

European Institute of Public Administration - Institut européen d'administration publique



The digitalization of criminal and civil justice in the EU



learning and development - consultancy - research

EIPA_06/2021 - WWW.EIPA.BJ

1. The digitalisation of justice in the EU

*The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the **rule of law** and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.*
(Art 2, TEU)



Image source: ec.europa.eu



EIPA_06/2021 - WWW.EIPA.BJ

The digitalisation of justice in the EU

*The Union shall develop **judicial cooperation in civil matters having cross-border implications**, based on the principle of **mutual recognition** of judgments and of decisions in extrajudicial cases. Such cooperation may include the adoption of measures for the approximation of the laws and regulations of the Member States
(Art 81, TFEU)*



EIPA_062021-WWW.EIPA.EU

The digitalisation of justice in the EU

- The European Parliament and the Council shall adopt measures to (...) **facilitate cooperation between judicial or equivalent authorities** of the Member States in relation to proceedings in criminal matters and the enforcement of decisions.
- **To facilitate mutual recognition** of judgments and judicial decisions and police and judicial cooperation in criminal matters having a cross-border dimension, the European Parliament and the Council may (...) establish rules concerning:
(Art 82, TFEU)
 - (a) **mutual admissibility of evidence** between Member States
 - (b) prevention and settling of conflicts of jurisdiction between MS
 - (d) facilitation of cooperation between the national judicial authorities of the MS.



EIPA_062021-WWW.EIPA.EU

The digitalisation of justice in the EU

Article 47

Right to an effective remedy and to a fair trial

Everyone whose rights and freedoms guaranteed by the law of the Union are violated has the right to an **effective remedy** before a tribunal in compliance with the conditions laid down in this Article.

Everyone is entitled to a fair and public hearing within a reasonable time by an **independent and impartial tribunal** previously established by law. Everyone shall have the possibility of being advised, defended and represented.

Legal aid shall be made available to those who lack sufficient resources in so far as such aid is necessary to ensure effective access to justice.



EIPA_062021-WWW.EIPA.EU

E-justice: what is it for?



EIPA_062021-WWW.EIPA.EU

The digitalisation of justice in the EU in practice: access to justice

Tool	Objective
Websites	Basic information on rights and procedures
Online info services	Semi-interactive info on procedures
Databases	Access to judicial data (e.g., judicial decisions)
Comms	Relationship with citizens and other stakeholders
Online services	Paperless, efficient communications and proceedings
Videoconferencing	Judicial cooperation , improved access and proceedings
Online settlement of disputes	Prevents court congestion



EIPA_06/2021 - WWW.EIPA.BJ

The digitalisation of justice in the EU in practice: communication

Tool	Objective
Email	Speedier and paperless communication
Portals	Quicker and easier communication and monitoring

The crisis has made it clear that having digital channels for communication and access to justice can make a fundamental difference by ensuring seamless procedures despite the social distancing measures.

Speech of Commissioner Reynders, October 2020



EIPA_06/2021 - WWW.EIPA.BJ

E-justice: preliminary overview of challenges

- **Limited access to registers and databases.**
- **Paper-based work implies slower exchange of information and inefficiency.**
- **Limited access to electronic files of cases.**
- **Proceedings are paused.**
- **Cross-border cooperation is hindered**



EIPA_06/2021 - WWW.EIPA.EU

The digitalisation of justice in the EU in practice: efficiency

Tool	Objective
legislative and case law databases	Facilitates searches and access for legal professionals
Electronic records	Remote access
Templates	Quality and efficiency
Electronic case databases	Improved case management

Focus: Predicting justice and artificial intelligence: how is artificial intelligence used in the judiciary?

***Ethical Charter on the Use of Artificial Intelligence in Judicial Systems and their environment:* extract**



EIPA_06/2021 - WWW.EIPA.EU

2.The digitalisation of justice in the EU: opportunities

Due to the strong impact of COVID-19 pandemic on the field of the judiciary., organizations have created new ways of working and provide additional instructions for staff in managing their work and responsibilities.

