, according to the rules described there. (Exemptions from the obligation to submit documents by electronic means are specified in legislation, thus currently it constitutes an exemption from the obligation of submission by electronic means if a document has to be presented and inspected in paper form in the procedure, which may in particular occur if the authenticity of a paper-based document is contested.)

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

Yes, it is possible. Court documents are served by the court by electronic means on parties proceeding by electronic means on the basis of the rules described under Questions 2 and 9. Court documents served electronically are sent to the sender’s online document storage facility within the client gateway, official gateway or company gateway, where the document may be received by opening the internet link pointing to the document. The document is considered to have been served when it is opened and the system generates an electronic acknowledgement of service which is automatically sent to the court.

Mail served at the official address is considered to have been served at the time indicated on the acknowledgement of refusal even if the service provider of the official address confirms that the addressee has refused delivery of the mail or on the fifth working day following the time indicated on the second notice if the service provider of the official address confirms that the addressee has not taken over the mail despite having been notified twice.

14 Can judicial decisions be given electronically?

Yes, see the answer to Question 13.

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

A party obliged to communicate by electronic means or who has previously opted for electronic communication must also lodge an appeal by electronic means, while any party who has used paper-based documents up to the submission of the appeal may transition to electronic administration even at the time when the appeal is lodged. The court’s decision on the appeal is also served electronically to a party obliged to communicate by electronic means or who has opted for this means of communication, according to the rules described under Question 13.

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

Yes, it is possible. If electronic administration is compulsory under the law, initiation of the proceedings in this manner is also naturally compulsory. A party who is not subject to such an obligation also has the right to initiate proceedings electronically; however, he or she first has to accept in writing the terms and conditions of use of the service system of the Hungarian Chamber of Judicial Officers.

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

In certain proceedings, such as company proceedings, yes.

Last update: 15/01/2024

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

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

Yes, you may, but this depends on the court/tribunal before which the proceedings are to be instituted.

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

The following are proceedings that may be initiated by means of an application via the internet:

Proceedings before the Small Claims Tribunal;

Proceedings before the Administrative Review Tribunal; and

Proceedings before the Court of Magistrates (Malta) and the Court of Magistrates (Gozo) in its inferior jurisdiction.

There are no proceedings that are only available via the internet.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

This facility is available 24 hours a day, seven days a week, but the claim/application is processed during Court opening hours, that is from 9 am until 3 pm (from 1 October to 15 June) and from 8 am to 12 pm (from 16 June to 30 September). If the claim/application is filed outside these times, it is regarded as having been filed on the following working day at the times mentioned above.

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

For claims in the Small Claims Tribunal, this is done by completing the appropriate form, which is available online, with all of the details required for it to be submitted for processing.

In the case of an Application before the Administrative Review Tribunal and also the Court of Magistrates (Malta) and before the Court of Magistrates (Gozo) in its inferior jurisdiction, the details must first be filled in as required by the eform and a scanned copy of the application must then be attached in the format required by law, together with the documents, if any.

5 How is transmission and storage of data secured?

Transfer of data is effected in an *encrypted* manner and the retention thereof is regulated by Government policy.

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

When initiating a claim before the Small Claims Tribunal, it is not necessary to use any kind of electronic signature. However, replies, replies to counterclaims and appeals before that Tribunal are signed electronically, since these require logging on with an e-id.
Where legal action is brought before the Administrative Review Tribunal, the Court of Magistrates (Malta), and the Court of Magistrates (Gozo) in its inferior jurisdiction, this is automatically signed electronically since this is a service offered only to lawyers and legal procurators after they register for such a service by means of the e-id.
Concerning the time, as soon as a claim/application is filed, the time and date are generated automatically.

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

Yes, the fees related to the act filed online are also paid online. The fees are the same as those paid when the acts are not filed electronically.

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

This cannot be done online. Anyone wishing to withdraw a case must visit the Court Registry in person to do so.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

In the case of proceedings before the Small Claims Tribunal, the Administrative Review Tribunal, the Court of Magistrates (Malta) and the Court of Magistrates (Gozo) in its inferior jurisdiction, the online service provided is only for the institution of proceedings. It is not yet possible to reply to this type of proceedings via the internet.
In the case of proceedings before the Small Claims Tribunal, as well as instituting a case it is also possible to file a reply, a reply to a counterclaim and an appeal online.
The respondent is not obliged to reply via the internet.

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

Regardless of whether or not there is a reply to the claim, the case is set down for hearing.

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

Regardless of whether or not there is a reply to the claim, and once the time limit for that reply has elapsed, the case is set down for hearing.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

It is possible to file documents electronically when they are filed together with the original claim which is also being made electronically.

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

According to Maltese law, service of judgments is not required.

14 Can judicial decisions be given electronically?

All preliminary or final judgments are read out in open court and a copy is given to the parties or the legal representative present at the hearing. It is, however, possible to obtain an electronic copy of the judgment as will be explained below.

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

An appeal via the internet is only possible in the case of an appeal against the decision of the Small Claims Tribunal, but the judgment cannot be notified via the internet.

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

This is not possible.

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

The *Justice Services* website provides an online service for decisions which can be accessed free of charge by legal representatives as well as by the general public.
In addition to this website, legal professionals can use their e-id to subscribe to the eCourts service at https://ecourts.gov.mt/onlineservices/ where they can have access to cases, judicial acts and warrants.

Last update: 05/09/2019

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

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

From 1 September 2017 civil claims with compulsory legal representation (claims of over EUR 25,000) brought before the district courts of Central Netherlands and Gelderland have to be conducted electronically (see the website of De Rechtspraak).
Since 1 October 2019, electronic proceedings are only possible in cases brought electronically before the district courts of Central Netherlands and Gelderland after 1 September 2017. From 1 October 2019, new cases can no longer be brought electronically before those courts.
Administrators/receivers can submit statements of accounts and discharges electronically via the Sub-District Digital Service Desk (*Digitaal loket kanton*). An annual statement of accounts and discharges (overview of income, expenses, assets, claims and debts for the previous year) can be completed using the electronic form and sent electronically to the sub-district court, unless the latter decides otherwise. Digital identification (DigID login code) is required for submission of the form.
Since November 2017, professional administrators have been asked to communicate with the courts electronically concerning administration cases. This electronic approach is being implemented gradually on an office-by-office basis (see the website of De Rechtspraak).
For the Supreme Court (*Hoge Raad*), cassation appeals in respect of civil summons cases must always be submitted electronically (see the website of the Hoge Raad der Nederlanden).

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

Between 1 September 2017 and 1 October 2019, electronic proceedings were mandatory for civil claims with compulsory legal representation brought before the district courts of Central Netherlands and Gelderland. It is not possible to bring cases to other courts by electronic means. In principle, cases brought in the abovementioned period before the district courts of Central Netherlands and Gelderland will be concluded electronically. (See also paragraphs 3-16.)
The Dutch Judiciary *(de Rechtspraak*) is working to provide new digital access for civil cases. Reports on progress will be made available on the website of De Rechtspraak.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

For civil claims with compulsory legal representation brought before the district courts of Central Netherlands and Gelderland in the period specified in paragraph 2 above, electronic proceedings are available 24 hours a day, 7 days a week. The Judiciary's helpdesk (*rechtsspraakservicecentrum*) can be accessed electronically and by telephone between 8:00 and 20:00.

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

Yes, the action is initiated by submitting an originating document (*procesinleiding*) via the Judiciary's web portal.

5 How is transmission and storage of data secured?

See the rules of procedure on the website of De Rechtspraak.

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

Yes, electronic identification is necessary for the submission of documents. Lawyers use their lawyer's pass for this purpose, while options available to citizens include use of their DigID login code or electronic ID (businesses). The law states which means of identification are permitted.

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

Yes, court fees are payable in all proceedings. Lawyers maintain a current account with the judicial system. In the case of electronic proceedings, court fees are paid electronically. In the absence of payment, no (further) progress can be made in initiating the proceedings.

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

Yes, the law and the rules of procedure of the judicial system stipulate how to withdraw the claim.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Yes, if the legislation on electronic proceedings applies, the defendant can respond online. If the defendant has a lawyer, the response must be made online. If the defendant has the right to act on his/her own behalf, a response on paper is also permissible.

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

Electronic proceedings are conducted entirely online. The defendant receives e-mail notification of each new document lodged in the electronic case-file. Defendants can add their own documents and consult their case electronically. The court judgment is communicated electronically.

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

If the case has been served correctly on the other party, the case can be judged by default for failure to appear. The other party is informed of the procedural steps in writing.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

See reply to question 1. Submission of messages and documents by e-mail is not permitted, as adequate security cannot be guaranteed.

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

No, judicial documents may not be served or notified via the internet. However, many judgments are published on the website of De Rechtspraak and are assigned an ECLI number, enabling them to be easily retrieved. The president of the sitting usually decides whether the judgment is to be placed on the aforementioned website. Not all judgments are placed on the internet - only those with judicial relevance or in which there is significant (media) interest are posted.

Names of persons appearing in a judgment are anonymised for privacy reasons. Businesses and individuals involved with the court in a professional capacity are not anonymised.

In cases where proceedings can or must be electronic, the judgment is placed in the electronic case-file. In this way, the judgment is notified to the parties.

14 Can judicial decisions be given electronically?

No, publication on the internet takes place after notification to the parties and therefore after the date of the judgment. See also the reply to question 13.

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

No, it is not possible to lodge an appeal electronically. Only in proceedings in default of appearance conducted electronically can opposition be communicated by electronic means.

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

No.

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

No, in proceedings conducted electronically only lawyers can consult the case documents at any time.

Some forms can be downloaded from the website of De Rechtspraak in pdf format, but these documents too must then be sent by ordinary post to the courts to be included in the proceedings. These documents include forms for separation of property and division of the old-age pension, forms for the modification of parental authority, guardianship of an adult, fiduciary administration of property and mentoring, declaration forms for experts and interpreters, insolvency forms, forms for European order for payment procedures, forms for European small claims procedures and complaint forms in appeal proceedings Information which may be relevant in legal proceedings and also information to guarantee the independence of judges is recorded centrally and is available online to the general public via the website of De Rechtspraak. The following can all be consulted online: the Central Adult Guardianship Register (*Centraal Curateleregister*), the Central Insolvency Register (*Centraal Insolventieregister*), the matrimonial property register (*huwelijksgoederenregister*) and the register of additional positions held by the judiciary (*register met nevenfuncties Rechterlijke Macht*).

Last update: 09/02/2022

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

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

Yes, court proceedings can be initiated online via the Austrian e-Justice (*Elektronischer Rechtsverkehr*, ERV) platform. However, this requires registration with one of several possible clearing houses, which forward the input to the judicial system. Registration is not free. There is a basic charge of approximately EUR 20.00 per month, plus a fee of approximately EUR 0.30 per upload. A registered letter costs around EUR 3.00 in Austria.

A free upload service using a citizen's card (ID Austria) is also available for electronic submission. However, unlike the Austrian e-Justice platform, it provides a one-way service only.

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

The Austrian e-Justice platform allows online communication between the courts and the public prosecutors' offices on the one hand and the parties on the other, in the same way as in paper form. It can be used for all types of proceedings. There are no proceedings which must always be initiated online.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

The service is available 24 hours a day, 7 days a week.

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

The grounds for the claim and all procedural data required for the claim must be uploaded in a prescribed XML structure (or as a PDF attachment to this structure). With the establishment of the *Justizbox* data storage service in mid 2023, other file formats are now also supported (e.g. for the transmission of audio and video files).

5 How is transmission and storage of data secured?

Data transmission via the Austrian e-Justice platform is secured using the https protocol. Certificates are used to authenticate all parties involved. Communication between servers is also certificate-based. The need for users to register with an access point (see point 1 above) provides additional security.

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

See point 5 above (certificates). Electronic signatures are not required. A central timestamp service is available for entries in the land register only, confirming receipt of a valid submission.

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

Court fees for online uploads are paid by direct debit. As a general rule, fees for initiating proceedings online are the same as for proceedings initiated in paper form. In certain cases, there is a discount for electronic submission.

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

There is no difference between online and offline variants. The rules of civil procedure law apply equally to proceedings conducted via the Austrian e-Justice platform. Even if they were not filed online, claims can be withdrawn online.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Yes, the internet can be used to defend claims, file appeals, etc. Use of the Austrian e-Justice platform is not generally mandatory; however, lawyers, notaries, banks, insurance companies, social security funds, the Financial Prosecutor's Office (*Finanzprokuratur*) and bar associations must use the Austrian e-Justice platform.

Experts and interpreters are required to use the Austrian e-Justice platform under certain conditions.

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

The rules of civil procedure law apply equally to proceedings conducted via the Austrian e-Justice platform.

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

The rules of civil procedure law apply equally to proceedings conducted via the Austrian e-Justice platform.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Yes, all types of documents can be submitted to the courts via the Austrian e-Justice platform. Original deeds can even be submitted electronically in land register and companies register proceedings.

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

Yes, via the Austrian e-Justice platform.

14 Can judicial decisions be given electronically?

Yes, via the Austrian e-Justice platform.

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

Yes, via the Austrian e-Justice platform.

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

Yes, via the Austrian e-Justice platform.

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

Yes, parties and their legal representatives can inspect the case register in all civil and enforcement proceedings online via clearing houses, but only for their own cases. Inspection rights are verified using a unique address code allocated to each person with inspection rights.

Last update: 23/02/2024

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

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

It is possible to initiate a procedure known as an electronic procedure by writ of payment (*elektroniczne postępowanie upominawcze*, EPU) via the Internet. The first stage of this procedure is conducted without the participation of the defendant. Defendants may undertake defence only after the order for payment has been issued and served on them.

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

Under Article 50528 § 2 of the Code of Civil Procedure, an order for payment may not be issued in an electronic procedure by writ of payment if the applicant is pursuing a claim other than a pecuniary claim and if service of the order on the defendant is to take place outside Poland. Further, in accordance with Article 50529a of the Code of Civil Procedure, claims which have fallen due in the three years prior to the date on which the statement of claim is lodged may be pursued in an electronic procedure by writ of payment.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

A statement of claim in an electronic procedure by writ of payment may be lodged with the e-court (*e-sąd*) at any time.

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

Specialised software created for the e-court automatically converts the text file containing the statement of claim into the format and data structure required by the e-court.

5 How is transmission and storage of data secured?

The data is secured by a number of advanced IT solutions, including the CAPTCHA (*Completely Automated Public Turing test to tell Computers and Humans Apart*). CAPTCHA is a type of technology used as a website security feature, which only allows data entered by humans to be transmitted. In this case, CAPTCHA protects the web portal against accounts being created by machines. The system verifies this by requiring the user to type in the text displayed in a picture. The text is intentionally distorted, so that it cannot be read using OCR (*Optical Character Recognition*, a set of technologies or software used to recognise characters and entire texts in a computer file in graphic or raster form computer file in graphic form in raster form), but is still sufficiently legible to humans. The code read from the picture is to be typed in the field using lowercase or capital letters.

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

An electronic signature must be used to sign statements of claim and pleadings in an electronic procedure by writ of payment. The following types of signature may be used:

(a) An ordinary electronic signature which can be obtained from the EPU website free of charge.

Before this is done, you must first create an account. Once the account has been activated, you have to apply for a certificate to be issued by the EPU Certification Centre and then wait for confirmation that the certificate has been issued (about 2 hours). Then, you have to download the certificate. For the

certificate to be installed correctly in the operating system, you need a certificate password. The password is sent via e-mail. If you lose the certificate after downloading it, you must generate another application for a certificate. An ordinary electronic signature may be used only in e-procedures. The certificate for an ordinary electronic signature is valid for one year.
(b) A qualified electronic signature. After registering a user account, you will automatically be able to use a qualified electronic signature. However, you must first obtain a qualified electronic signature by yourself.

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

A court fee due in an electronic procedure by writ of payment can only be paid using electronic means, through a payment service provider. It amounts to ¼ of the fee payable in a traditional procedure by writ of payment.

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

In an electronic procedure by writ of payment, the claimant may withdraw the statement of claim until the procedure is concluded by a final decision. A pleading must be filed for this purpose.
Such a pleading should contain the claimant's statement of withdrawal of the claim and specify the bank account number. The claimant may withdraw the statement of claim in its entirety – in this case, the claimant renounces the legal protection of all the claims (in their full amounts) raised in the statement of claim. A statement of claim may be withdrawn also in part only, which is known as the partial withdrawal of a claim. When withdrawing the statement of claim, the claimant may at the same time waive (renounce) the claim pursued. The pleading withdrawing the statement of claim must specify a bank account number for repayment of the court fee. The court fee will be repaid if the statement of claim is withdrawn before the order for payment is issued.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

In an electronic procedure by writ of payment, the defendant cannot reply via the Internet. The first document to be served on the defendant in an electronic procedure by writ of payment is an order for payment. The defendant may appeal against it by filing a statement of opposition (in traditional or electronic form).

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

In an electronic procedure by writ of payment, the defendant cannot reply to the statement of claim. The only form of appeal against the order for payment is filing a statement of opposition with the court (in traditional or electronic form). In that case, the order for payment loses its force and has no legal effect. The matter is referred from the e-court to the court in the territorial jurisdiction of which the defendant is domiciled and is heard in other proceedings.

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

An order for payment issued in an electronic procedure by writ of payment becomes final two weeks after being served on the defendant. A final order for payment issued in an electronic procedure by writ of payment and included in the IT system is a writ of execution. An order for payment issued in an electronic procedure by writ of payment is declared enforceable by the court by means of an electronic enforcement order.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

In an electronic procedure by writ of payment, documents cannot be enclosed with pleadings submitted via electronic means.

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

In an electronic procedure by writ of payment, court process is served on the claimant via electronic means. Upon initiating the procedure by lodging a statement of claim via the website of the e-court, claimants obtain access to a dedicated section of the website of the e-court, which allows them to receive correspondence from the court. Court process is served on the claimant via the data transmission system supporting the electronic procedure by writ of payment (electronic service of court process). Court process is served on the defendant electronically only if the defendant has agreed to this form of service of court process.

14 Can judicial decisions be given electronically?

In an electronic procedure by writ of payment, judicial decisions are electronic.

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

Yes, only in an electronic procedure by writ of payment.

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

If the enforcement order covers a judicial decision issued in an electronic procedure by writ of payment, an application to initiate enforcement proceedings may be filed via electronic means.
It must be filed via the data transmission system supporting the electronic procedure by writ of payment.

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

In the course of an electronic procedure by writ of payment, the parties have full access to the files of the procedure conducted in their case. Such access is provided via the data transmission system supporting the procedure. It is also possible to print out the accessible documents.

Last update: 23/02/2024

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

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

Yes, it is possible in Portugal to bring court proceedings via the internet, and specific IT applications have been set up for such purpose: *Citius* (IT platform supporting the activities of the courts) and the Inventory Proceedings Management Platform.
More information about the aforementioned platforms can be found at the following links:
https://www.citius.mj.pt/portal/default.aspx
https://www.inventarios.pt/

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

Citius

As a rule, all legal proceedings, that is, main actions, precautionary measures, ancillary proceedings, individual judicial notifications and any other proceedings, whether joined or autonomous, including appeals, **are now electronic and processed on** *Citius* (Article 1 of Ministerial Implementing Order No 280/2013 of 26 August 2013).
For cases brought before the courts, the *Citius* platform enables the initiation and processing of:
a) civil declaratory actions, precautionary measures and individual judicial notifications, with the exception of child protection proceedings and claims for civil damages or civil enforcement proceedings brought in connection with criminal proceedings;
b) civil enforcement proceedings and all ancillary proceedings joined to the enforcement (in this case, the enforcement proceedings, together with the printing of any documents considered essential, should take place only once the court has received an application or information requiring its intervention).

The same applies to payment order proceedings. Please refer to the relevant factsheet.

Inventory Proceedings Management Platform

Lodging the inventory request with the notary, any challenges, and all subsequent actions must be carried out, whenever possible, through the Inventory Proceedings Management Platform (Article 2(2) of the Legal Framework for Notarial Inventory, published in annex to Law No 117/2019 of 13 September 2019).

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

The services described are available 24 hours a day, 7 days a week (unless the server is down).

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

Citius

Pleadings should be submitted by completing the forms available on the web page mentioned in the reply to question **1**, to which should be attached:

a) files with other legally required information, the material content of the pleading and other information deemed relevant by the legal representative and which does not fit into any other fields on the form (Article 6(1)(a) of Ministerial Implementing Order No 280/2013 of 26 August 2013);

b) individually, the documents that must accompany the pleading (Article 6(1)(b) of Ministerial Implementing Order No 280/2013 of 26 August 2013).