Impact of COVID in:

- Civil and insolvency law
- Criminal law
- Increase of victims of cybercrime
- National prison administration
- Probation measures

Solution:

- Strengthening the number of digital tools used by the judiciary in view of the crisis caused by the coronavirus.
- Greater use of electronic evidence by courts in civil and administrative proceedings



EIPA_082021- WWW.EIPA.BJ

2. E-Justice : Digital tools in MS as a response to the COVID-19 impact

MS	TOOL	MS	TOOL
Austria	Infrastructure for home office, video conferencing, bandwidth and connectivity. Electronic communication for notaries services.	Hungary	Extension of written communication tools.
Bulgaria	Electronic consultation and filing of documents for courts and prosecutors' offices.	Italy	Postponement of hearings. Urgent hearings via videoconference-
Croatia	eKomunikacija (eCommunication) for case content. ePredmet (eFile) for information on the course and dynamics of resolving cases in ordinary proceedings.	Lithuania	Enforcement processes and notaries transactions performed electronically.
Czech Republic	On-line hearings	Netherlands	Hearings via videoconference and court proceedings in Writing.
Finland	Electronic services, remote hearings	Slovak Republic	Limited hours of notarial offices; electronic services of bailiffs
France	Transferability of competences to another court with sufficient electronic infrastructure.	Spain	Improvement of communication and IT tools and infrastructure



EIPA_082021- WWW.EIPA.BJ

2. Brainstorming: What has the pandemic told us about what e-justice is important for?

Why do we need to digitalize justice?

- 📁 Ensure electronic workflow
- 📁 Improve the interoperability of information systems and databases
- 📁 Ensure proceedings continue (Online)
- 📁 Dispute resolution
- ...What else?

'At the operational level, the COVID-19 has only confirmed the need for secure, fast and reliable digital connections between national judicial authorities and Eurojust' - Mr Ladislav Hamran (President of Eurojust)



EIPA_06/2021 - WWW.EIPA.EU

2. Digitalization in the judiciary: challenges and opportunities

Summary of opportunities:

- Case tracking and updating
- Communication with lawyers
- Communication with the different parties
- Improved access to justice
- User-centred design
- Im-partiality
- Integrity



EIPA_06/2021 - WWW.EIPA.EU

2. Improved cross-border cooperation

- **Interconnection of national databases**
- **Interoperability**

*“Going digital for **cross-border judicial cooperation** can bring huge benefits, which is why we must **modernise information exchange** and improve international cooperation. We are working to build an ecosystem of excellence supporting the development and acceptance of AI across the EU economy and public administration. I want to see us as the leading global actors in the **use of innovative technologies**. We can use these technologies **to enhance justice.**”*

Didier Reynders, Commissioner for Justice



EIPA_062021-WWW.EIPA.BJ

2. Challenges

Finances/Budgeting
Do we really improve access to justice?
Responsibility
Culture change
Digital literacy/skills
Judiciary independence



EIPA_062021-WWW.EIPA.BJ

3. Digitalisation and criminal justice

- Digital criminal justice
- Exchange of evidence
- Exchange of criminal records
- Artificial intelligence in criminal justice
- AI and policing: advantages (e.g., predictive policing) and fundamental rights considerations
- A European ethic and legislative interventions



EIPA, 6/8/2021 - WWW.EIPA.BJ

3. AI in the judiciary

- **What is AI?**
- **Automated problem- solving** tool , where these problems cannot be resolved with simple algorithms.
- Focus: AI methods able to **conduct legal reasoning** required to make a judgment in judicial proceedings.
- More specifically? knowledge-based AI systems, machine learning systems or combination of these methods.



EIPA, 6/8/2021 - WWW.EIPA.BJ

Why AI in the justice field?

- Public authorities have fully identified the budgetary benefits that could be obtained by replacing some judicial staff with automated systems.
- The introduction of automated systems based on AI may also be justified by the desire to broaden the supply of justice, to make it more accessible, faster and less costly.
- The use of artificial intelligence as a decision-making tool could also enable judges to make more consistent and higher-quality judgments more quickly, rationally and efficiently.




EIPA_062021-WWW.EIPA.BJ

Applications


- There are two possible models of the AI-application considered as the automation of judicial proceedings:
- use of the AI tools in order to develop a system, which is able to adjudicate in legal cases unassisted (in such cases the system would adjudicate instead of a human judge),
- use of the AI tools to develop a judge-supporting system (in this model the system would only support the human judge by finding relevant provisions, analysis of the judicature or review the doctrine, and finally – suggest decision to the judge).