When pleadings and documents are submitted in this way, they must be digitally signed on the *Citius* platform using an electronic signature certificate that permanently guarantees the professional status of the signatory (Article 6(3) of Ministerial Implementing Order No 280/2013 of 26 August 2013).

Files and documents must be in *portable document format* (.pdf), preferably in the PDF/A version and, in the case of written documents, have searchable content (Article 8(a) of Ministerial Implementing Order No 280/2013 of 26 August 2013).

With regard to orders for payment proceedings, files should be in *extensive markup language (.xml)* format, the specifications of which can be found at https://www.citius.mj.pt/portal/consultas/injuncoes/injunformato.aspx

Inventory Proceedings Management Platform

An application for inventory proceedings can be filed:

a) by the interested party or their legal representative, by completing the electronic form for bringing inventory proceedings provided on the platform, and attaching the relevant documents in accordance with the procedures and instructions given (Article 5(1)(a) of Ministerial Implementing Order No 278/2013 of 26 August 2013);

b) by the interested party at the notary office, on a hard copy, by submitting the inventory application template provided for in the previous Article, together with the relevant documents (Article 5(1)(b) of Ministerial Implementing Order No 278/2013 of 26 August 2013).

Access to the aforementioned website is via electronic certification as follows:

a) by citizens, through the digital certificate incorporated into their citizen cards (Article 2(4)(a) of Ministerial Implementing Order No 278/2013 of 26 August 2013);

b) by lawyers and solicitors via the digital certificate confirming their professional status (Article 2(4)(b) of Ministerial Implementing Order No 278/2013 of 26 August 2013).

5 How is transmission and storage of data secured?

Personal data collected by courts when performing legal functions are processed by the *Citius* IT platform, created and managed by the **Institute for Financial and Estate Management of Judicial Services** (*Instituto de Gestão Financeira e Equipamentos da Justiça, I.P.*) ('IGFEJ, I.P.'), under the responsibility of the Ministry of Justice, which acts as the processor for the highest body in the legal system, that is, the Supreme Council of the Judiciary (*Conselho Superior da Magistratura*) (in accordance with Articles 4, 8 and 28 of the General Data Protection Regulation (GDPR)).

IGFEJ, I.P. is required to guarantee that all suitable technical and organisational measures are implemented to ensure that data are processed in accordance with the Regulation and that the rights of data subjects are protected, as indicated by the Supreme Council of the Judiciary that appointed the judge as data protection officer.

In turn, and in accordance with Article 37 of the GDPR, the Ministry of Justice appointed a single Data Protection Officer for the bodies under its responsibility, including IGFEJ, I.P. (*vide* Legislative Order No 5643/2018 of 7 June 2018).

It is the responsibility of the case judge to decide on access to and transmission of personal data in judicial proceedings. The case judge is responsible for taking this decision in accordance with procedural laws applicable to the specific case and with the GDPR, as follows: processing of personal data by courts allows the application of the Regulation to be restricted to specific operations and to procedures to be followed (Article 23(1)(d) and (f) of the GDPR); the control authority may not control processing operations carried out by courts in the performance of legal duties (limitation laid down in Article 55(3) of the GDPR). The appeals process provided for in national procedural law applies to legal decisions on the matter.

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

Citius

The pleadings and documents submitted by legal representatives must be digitally signed using an electronic signature certificate that permanently guarantees the identity and professional status of the signatory (Article 6(3) of Ministerial Implementing Order No 280/2013 of 26 August 2013).

The *Citius* platform ensures:

a) certification of the date and time of delivery (Article 13(a) of Ministerial Implementing Order No 280/2013 of 26 August 2013);

b) that the sender is provided with a copy of the pleading and the documents submitted with the date and time of certified delivery affixed (Article 13(b) of Ministerial Implementing Order No 280/2013 of 26 August 2013);

c) that, if receipt is impossible, the sender is sent a message informing them that it was not possible to submit the pleading or documents to the platform (Article 13(c) of Ministerial Implementing Order No 280/2013 of 26 August 2013).

Judges and public prosecutors always submit formal documents electronically via the *Citius* IT system, with a qualified or advanced electronic signature affixed (Article 19 of Ministerial Implementing Order No 280/2013 of 26 August 2013).

In cases which do not require legal representation, and where the party does not have a lawyer, pleadings may also be submitted at the court in one of the following manners (Article 144(7) of the Code of Civil Procedure (*Código de Processo Civil*)):

a) delivery by hand to the court clerk, with the delivery date being valid as the date on which the pleadings are lodged (Article 144(7)(a) of the Code of Civil Procedure);

b) by registered post, with the delivery date of the postal registration being valid as the date on which the pleadings are lodged (Article 144(7)(b) of the Code of Civil Procedure);

c) by fax, with the date the documents are sent being valid as the date on which the pleadings are lodged (Article 144(7)(c) of the Code of Civil Procedure).

Where the party has legal representation and there is a justified obstacle to submitting the documents electronically, they may be submitted using one of the methods referred to above (Article 144(8) of the Code of Civil Procedure).

Inventory Proceedings Management Platform

Once the application has been submitted as required, the platform or the notary will provide the applicant with confirmation of submission specifying:
a) the date and time the application was submitted (Article 5(2)(a) of Ministerial Implementing Order No 278/2013 of 26 August 2013);
b) the code and instructions to access the website https://www.inventarios.pt/ in order to consult the case (Article 5(2)(b) of Ministerial Implementing Order No 278/2013 of 26 August 2013);
c) a Multibanco ATM reference to pay the first instalment of the notary's fees, and the corresponding amount (Article 5(2)(c) of Ministerial Implementing Order No 278/2013 of 26 August 2013);
d) the number that will be given to the case after payment of the first instalment of the notary's fees (Article 5(2)(d) of Ministerial Implementing Order No 278 /2013 of 26 August 2013).

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

Citius

Yes, court fees must be paid.
First a 'single collection document' (*Documento Único de Cobrança* - DUC) for payment must be issued and can be accessed on the IGFEJ website: https://justica.gov.pt/Servicos/Custas-processuais/DUC-Documento-Unico-de-Cobranca
The DUC can be paid by:
Multibanco ATM or Homebanking (under 'Payments to the State' (*Pagamentos ao Estado*));
at the court registry with a Multibanco card;
at the branch of your bank.
(Article 17 of Ministerial Implementing Order No 419-A/2009 of 17 April 2009).
For further information, please consult:
Services – Costs of Proceedings: https://justica.gov.pt/Servicos/Custas-processuais
In proceedings where the use of electronic means is not compulsory, court fees are reduced to 90% of their value when the party submits all pleadings via electronic means (Article 6(3) of the Procedural Costs Regulation (*Regulamento das Custas Processuais*), published in annex to Decree-Law No 34/2008 of 26 February 2008).
With regard to payment orders, please refer to the corresponding factsheet.
Portugal also accepts the payment of court fees via foreign bank transfer.
A court fees simulator is available at:
https://justica.gov.pt/en-gb/Servicos/Simulador-Taxas-de-Justica

Inventory Proceedings Management Platform

Costs for inventory proceedings cover notary fees and expenses (Article 15 of Ministerial Implementing Order No 278/2013 of 26 August 2013). Payment is made using the Multibanco ATM electronic transfer reference generated when the application is submitted (Article 20 of Ministerial Implementing Order No 278/2013 of 26 August 2013).

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

Yes, it is possible to discontinue the proceedings or withdraw the application under the terms set out in the national procedural rules applicable to each case.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

As a rule, in legal proceedings, pleadings by the defendant are submitted to the court electronically, with the date the documents are submitted being valid as the date on which the pleadings are lodged (Article 144(1) of the Code of Civil Procedure).
In cases which do not require legal representation, and where the party does not have a lawyer, pleadings may also be delivered by hand to the court clerk, or sent by registered post or by fax (Article 144(7) of the Code of Civil Procedure).
For inventory proceedings, please see the replies to questions 4 and 6.

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

Citius

If the defendant wishes to respond, the claim is still processed electronically, although certain documents will be printed.
The physical case file must include only pleadings and procedural documents which are relevant to the decision on the merits as indicated by the judge in a reasoned decision in each case. It is assumed that the following are not relevant (Article 28(1) of Ministerial Implementing Order No 280/2013 of 26 August 2013):
a) requests to change the date of a hearing;
b) administrative communications and enforcement notices which relate merely to the organisation of proceedings, and the replies, such as:
i) notices ordering the summons of or service on the parties;
ii) notices scheduling hearings;
iii) notices of the sending of a case to the Public Prosecutor;
iv) notices of investigation by different departments such as criminal police authorities, registry offices, National Forensic Medicine and Forensic Science Institute of Portugal (*Instituto Nacional de Medicina Legal e Ciências Forenses I. P.*), Directorate of Prison Services and Social Rehabilitation (*Direcção-Geral de Reinserção e Serviços Prisionais*) or the Directorate-General of Social Security (*Direcção-Geral da Segurança Social*);
v) validation stamps by the public prosecutor and judge;
c) acceptance of appointment of an enforcement agent to serve a summons;
d) internal communications;
e) negative certificates resulting from the consultation of databases at government departments;
f) specific actions, communications or notifications from the enforcement agent.

Inventory Proceedings Management Platform

The notary must record all steps in the proceedings on the platform so that each step may be identified and a copy found of the related documents and any accompanying documents (Article 12(1) of Ministerial Implementing Order No 278/2013 of 26 August 2013).
Any formal legal action lodged by any person involved in the proceedings which is not submitted electronically must be scanned by the notary and registered in the file for the related inventory proceedings (Article 12(2) of Ministerial Implementing Order No 278/2013 of 26 August 2013).
Should the scanning of documents mentioned above not be possible due to the nature of the pleadings or any other document submitted by the interested party, the notary must register the action in the inventory proceedings platform, stating that the document in question may be consulted at the notary office (Article 12(3) of Ministerial Implementing Order No 278/2013 of 26 August 2013).

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

If the defendant does not respond, the claim follows the applicable procedure, and is digitally processed until its conclusion. Certain documents will be printed as explained in the reply to the previous question.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

See the replies to questions 2 and 4.

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

Citius

To find out in which cases the law allows service via the internet, please see the factsheet '*Service of Documents – Portugal*', in particular the replies to questions 5 and 6.

Where electronic service is permissible, it is performed via the *Citius* platform, which automatically ensures that documents are available and can be viewed at:

https://citius.tribunaisnet.mj.pt/habilus/myhabilus/login.aspx

(Article 25(1) of Ministerial Implementing Order No 280/2013 of 26 August 2013).

Inventory Proceedings Management Platform

Service by the notary to the legal representatives of parties which are already involved in the proceedings is performed via the inventory proceedings platform, in the restricted space reserved for the legal representative in the system. Service is considered to have been performed on the third day after the document has been made available in the legal representative's restricted space in the system, or on the next working day if that day is not a working day (Article 9(1) of Ministerial Implementing Order No 278/2013 of 26 August 2013).

When the document is made available in the legal representative's reserved space on the platform, an email is simultaneously sent to the email address they previously provided notifying them that the document is available on the platform (Article 9(2) of Ministerial Implementing Order No 278/2013 of 26 August 2013).

Where service is performed directly on the parties, the documents are served in paper form pursuant to the terms set out in the Code of Civil Procedure (Article 9(3) of Ministerial Implementing Order No 278/2013 of 26 August 2013) and are registered on the inventory proceedings platform, with the electronic signature of the respective clerk affixed (Article 9(4) of Ministerial Implementing Order No 278/2013 of 26 August 2013).

14 Can judicial decisions be given electronically?

To find out in which cases the law allows service of judicial decisions via the internet, please see the factsheet '*Service of Documents – Portugal*', in particular the replies to questions 5 and 6.

Judicial decisions are entered into in the *Citius-Magistrados Judiciais* system and the decisions are made available in the *Citius* platform.

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

Yes, the following can be submitted electronically: applications for leave to appeal, statements of grounds of appeal and responses, and complaints against the dismissal or referral of appeals (Article 15 of Ministerial Implementing Order No 280/2013 of 26 August 2013).

As regards service of the decision on appeal, please see the reply to question 13.

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

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

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

Citius

Any party to proceedings – plaintiff, defendant, creditor (party who requests debt collection via judicial enforcement), debtor (a party against whom an enforcement order has been granted), accused, assistant, other parties to the proceedings, etc. – may consult the records of the proceedings to which they are a party and which are pending in judicial, administrative and tax courts from home or any other location with internet access, using their citizen card or mobile digital key for authentication. (Article 27-A of Ministerial Implementing Order No 280/2013 of 26 August 2013).

Such consultation is available within the limits laid down by law with regards to publicity of procedure (e.g. in compliance with the rules on the confidentiality of judicial proceedings).

Documents may be consulted online at:

https://processos.tribunais.org.pt/

A set of general questions and answers on the use of the court record consultation service is available at:

https://processos.tribunais.org.pt/perguntas-frequentes

Inventory Proceedings Management Platform

Parties and their legal representatives can consult inventory proceedings on the inventory proceedings platform (Article 13(1) of Ministerial Implementing Order No 278/2013 of 26 August 2013).

Parties can access this system exclusively for consultation purposes using a code provided by the notary when first serving documents on the party concerned (Article 13(2) of Ministerial Implementing Order No 278/2013 of 26 August 2013).

Applicable legislation

Law No 41/2013 of 26 June 2013 – Code of Civil Procedure

Ministerial Implementing Order No 280/2013 of 26 August 2013 – Electronic processing of judicial cases

Law No 117/2019 of 13 September 2019 – Legal Framework for Notarial Inventory

Ministerial Implementing Order No 278/2013 of 26 August 2013 – on the processing of documents and the terms of inventory proceedings

Regulation (EU) No 679/2016 of 27 April 2016 – EU General Data Protection Regulation (GDRP)

Ministerial Implementing Order No 419-A/2009 of 17 April 2009 – on procedural costs, fines and other penalties

Decree-Law No 34/2008 of 26 February 2008 – Procedural Costs Regulation

Useful links

Citius Portal

Justice Portal

Directorate-General of Justice Administration

Directorate-General for Justice Policy

Institute for Financial and Estate Management of Judicial Services

Note:

The EJN-Civil Contact Point, the courts and other entities and authorities are not bound by the information contained in this factsheet. The legal texts in force continue to be required reading. This information is subject to regular updates and evolutionary interpretation of case-law.

Last update: 09/08/2023

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

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

In accordance with Article 199(1) of the Code of Civil Procedure, an application may be lodged in person or by proxy, by post, courier, fax or scanned, and sent by email or electronically.

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

Applications may be submitted scanned and sent by email or lodged electronically in civil cases. There are no procedures available exclusively via the internet.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

This facility is available at all times.

In accordance with Article 199 of the Code of Civil Procedure, the application to bring an action (*cererea de chemare în judecată*) lodged in person or by proxy, by post, courier, fax or scanned and sent by email or as an electronic document is registered and stamped with the date of receipt. After registration, the application and accompanying documents, together with, where appropriate, evidence of how they have been forwarded to the court, are handed over to the President of the court or the person designated by the latter, who will take immediate steps to randomly establish a judicial panel, pursuant to the law.

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

The Code of Civil Procedure does not provide for the use of standard forms for legal claims. The ordinary civil procedural rules lay down the content of some of the claims submitted to civil justice (*e.g.* the application to bring an action, the defence, the counterclaim).

5 How is transmission and storage of data secured?

Securing data transmission and storage is done by using IT tools native to the email system, such as firewalls, certificates, antivirus, role-based access control, etc., plus by applying best practices in the sector.

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

In accordance with Article 148(2) and (5) of the Code of Civil Procedure, applications to the courts may also be submitted electronically, provided that the conditions laid down by law are met. The application must also include the applicant's signature. The signature may be affixed to a scanned document sent by email. The signature may be electronic if the application is an electronic document sent by email.

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

Yes, court fees are paid in accordance with Government Emergency Order No 80/2013 on court stamp fees, but their amount does not differ. Court stamp fees are payable by the debtor in cash, by bank credit transfer or online to a separate local budget revenue account, 'Court stamp fees and other stamp fees', of the administrative division where the natural person has their domicile or residence or, where applicable, where the legal person has their registered office. If the debtor does not have their domicile, residence or registered office, as applicable, in Romania, the court stamp fee is payable to the local budget account of the administrative division of the court where the action is brought or the application is filed.

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

Yes, under the same conditions under which the applicant may abandon the court action. In accordance with Article 406 of the Code of Civil Procedure, the applicant may at any time abandon the action, either orally at a court hearing or by written application.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

It is not mandatory for the defendant to use the internet.

In accordance with Articles 149(4) and 154(6) and (6)(1) of the Code of Civil Procedure, writs of summons and all procedural documents are delivered *ex officio* by procedural agents of the court concerned or any other of its employees, as well as by agents or employees of other courts in whose jurisdiction the addressee of the document to be served resides. Summonses and other procedural documents may be served by the court clerk and by fax, e-mail or other means that ensure the transmission of the document's content and the acknowledgement of receipt thereof, where the party concerned indicated to the court his/her contact details for this purpose. Service of procedural documents will be accompanied by the court's extended electronic signature, which will replace the court stamp and the signature of the clerk of the hearing as the mandatory references on the summons. Each court will have a single extended electronic signature for summons and procedural documents. These shall be deemed to have been served when a message is received from the system used that they have arrived at the addressee according to the information he or she has provided.

Service of court decisions will be done by email *ex officio*, providing the party has given the relevant data to the court for this purpose either directly or at the express request of the court during proceedings. The communication will be accompanied by the court's extended electronic signature, which will replace the court stamp and the signature of the clerk of the hearing. Court judgments shall be deemed to have been served when a message is received from the system used that they have arrived at the addressee according to the information he or she has provided.

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

The defence shall be notified in the same way as a procedural document is served. See the answer to question 9.

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

In accordance with Article 208 of the Code of Civil Procedure, the penalty of **failure to submit a defence** within the time limit laid down by law is the same irrespective of the manner in which it is lodged. Where no defence has been lodged, the defendant will forfeit his or her right to submit evidence and pleas, with the exception of public order pleas, unless otherwise provided by law.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

See the answer to question 9.

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

See the answer to question 9.

14 Can judicial decisions be given electronically?

See the answer to question 9.

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

See the answers to questions 1 and 9.

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

Judicial documents issued in enforcement proceedings are subject to the same common law rules as apply to the service of procedural documents. See the answer to question 1.

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

Not applicable. However, cases can be accessed on the Courts' Portal (https://portal.just.ro/SitePages/acasa.aspx) or at the Info Desks on court premises, in summary, classified according to file number, the subject matter of the case and the names of the parties. It is envisaged that in the future the public will be able to pay to consult court files from their own home.

Last update: 16/12/2022

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

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

Yes, the Civil Procedure Act (Zakon o pravdnem postopku, ZPP) enables applications to be submitted in civil proceedings in electronic form and judicial proceedings to be commenced via the internet.

More precisely, Article 105b lays down that applications in civil proceedings shall be submitted in writing, where a written application is deemed to be one that has been handwritten or printed and signed in the applicant's own hand (application in physical form) or an application in electronic form and signed with an electronic signature, which is equivalent to a handwritten signature. An application in physical form is submitted by post, using communication technology, delivered directly to the body or delivered by a person engaged professionally in submitting applications (business supplier/poslovni ponudnik). An application in electronic form is submitted by being submitted to the judicial information system, where the information system automatically confirms that the application has been received.

Notwithstanding the existing legal provisions (acts and implementing regulations) relating to all civil and commercial procedures, currently only procedures included in the e-Justice (e-Sodstvo) website may be commenced via the internet or electronically: in enforcement procedures it is possible to file applications for enforcement and other applications in electronic form, as well as issue and deliver judicial documents, where for some addressees (notaries, lawyers) electronic service is obligatory; it is further possible to submit applications and issue decisions in insolvency proceedings, as well as submit land register motions, and issue decisions in land register procedures.

The e-Justice website exists in Slovenia for this purpose, and enables written material to be submitted in electronic form: https://evlozisce.sodisce.si/esodstvo/index.html

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

The submission of electronic applications and the electronic serving of documents is possible in the civil procedures and in other civil judicial proceedings, where the rules contained in the ZPP are applied.

A land register procedure **may be initiated exclusively online, since Article 125a of the Land Register Act (Zakon o zemljiški knjigi**, ZZK-1) sets out the obligatory electronic submission of documents; nevertheless, an applicant may also file a request for the entry of a right of ownership in their favour in the order of priority for the filing of the request in the court records by personally presenting themselves during office hours at the land register court covering the area in which the property that is the subject of the request is located, if they deliver to the land register court all the documents forming the basis for the requested entry referred to in Article 142(1) of this Act and if, at the same time, they pay the court fees applying to the request. An applicant who has filed an electronic land register request themselves and a notary public, lawyer, real estate company or state attorney's office representing a party to a land register procedure must submit all applications from that party electronically (Article 125a(4) of the ZZK).

For other procedures which can be initiated electronically, the legislation still allows applications to be submitted in physical (paper) form.

Enforcement: Article 29(2) of the Enforcement and Securing of Claims Act (Zakon o izvršbi in zavarovanju, ZIZ) lays down that the minister responsible for justice shall prescribe the types of enforcement procedure in which enforcement proposals and other applications may be submitted by electronic means and processed automatically in the information system, and the course of such procedures. Pursuant to the above Article, Annex 5 of the Rules on the Forms, Types of Enforcement Procedure and the Automated Enforcement Procedure states which electronic applications may be submitted by an applicant via the e-Justice website (e-Enforcement/e-Izvršba sub-site). Parties may submit all applications in electronic form via the e-Enforcement sub-site of the e-Justice website.

Insolvency proceedings: An official receiver is obliged to submit his or her reports, lists of verified claims and other documents to the court in electronic form, signed with a secure electronic signature verified by means of a qualified certificate (Article 98 of the Financial Operations, Insolvency and Compulsory Dissolution Act/Zakon o finančnem poslovanju, postopkih zaradi insolventnosti in prisilnem prenehanju, ZFPPIPP). A lawyer who represents a party to insolvency proceedings is obliged to submit a notification of claims and other applications of the party in electronic form, signed with a secure electronic signature verified by means of a qualified certificate (Article 123a of the ZFPPIPP); if they fail to do so, the court shall reject the application. All documents are delivered to the lawyer representing the party in insolvency proceedings and to the official receiver electronically to a secure e-mail address.

Likewise, a court issues an original decision or order in electronic form in insolvency proceedings, signed with the judge's secure electronic signature verified by means of a qualified certificate. (Article 124 of the ZFPPIPP).

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

The e-Justice information system is obliged to allow electronic transactions to be conducted every working day between 8 am and 8 pm. In principle, users of the e-Justice information system may conduct their electronic transactions at any hour and on any day of the week, since the above restrictions applies to instances when the system is undergoing a technical upgrade.

Article 112 of the ZPP lays down that when an application is sent by electronic means, the time at which it was received by the information system is taken as the moment of delivery to the court to which it is addressed. As an implementing regulation, the Rules on Electronic Transactions in Civil Judicial Proceedings lay down that if a deadline applies to an electronic application, that application shall be deemed to have been submitted at the moment it is received by the server on which the e-register module for the type of civil judicial procedure to which the application is being submitted via the e-Justice information system runs (Article 18 of the Rules).

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

If the non-standardised part of the text of the electronic application is originally drawn up as an electronic document, it must be attached to the electronic transaction in PDF/A form. The user must convert the non-standardised part of the text of an electronic application that is originally drawn up as a written document and any annex that constitutes a written document into electronic form by scanning it in order to attach it to the electronic transaction. An electronic document obtained in this way must meet the following requirements:

it must be in PDF/A form and in black and white;

resolution must be between 240dpi and 300dpi;

if the written document includes several pages, all pages must be contained in a single PDF file so that there are no intermediate empty pages;

if two or more documents are attached, each document must be contained in its own PDF file.

If an electronic document attached to an electronic transaction does not meet these requirements, the electronic application is deemed to be incomplete. (Article 19 of the Rules on Electronic Transactions in Civil Judicial Proceedings).

5 How is transmission and storage of data secured?

The e-Justice information system is located in the secure government network (HKOM), and the data is stored on the central server of the HKOM network. The rights of access to the data are addressed as part of the scheme of rights regulated by the information technology centre at the Supreme Court of the Republic of Slovenia (Vrhovno sodišče Republike Slovenije) in accordance with the Rules on Electronic Transactions in Civil Judicial Proceedings. Every user of the e-Justice information system and the other three sub-sites must register with the security scheme before conducting electronic transactions. User groups are distinguished by means of the level of presentation within the information system (ordinary users, registered users and qualified users). The number of user rights (electronic transactions) that may be implemented on the site and sub-sites depends on the type of user group to which a user belongs.

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

Every electronic application must be signed with the applicant's electronic signature (qualified digital certificate). The e-Justice information system furnishes every electronic application received with a time stamp, while the applicant receives an automated electronic certificate stating the time the application was entered in the e-Justice information system.

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

The general regulation governing the payment of court fees is the Court Fees Act (Zakon o sodnih taksah, ZST-1), which states that court fees are payable before courts in Slovenia under the provisions of this act. The act does not, in principle, distinguish between electronic and non-electronic procedures, but does encourage electronic submission of applications in enforcement proceedings, the fee for electronic submission being 20% lower than the fee for an application submitted in physical (paper) form.

Enforcement proceedings:

An order for payment is issued upon the electronic submission of an application, ordering the applicant to pay the court fee within eight days of the delivery of the order by remitting the sum to the relevant account and with the reference number stated in the order. The order for payment of the court fee is considered delivered when the applicant or their representative has submitted the application electronically.

If the applicant fails to pay the court fee in accordance with the order for payment within eight days of the delivery of the order, and the conditions for exemption, delay or payment of court fees are not met, the application is deemed to have been withdrawn. The only exception relates to an electronic request for enforcement based on an authentic document, where the obligation to pay the fee arises when the request enters the information system. The applicant is not given an order for payment, but rather receives the details necessary for paying the court fee. Where an applicant fails to pay the prescribed amount of the court fee for an electronic request for enforcement on the basis of an authentic document for which the Central Document Authentication Department (centralni oddelek za verodostojno listino, COVL) is responsible, and within eight days of the delivery of the request, the request shall be deemed not to have been submitted.

There is no distinction made between the payment of court fees in general and the payment of court fees for electronic applications that are not applications for enforcement based on an authentic document. Where an application for enforcement based on an authentic document is made in physical (paper) form and where the applicant does not pay court fees according to the reference stated on the request form, the court shall send them an order for payment.

Land register proceedings: Where a court fee needs to be paid for a land register proposal or other electronic application, an order is issued upon the electronic submission of the application ordering the applicant to pay the court fee within eight days of the delivery of the order by remitting the sum to the relevant account and with the reference number stated in the order. The order for payment of the court fee is considered delivered when the applicant or their representative has submitted the application electronically. If the applicant fails to pay the court fee in accordance with the order for payment within eight days of the delivery of the order, the application is deemed to have been withdrawn.

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

The same rules apply to the withdrawal of a request or application submitted electronically as to the withdrawal of a written application. In computerised enforcement, insolvency and land register procedures, a submitted request may also be withdrawn electronically.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

As mentioned under point 1 above, despite the existence of legal provisions for the submission of electronic applications, this is still not yet possible in all civil proceedings.

The Rules on the Forms, Types of Enforcement Procedure and the Automated Enforcement Procedure contain a list of applications and other documents that can be sent by electronic means in an enforcement procedure. Where a debtor in an enforcement procedure wishes to submit a reply or an electronic application via the e-Justice website (e-Enforcement sub-site), they must meet the conditions applying to an external qualified user of the e-Justice information system (open secure electronic mailbox, qualified digital certificate from a Slovenian certifier linked to a tax number), along with other conditions depending on which user group they belong to (Article 12 of the Rules on Electronic Transactions in Civil Judicial Proceedings).

See the reply under point 2 for the obligations applying to some participants with regard to the submission of documents in electronic form and those of parties **to** insolvency proceedings.

An objection or other legal remedy may also be submitted online in land register proceedings and certain types of enforcement proceeding. It is obligatory for some participants (lawyers, notaries public, state bodies, real estate companies) to submit all documents electronically in land register proceedings.

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

The electronic procedure in the event of a lack of response from an opposing party proceeds in the same way as the written procedure in such cases. After expiry of the deadline set for the defendant or debtor to reply, the court issues a decision.

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

See 10 – same question.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Article 16a of the ZPP lays down that an electronic form is equal to a written form if the data in electronic form is capable of being processed at court, and is accessible and suitable for subsequent use, and that data in electronic form may not be regarded as having no evidential value because it is in electronic form. The same is stipulated by the Electronic Transactions and Electronic Signature Act (Zakon o elektronskem poslovanju in elektronskem podpisu, Article 13(1)).

Documents and evidence may be submitted in electronic form in procedures of enforcement and the securing of claims. Regarding compliance with the technical requirements, where they do not refer to an electronic application but to an electronic document (attachment), the provisions of Article 19(1, 2) of the Rules on Electronic Documents are applied mutatis mutandis. See also the reply under point 4.

Documents may also be submitted in electronic form. An electronic application is an electronic document containing the application of a party to civil judicial proceedings (Rules on Electronic Transactions in Civil Judicial Proceedings). The same rules also define an 'electronic attachment', i.e. a written document converted into electronic form and attached to an electronic application.

The user submits an electronic application by selecting the appropriate electronic transaction for submitting an electronic application on the e-Justice website and entering the required information from the standardised part of the text of the application in the appropriate field of the on-screen (online) form. Where an electronic application also contains an explanatory part by law or at the discretion of the applicant, the user creates a separate electronic document from the text of the explanatory part (the non-standardised part of the text of the electronic application) that meets the requirements referred to in Article 19 of the Rules on Electronic Transactions in Civil Judicial Proceedings and attaches this electronic document to the e-Enforcement transaction. The user signs it with their own secure electronic signature. The same applies to electronic attachments to an electronic application. See also the replies above.
A special rule is defined for land register procedures in order to ensure legal security, and owing to the fact that the document converted into electronic form acquires the nature (evidential value) of an original, that only a notary public, as a person of public trust, may convert private documents (contracts) into electronic form. A notary public is also obliged, under the rules of notarial custody, to keep this document until entry becomes final. A party/applicant may convert other documents that form the basis for entry (court decisions and other decisions of a state body) into electronic form themselves.

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

Under the provisions of the Rules on Electronic Transactions in Civil Judicial Proceedings, an electronic court decision is regarded as an original court decision. In the electronic serving of a court decision, a copy of an electronic court decision is sent as an electronic document. In the serving of a court decision by post, a printed copy of the electronic court decision is sent.
*It should be pointed out that, in practice, and despite the legal provisions in place, it is currently not yet possible to send documents in civil and commercial cases, with the exception of proceedings involving the insolvency and the land register, by electronic means. Since 10 April 2014, court documents have also been delivered to lawyers and executors in electronic form, i.e. by electronic means.

14 Can judicial decisions be given electronically?

Yes. A judgement or decision issued in electronic form is signed by the chair of the judges' panel using their own secure electronic signature and the court's secure electronic signature, verified by means of a qualified certificate. If the secure electronic signature of the chair of the judges' panel is certified by means of a qualified certificate that also contains an indication of the court, the court's own secure electronic signature is not required. Judgements processed in the information system automatically may have a facsimile in place of a signature and stamp.
A decision issued in physical or electronic form may be served on parties as a certified copy or as an electronic (scanned) copy or in electronic form. See also the note to reply 13.

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

As already stated above, despite the existence of legal provisions, electronic applications, appeals included, cannot be submitted in all proceedings, although electronic submission is possible in enforcement, insolvency and land register proceedings if the applicant meets the conditions applying to a user of the e-Justice information system. See also the replies above.

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

Yes, electronic enforcement (e-Enforcement) is also possible through the e-Justice website. An applicant may submit an application for enforcement on the basis of an authentic document via the e-Justice website (e-Enforcement sub-site) as a registered and external qualified user. An applicant may submit an application for enforcement on the basis of an enforcement title and an application for the securing of claims via the e-Enforcement sub-site only as an external qualified user. It must be pointed out here that this is a procedure of enforcement and securing of claims conducted in accordance with national regulations (ZIZ).

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

Parties have the right to inspect and copy a file in electronic form in the information system, with a party proving their identity by means of a qualified certificate for an electronic signature.
In enforcement and securing of claims proceedings before local courts (okrajna sodišča), users that have submitted an electronic application via the e-Enforcement sub-site may inspect their own documents, as well as the procedural acts in the case to which they have submitted the electronic application and in which they are referred to as a participant. The Rules on the Forms, Types of Enforcement Procedure and the Automated Enforcement Procedure lay down what a user from a specific user group may inspect.
Inspection of the file is also permitted in land register proceedings. One difference between land register and enforcement proceedings is that all registered users (i.e. not just applicants and other participants) are permitted to inspect the file until the entry in the land register becomes final. Only procedural acts (application, court decision, etc.) are available for inspection to all, and not attachments, i.e. documents, for reasons of protection of participants' personal data.

Related links

https://evlozisce.sodisce.si/esodstvo/index.html
http://www.pisrs.si/Pis.web/
https://www.uradni-list.si/
http://www.dz-rs.si/wps/portal/Home/deloDZ/zakonodaja/preciscenaBesedilaZakonov
http://www.sodisce.si/

Last update: 03/07/2019

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

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

Court proceedings can be initiated via the internet, or, more precisely, claims and other submissions can be filed electronically, provided they feature a certified electronic signature.

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

Electronic submission is available for all types of claims and for all submissions. If a submission in a case is made in electronic form without authorisation (a certified electronic signature), it must be delivered subsequently in paper form or in electronic form with a certified electronic signature within 10 days, otherwise the court will disregard the submission. The court does not explicitly invite the submitter to make a subsequent delivery.
In non-adversarial matters, a submission may be made to any district court, which is obliged to record the submission in its register and without delay forward it to the court having jurisdiction. Such a submission has the same effects as if it were filed with the court having jurisdiction.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

At all times.

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

No specific format is required; claims are judged by their contents. If a claim lacks a particular detail, the court will make a ruling asking the party to correct or supplement its claim within a period which must not be less than 10 days.

5 How is transmission and storage of data secured?

The conditions for storage and transmission of data are set out in Act No 543/2005, the processing and office rules for district courts, regional courts, the Special Court, and military courts, as amended (zák. č. 543/2005 Z. z. *v znení neskorších zmien doplnení – Spravovacom a kancelárskom poriadku pre okresné súdy, krajské súdy, Špeciálny súd a vojenské súdy*) (hereinafter referred to as "PaOR")

a) The procedure of accepting submissions via the internet with a certified electronic signature is governed by Act No 215/2002, on electronic signature and amending certain acts, as amended by Act 679/2004 (*zák. č. 215/2002 Z. z. o elektronickom podpise a o zmene a doplnení niektorých zákonov v znení zákona č. 679/2004 Z .z.*) and NBU Regulation No 542/2002, on the method and process of using electronic signatures in business and administrative relations (*vyhláška NBÚ č. 542/2002 z. z. o spôsobe a postupe používania elektronického podpisu v obchodnom*). A submission received in this way is forwarded to the mail room, which proceeds further pursuant to Section 129 PaOR. A court mail room uses a software application to maintain a record of submissions;

b) Submissions received without a certified electronic signature are immediately forwarded to the mail room, for it to proceed in line with Section 129 PaOR.

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

A submission that is made via the internet without a certified electronic signature must be delivered subsequently in paper form or in electronic form with a certified electronic signature within 10 days, otherwise the court will disregard it. If a submission features a certified electronic signature, it need not be supplemented. The exact time of the delivery of the submission is noted and recorded.

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

Yes, court fees are payable, for the making of a copy of the claim and its appendices that constitute the court file and of a copy of the claim and its appendices that are delivered to the parties if the claim was filed by electronic means and singed with a certified electronic signature pursuant to Act No 215 /2002, on electronic signature and amending certain acts, as amended by Act 679/2004 and an NBU Regulation No 542/2002, on the method and process of using electronic signatures in business and administrative relations, of EUR 0.1 per page, but at least EUR 10 per submission that constitutes a claim or application for the initiation of proceedings, and its appendices, and at least EUR 3 for all other submissions and their appendices (item 20a of the Annex to Act No 71/1992, on court fees, as amended (*zákon č. 71/1992 Zb. o súdnych poplatkoch v znení neskorších zmien a doplnení*)).

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

Yes, every submission may be withdrawn regardless of the method whereby it was filed – a withdrawal of a claim – in part or in full.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

The defendant has the option, but is not obliged to use it.

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

The procedure applicable to electronic submissions is set out by Act No 543/2005, as amended, the administrative and office rules for district courts, regional courts, the Special Court, and military courts.

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

The procedure applicable to electronic submissions is set out by Act No 543/2005, as amended, the administrative and office rules for district courts, regional courts, the Special Court, and military courts.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Evidence constitutes any and all means whereby the state of the matter can be ascertained, a means of proof can be any means whereby the state of the matter can be ascertained. They are permitted in all types of procedure. Documents may be submitted to a court subject to the conditions set out in Section 125 of the Code of Civil Procedure (*Civilný sporový poriadok*).

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

Within the meaning of Section 105 of the Code of Civil Procedure, written documents can be served via the internet. A document from a court is deemed delivered on the fifth day after it is sent, even if the addressee has not read it.

Service via the internet is, however, excluded in the service of judgements, other court decisions, summons to proceedings and other written documents for which personal service is provided for by law. A judgement can only be served personally; service via the internet is impermissible.

14 Can judicial decisions be given electronically?

No. The handing down of a judgement is effected using computer technology, and a template with a pre-printed state coat of arms of the Slovak Republic and the following text: "Judgement in the name of the Slovak Republic". A written judgement is signed by the chair of the judicial panel or the judge sitting alone.

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

An appeal may be submitted via the internet. If an appeal is submitted in electronic form without a certified electronic signature, it must be delivered subsequently in paper form or in electronic form with a certified electronic signature within 10 days. If the appellant does not do so, the submission will be disregarded. A decision on an appeal cannot be made via the internet; it must be made exclusively in paper form.

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

An application for enforcement of a decision may be filed via the internet. If filed electronically without a certified electronic signature, it must be delivered subsequently in paper form or in electronic form with a certified electronic signature within 10 days. If the party fails to do so, the submission will be disregarded.

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

Parties and their legal representatives can consult case files solely in person, exclusively in the presence of a court staff member.

The website of the Ministry of Justice of the Slovak Republic (*Ministerstvo spravodlivosti Slovenskej republiky*) facilitates searches of a database of court decisions. Anyone can search and consult court decisions, being able to search a decision by its date of issue, issuing court, file number, form of decision, nature of decision, sphere of legal regulation, statutory provisions applied, and first name and surname of the judge or judicial official who issued the decision, or by searching according to the words used in the decision (so-called fulltext).

Last update: 22/04/2022

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

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

Yes.

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

Automatic processing is available for submitting applications for a summons in the case of uncontested claims, for legal aid applications (and for applying for defence counsel or a public legal aid attorney to be appointed and for attorneys applying for reimbursement for fees and costs from the State) and for enforcement applications (in the case of private law applications for the enforcement of debts that are based on a district court's (*käräjäoikeus*) ruling or judgment).

Finland has no proceedings that are available exclusively via the internet.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

The facility is available at all times.

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

An XML template is available for corporations and organisations that frequently file applications for a summons. A separate electronic online form is available for citizens and businesses.

5 How is transmission and storage of data secured?

The automatic processing facility of Finnish courts is secured by an encrypted https file transfer protocol. Data submitted by courts are kept on a secure server from where interested parties can download their documents.

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

Users need to log in to download files from the secure server.

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

The same fees are charged for electronic procedures as for non-electronic procedures. District courts charge fees to applicants and claimants at the end of each procedure. The amount of the fee depends on the nature of the case and the complexity of the procedure.

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

The same principles apply to electronic procedures as to claims filed by conventional, non-electronic means.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Defendants can respond via the internet but using the internet is not compulsory.

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

In civil cases there are no differences between electronic and non-electronic procedures.

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

In civil cases there are no differences between electronic and non-electronic procedures.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Yes. Applications for a summons, responses and other court documents can also be sent to courts via email.

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

Documents that do not require acknowledgement of receipt (such as responses, summonses to preliminary and main hearings and court summaries) can be sent to the interested parties via email.

14 Can judicial decisions be given electronically?

Judicial decisions can be sent to the interested parties electronically upon request. The recipient or his or her agent must log in to download judicial decisions from the online facility.

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

It is not currently possible to make appeals electronically.

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

Applications for the enforcement of judgment debts can be submitted electronically. Automatic processing is available for private law applications for the enforcement of debts that are based on a district court's ruling or judgment.

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

Yes. Claimants can monitor the progress of their cases by logging into an online facility if the proceedings were initiated via the internet.

Last update: 10/05/2023

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

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

It is currently not possible to apply for a summons in a civil action via internet. An application for a summons must be submitted in writing and be signed in person by the plaintiff or by his or her representative. The signature requirement means that a summons application cannot be submitted electronically.

In summary proceedings an application for an order to pay may be submitted to the Swedish Enforcement Authority (*Kronofogdemyndigheten*) by internet.

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

As is clear from the answer to question 1, this is only possible in summary proceedings.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

There is no internet service for bringing a case to court.

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

There is no internet service for bringing a case to court.

5 How is transmission and storage of data secured?

There is no internet service for bringing a case to court.

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

There is no internet service for bringing a case to court.

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

There is no internet service for bringing a case to court.

Electronic applications to the Swedish Enforcement Authority for an order to pay must be signed with an advanced electronic signature as referred to in Article 3 of Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC.

The Swedish Enforcement Authority may grant an exemption from the signature requirement if a person is expected to submit a large number of applications in a secure and technically appropriate manner. If an action for an order to pay is transferred to a court to be dealt with as a normal case, it is not necessary to provide a physical signature in addition to an electronic application.

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

There is no internet service for bringing a case to court.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

There is no internet service for bringing a case to court. As is clear from the answer to question 12, however, it is usually possible to submit a statement of defence and other judicial documents that do not have to be signed in person via the internet.

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

There is no internet service for bringing a case to court.

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

There is no internet service for bringing a case to court.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Documents that do not have to be signed in person may be submitted electronically. This means that it is possible, in principle, to submit all documents electronically other than an application for a summons. The court may, however, decide in an individual case that a document that has been submitted electronically must be confirmed by the sender by means of an original signed document.

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

There is nothing to prevent a court sending a document electronically and receipt of the document being confirmed by e-mail, for example, if this is deemed appropriate under provisions in force concerning personal data etc.

14 Can judicial decisions be given electronically?

A judgment is sent by post, unless requested otherwise by the party. Where appropriate, for instance with reference to the provisions on personal data in force, documents may instead be sent by fax or e-mail, or otherwise made available in electronic form.

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

It is possible to lodge an appeal by e-mail. Where necessary, the court may request that such an appeal be confirmed by the sender by means of an original signed document.

With regard to service of process, please see the answer to question 13.

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

An application for enforcement may be made by the entitled party or by his or her representative, either orally or in writing. An oral application requires the applicant (the party seeking enforcement) to contact the Swedish Enforcement Authority. A written application must be signed by the applicant or by his or her representative. The Swedish Enforcement Authority may, however, allow a party submitting a large number of applications to do so electronically.

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

No.

Last update: 29/01/2020

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Online processing of cases and e-communication with courts - England and Wales

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

Yes it is possible to initiate court proceedings via the internet through either the Money Claim Online (MCOL) or Possession Claim Online (PCOL). Both systems are supported by a helpdesk which can provide assistance (although not legal advice). The helpdesk can be contacted on 0845 601 5935 (for callers within the United Kingdom) and +44 1604 619 402 (for callers from outside of the United Kingdom).

In addition claims within the various jurisdictions of the Rolls Building in London (the Chancery Division of the High Court, the Commercial and Technology and Construction Courts, the Mercantile Court and the Admiralty Court) may be issued and case managed electronically under the CE Filing scheme.

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

MCOL is available for County Court claims for a fixed amount of money which is less than £100000 (approximately €125000) including court fees and any lawyers' costs. The claim should be against no more than two people and the address of the person or persons being sued must be within England and Wales. The claimant must also have an address for service within England and Wales.

PCOL can be used to make a claim for the recovery of possession of land (including buildings or parts of buildings). It includes a possession claim for residential property by a landlord against a tenant, solely on the ground of arrears of rent (but not a claim for forfeiture of a lease); or a mortgagor against a mortgagee, solely on the ground of default in the payment of sums due under a mortgage. It does not include a claim for any other remedy except for payment of arrears of rent or money due under a mortgage, interest and costs. As with MCOL, all defendants must have an address for service in England and Wales and the creditor must have an address in England or Wales where documents can be delivered. The claimant must also be able to provide a postcode for the property to be recovered and should have an e-mail address.

For both MCOL and PCOL, creditors must be at least 18 years of age, must not lack mental capacity, must not be legally assisted within the meaning of the Legal Aid Act 1988 and must not be a vexatious litigant (that is a person who has been forbidden by a High Court Judge to issue proceedings in any county court in England and Wales without permission). Claims cannot be made against the Government or Monarchy.

These types of claims do not have to be initiated using the internet.

CE Filing is available for all claims (save for those involving an application for fees remission) that would otherwise be issued in the Rolls Building; cases not initiated under CE Filing may use either system.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

Both MCOL and PCOL are available at all times. Where a claim is received before 09.00 on a day when the court is open, the request will be processed that day. Where it is received after 09.00 it will be processed on the next day that the court is open. The claim is usually printed and posted to the defendant on the day it is processed.

CE Filing is also available 24 hours a day, seven days a week, subject to routine maintenance.

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

For both MCOL and PCOL a claimant will be asked to complete a series of screens. Each screen deals with a specific piece of information that is required - for example the creditor's full name and address, the name and address of the defendant or defendants and the amount of money being claimed and details of the claim.
The MCOL and PCOL systems will automatically save information as it is completed on the screen. If only part of a screen is completed a creditor may save that information by selecting the save option which appears at the top and bottom of each screen. In MCOL these details are saved for 28 days to allow a creditor sufficient time to get together any further information required. PCOL will save a draft claim indefinitely until the claim is submitted and or deleted by the user.
The initial information about the parties and their lawyers is submitted in an online form. CE Filling enables the party to upload documents as if they were doing so over the counter; the only constraint is the size, should a document be too large, it will need to be filed in tranches.

5 How is transmission and storage of data secured?

Security is of paramount importance in both the MCOL and PCOL systems. Because some of the information a creditor provides can be of a sensitive nature security is provided through unique user ID and passwords. The site also has security protection and encrypts the data that passes over the Internet. However parties should note that any e-mails sent or received cannot be regarded as secure.
Creditors need to register with MCOL and PCOL before they can issue claims online. Once they have registered they are asked to choose a user ID and password. Both the ID and password must be no less than 8 and no more than 12 characters long and be a combination of letters and numbers.
MCOL and PCOL also ask a creditor to select a security question and provide an answer to it when he/she registers. This is in case the creditor forgets his /her password. The system will e-mail the password provided the security question has been answered correctly. User IDs once forgotten are irretrievable.
CE Filing is a secure method of transmitting information as between the courts and the parties and their bankers.

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

Electronic signatures are not required, although the logon procedure described in answer to question 5 applies. The time an application is submitted will, as explained in the answer to question 3, determine the day on which the claim is processed.
As CE Filing is a method of filing documents, no electronic signature is required. Timing of submission is either the time of payment of the relevant fee or the date and time as set out in the relevant rules.

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

Claims issued online attract a lower fee than those issued manually, as it is less resource intensive for court staff. The court fees for both MCOL and PCOL should be paid by credit or debit card, and PCOL also allows payment by direct debit for organisations and lawyers. Those entitled to claim a fee remission cannot use MCOL or PCOL. If a fee remission is claimed the application would require proof that would need to be checked by a member of court staff. For that reason applications for fee remissions are not available online. Claimants who feel they qualify for fee remission need to contact their local court and issue a manual claim along with their application.
The Fees payable are the same as if the case was issued over the counter fees are paid either via credit card are or on account.

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

While it is possible to delete claims and requests made through MCOL and PCOL before they have been submitted, after being submitted claims cannot be deleted. It is possible to cancel proceedings requested via MCOL or PCOL once they have been issued in the same way as for non-electronic procedures. Court fees cannot be refunded when a request for cancellation is made after proceedings have been issued.
Under CE filing a case may be withdraw in the same way as had it been done so via an over- the-counter filing

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

If a claim has been issued through MCOL or PCOL a defendant may respond electronically using the login password provided on the front of the claim form. It is not compulsory to respond via the internet.
A CE filing case will, in the absence of any rule, continue as a CE filing case.

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

The defendant can respond online to a claim made using MCOL in 5 ways. He/she can:
Pay the claim in full
Make a full admission
Make a part admission
File an acknowledgement of service
Defend the claim
Make a counterclaim against the claimant
Where the defendant submits a defence the case is transferred to the defendant's local court. Where a counterclaim is made the case is transferred to an appropriate court. In both circumstances the case will proceed as if it was issued in a non-electronic format.
If the defendant makes a partial admission the creditor will be asked whether he/she is willing to accept this admission. If it is accepted the claimant may request the court to enter judgment against the defendant and send an order to pay. If it is not accepted the case will proceed as a defended case.
If the defendant replies to the possession claim a copy is served on the claimant and placed on the court file for the initial possession hearing. On PCOL, defendants can complete the response form which is a statement of means and is required in advance of the possession hearing.
A Defendant to a CE filing case has the same options as a defendant to a non-CE filed case.

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

If the defendant does not to respond to a claim the creditor can request judgment by default online via MCOL. A request can be made by selecting the Judgment Start option. The creditor is asked to decide whether he/she wants the defendant to pay the claim by instalments or in one lump payment. If the creditor has claimed interest as part of the original claim he/she is entitled to claim interest from the date of issue up to the date judgment is requested. As with the initiation of claims, a request for judgment if received via MCOL before 09.00 on a day when courts are open will be processed at the end of the day. Where it is received after 09.00 it will be processed on the next day when the court is open and may not appear on MCOL until the following day.
PCOL can be used to apply to the court for a date to be fixed for possession where the defendant has failed to comply with the terms of an Order for Possession. However the required supporting evidence must be filed directly with the court and cannot be attached to an online application.
The failure to engage with the process on the part of the defendant in a CE-Filed case will lead to the same outcomes in a non-CE Filed case.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

PCOL allows claimants to submit the following electronically:
General correspondence
General application
Request hearing adjournment

Withdraw claim.
For MCOL, claimants can also do the following electronically:
Enter judgment by admission, part admission or default
Issue a warrant of execution.
Claimants and defendants can submit e-mail correspondence and queries through MCOL and PCOL. However they cannot submit general correspondence or applications electronically.
CE Filing allows all documents to be field electronically.

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

Judgments can be issued on both MCOL and PCOL, however they must be served by the method prescribed in the rules.
In CE Filing cases, the originating party is responsible for service.

14 Can judicial decisions be given electronically?

Judges do not have the facility to send decisions to parties electronically.
CE filing has no bearing on the handing down of judgments.

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

An appeal can be made via PCOL on a general application, but other than that no appeal can be made electronically via PCOL or MCOL. Decisions cannot be served via the internet.
CE filling has no application in appeal cases.

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

Where a creditor requests judgment by default with immediate payment via MCOL, he/she can request a warrant of execution once the status on MCOL shows that judgment has been entered, and where the defendant has defaulted against the terms of the judgment (this applies whether the judgment is obtained by default or by admission.) There is a fee for issuing a warrant which the creditor will be asked to pay using either a debit or a credit card. This court fee is added to the amount owing. To request a warrant online the creditor must log onto the system using his/her user ID and password, select the claim and select the 'warrant of execution' option.
The warrant must be issued for:
Either the balance due under the judgment
Or, if the judgment is payable by instalments, a minimum sum of £50 or one monthly instalment, whichever is the greater amount.
Once the warrant has been issued it is sent electronically to the bailiffs at the defendant's home court. The bailiffs will make several attempts to recover the creditor's money.
Other methods of enforcement - the full details of which can be found on the enforcement factsheet for England and Wales - are not available via MCOL.
PCOL can be used to submit a request to the court to issue a Warrant of Possession. This provides a means to enforce a judgment or order for the possession of land (where 'land' is taken to mean both buildings and open land). If the occupants of the land do not leave voluntarily, a bailiff has powers under the warrant to evict them. A fee is required to be paid.
PCOL can also be used to submit an application to the court for Leave to Issue a Warrant of Restitution. Warrants of Restitution only apply in the circumstances when the bailiff has successfully executed a possession warrant and the previous occupant has regained possession of the property. However if an application intends to rely on a separate witness statement or documentation it is not possible to submit an application online. No other methods of enforcement can be requested via PCOL.
CE Filing has no enforcement provisions.

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

Parties can view their case status online, and view the history of cases that have been issued by them or against them.
Subject to the rules in the CPR, CE Files may be searched via the terminal provided for that purpose.

Related links

Money Claim Online
Possession Claim Online
Civil Procedure Rules
Ministry of Justice

Last update: 27/01/2020

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Online processing of cases and e-communication with courts - Northern Ireland

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

Yes it is possible to initiate civil court proceedings via the internet through Small Claims Online (SCOL) which can be found at https://www.justice-ni.gov.uk/articles/online-services

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

Small Claims On Line (SCOL) is available for money claims which are less than £3,000 excluding court fees and which does not relate to personal injuries, road traffic accidents, libel or slander, title to land, legacy or annuity or any property of a marriage.
The person or persons (respondent(s)) being sued can reside within the UK as long as a recognised postcode is provided to enable the identification of the proper address for service. If the respondent has an address in England, Scotland or Wales, the applicant must confirm that the cause of action for which they are claiming is not a matter which has been lodged in any other court. However if the respondent has an address outside the UK then SCOL cannot be used.
In respect of SCOL, applicants must be at least 18 years of age, must not lack mental capacity, must not be legally assisted within the meaning of the Legal Aid Act 1988 and must not be a vexatious litigant (that is a person who has been forbidden by a High Court Judge to issue proceedings in any county court in Northern Ireland without permission). Claims cannot be made against the Government or Monarchy.
Small Claims can be initiated at a court office or online using the SCOL process.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

SCOL is currently available 24 hours a day and 7 days a week.

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

For SCOL the applicant will be asked to complete a series of screens. Each screen deals with a specific piece of information that is required - for example the applicant's full name and address, the name and address of the respondent or respondents and the amount of money being claimed and details of the claim.

5 How is transmission and storage of data secured?

Security is of paramount importance. Because some of the information an applicant provides can be of a sensitive nature security is provided through unique user ID and passwords. The website also has security protection and encrypts the data that passes over the Internet.

Applicants need to register with the website before they can issue a small claim online. During registration they are asked to choose a user ID and password. The password must be no less than 7 characters long and be a combination of upper and lower-case letters and numbers.

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

Electronic signatures are not required. A Statement of Truth is required to be completed by the Applicant.

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

No distinction is made between the court fees payable for claims initiated via the Internet and those for non-electronic procedures. The court fees can be paid by credit or debit card or pre-paid account. Those entitled to claim fee exemptions or remissions cannot use SCOL.

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

A notice to withdraw a claim can be made by the Applicant; this notice can be lodged online or via the office and will set the case status to “dealt with”.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

If a claim has been issued through SCOL a respondent may respond electronically using the claim details provided on the front of the claim form or alternatively they can respond to the relevant court office. It is not compulsory to respond via the internet.

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

The respondent can respond online to a claim made using SCOL in 3 ways. He/she can complete an:

Acceptance of Liability - if he/she admits the claim and wishes to settle it.

A respondent should complete and lodge this document if they accept that they owe this money and are going to pay the amount outstanding. They should specify if they need extra time to pay by either stating they can pay an amount per week/month or that they can pay the full amount by a certain date.

Notice of Dispute - if the respondent wishes to dispute the claim made against him/her.

If they do not agree with the claim they should complete and submit a Notice of Dispute, giving the reason why they feel this case should be disputed. Once the document is verified, the case is then transferred to the court office entered on the original application (usually a local court office) for listing (that is scheduling) and hearing. They must lodge copies of any documents that will support their case with the relevant Court Office at least 10 days before the court hearing date.

Notice of Dispute and Counterclaim - if the respondent wishes to dispute the claim made against him/her and wishes to make a counterclaim against the applicant. There will be a fee charged for this document and it is calculated depending on the amount the respondent wishes to claim. He/she will need to pay for this application by credit or debit card online. If he/she does not have a credit or debit card then they will have to submit this document to the Civil Processing Centre and make their payment by cash, postal order or cheque. Cheques should be made payable to Northern Ireland Courts and Tribunals Service.

Once the document is verified in the Civil Processing Centre it is then transferred to the court office entered on the original application (usually a local court office) for listing and hearing. The respondent must lodge copies of any documents that will support their case with the relevant Court Office at least 10 days before the court hearing date.

Where the respondent submits a defence the case is transferred to the respondent's local court. Where a counterclaim is made the case is transferred to an appropriate court. In both circumstances the case will proceed as if it was issued in a non-electronic format.

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

Once the return date has expired and there is no response from the respondent the applicant can apply for a Liquidated or Unliquidated Default Decree. This Application for a Default Decree can be completed and submitted online.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

There is no general online facility to submit documents to a court electronically however in certain circumstances at the discretion of the court, the court may indicate it will accept certain documentation electronically. Documents are accepted if transmitted between the Criminal Justice Secure eMail (CJSM) accounts i.e. from one CJSM email address to another. A Protocol for the electronic exchange of information between the Northern Ireland Courts & Tribunals Service and other organisations, in proceedings under the Children (Northern Ireland) Order 1995 details the parameters for the exchange of agreed documentation.

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

No.

14 Can judicial decisions be given electronically?

No.

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

No.

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

No.

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

No.

Related links

Northern Ireland Courts and Tribunals Service https://www.justice-ni.gov.uk/topics/courts-and-tribunals

Last update: 03/02/2020

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

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

Yes, for Simple Procedure claims only. Simple Procedure is a court process designed to provide a speedy, inexpensive and informal way to resolve disputes where the monetary value does not exceed £5,000.

More information in respect of civil online can be accessed on the Scottish Courts and Tribunals website at the following civil online link.

The Scottish Courts and Tribunals Service has a long term goal to provide wider services electronically, but does not provide this function currently other than as described above. Initiation of different court proceedings by the internet will feature as a key objective as internal systems and processes are reviewed.

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

It is available for Simple Procedure case types only; these proceedings are not exclusively via the internet and cases can still be raised in paper format with the court.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

The online facility is available 24 hours a day, 7 days a week. However, confirmation that a claim has been accepted by the court is restricted to office hours when staff are available to check competency and process claims.

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

Yes, there are standard forms which comply with rules of court which can be completed and submitted electronically.
Simple Procedure rules and forms are available on the Scottish Courts and Tribunals Service website at court rules.

5 How is transmission and storage of data secured?

Users are required to authenticate before they are given access to any data. Data is encrypted in transit and at rest. The application has been built to OWASP ASVS 3.0 level 2.

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

Electronic signature is not required.
The time and date claims and other documents lodged are recorded in the case management system.

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

Court fees are payable and are prescribed in legislation.
Fees can be paid electronically by credit or debit card when raising a Simple Procedure claim using civil online.
If using non-electronic procedure, fees can also be paid using cash or cheque as well as debit or credit card.
More information can be found on the Scottish Courts and Tribunals Service website at court fees.

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

No, but a Simple Procedure claim can be dismissed or settled in terms or rules of court.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

It is possible but not compulsory.

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

If a response is made electronically, then the court sends electronic confirmation of receipt of the response and will advise of any further procedure by sending electronic notifications.
More information can be accessed on the Scottish Courts and Tribunals Service website at responding to a claim.

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

If there is no response, then no notification is given by the court. The claimant will contact the respondent to advise the outcome of the case in due course.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

When a Simple Procedure case has been raised using Civil Online, then all evidence submitted to the court electronically will be presented in court electronically - this applies to Civil Online cases only.
In all other case types, this is only possible where both parties and the judge hearing the case agree the format.

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

No.

14 Can judicial decisions be given electronically?

No. However, if a case has gone to a full hearing and judicial determination by the court, a copy of the court's opinion may subsequently be published on the Scottish Courts and Tribunals Service website and/or Judiciary of Scotland website.

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

No.

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

No.

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

No. However, some court opinions are available online. Further information is available at Scottish Courts and Tribunals Service and Judiciary of Scotland.

Last update: 14/05/2020

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

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

It is not currently possible to initiate court or enforcement proceedings via the internet in Gibraltar. It is also not possible to submit documents to a court, serve judgments, give judicial decisions or make appeals electronically in Gibraltar.

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

Not applicable

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

Not applicable

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

Not applicable

5 How is transmission and storage of data secured?

Not applicable

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

Not applicable

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

Not applicable

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

Not applicable

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

Not applicable

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

Not applicable

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

Not applicable

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

Not applicable

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

Not applicable

14 Can judicial decisions be given electronically?

Not applicable

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

Not applicable

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

Not applicable

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

Not applicable

Last update: 01/04/2019

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