EIPA_062021-WWW.EIPA.BJ




- Case management software / case management system
- Automatic monitoring of procedures
- Automatic system for monitoring procedural delays
- Automatic system for completing procedural formalities
- Establishment of automatic decisions on the progress of the case




EIPA, 6/8/2021 - WWW.EIPA.BJ



- Digital Courts (civil)
- Queue management
- Automatic sorting of appeals (appeal, cassation)
- Digital platforms accessible for clients
- Use of videoconference
- Automated transcription / automated translation
- Use of emotional AI (detection of emotions, etc....)
- (Austria) Automated presentation of the file's documents on screens during hearing
- Case law tools
- Prediction technology
- Legal research and analysis / autonomous research




EIPA, 6/8/2021 - WWW.EIPA.BJ



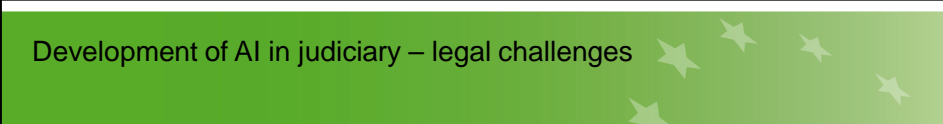
- Scoring of risks / assessment of the dangerousness of a suspect
- Writing assistance tool and drafting judgments
- Decision making systems
- Intelligence assistant systems (identification of patterns, analysis of data, etc...)

The above LIST shows that one can imagine using artificial intelligence:

- in the management of the follow-up of files;
- during hearings, either in judgment or in negotiation (with the Public Prosecutor's Office);
- to facilitate the judge's decision-making (deliberation).




EIPA 06/2021 - WWW.EIPA.BJ




Development of AI in judiciary – legal challenges


- In a legal sphere, the AI systems are most frequently applied in advanced case-law search engines, online dispute resolution, assistance in drafting legal acts, predictive analytics systems, automated verification of legal compliance or legal aid chat bots.
- Recently though, the efficient data processing offered by the AI systems has been attracting increasing attention of governments and public authorities.
- E.g., Latvia is exploring the possibilities for the use of the machine learning systems in the administration of justice.



EIPA 06/2021 - WWW.EIPA.BJ



- The public use of the AI systems had varying degrees of success; some of the most known – and fairly controversial ones – include COMPAS, the US Correctional Offender Management Profiling for Alternative Sanctions. This risk-assessment system created and used to predict potential hot spots of violent crime and to assess the risk of recidivism, even though highly efficient, run a high risk of racial profiling and raised questions about non-discrimination.
- Similarly, the HART Harm Assessment Risk Tool – the AI-based technology created to help the UK police make custodial decisions based on the recidivism risk assessment – has been described as reinforcing the bias.
- In both of those instances, the consideration for the efficiency criteria in the use of the AI seemed to have overruled the ethical or human rights aspects.



EIPA_062021-WWW.EIPA.EU

European Ethical Charter on the use of AI in judicial systems and their environment.
On 2 – 4 December 2018 in Strasbourg the European Commission for the Efficiency of Justice (CEPEJ) adopted the European Ethical Charter on the Use of Artificial Intelligence in Judicial Systems and their environment. The Council of Europe member states acknowledged the increasing importance of the judicial intelligence in modern societies, and the expected benefits when it will be fully used at the service of the efficiency and the quality of justice and formally adopted five fundamental principles of use of the AI in the judicial system and its environment:






EIPA_062021-WWW.EIPA.EU




- principle of respect for fundamental rights,
- principle of non-discrimination,
- principle of quality and security,
- principle of transparency, impartiality and fairness,
- principle «under user control».




EIPA_062021-WWW.EIPA.EU




- Addressees of the Charter are public and private stakeholders responsible for the design and of the AI tools and services that involve the processing of judicial decisions and data.
- Authors of the Charter emphasize that five principles are intended also for public decision-makers responsible for a creation of legislative or regulatory frameworks for use of the AI in the legal sphere.
- Obviously, the guidelines of the Charter involve not only cases of the AI-application in the administration of justice, but – for the most part – cases of private initiatives of business entities in the field of legal data processing.
- However, with respect to the automation of judicial proceedings, it must be noted that systems used by public authorities should be required to have even higher levels of security and respect for human rights than those created by private entities.



EIPA_062021-WWW.EIPA.EU

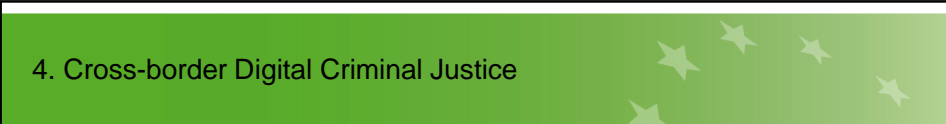


- The AI-application in the field of justice has potential to revolutionize it, by inter alia: accelerating the judicial proceedings, unifying the jurisprudence, and increasing the cost-efficiency of the judiciary.
- The question, whether judicial proceedings should be automated, could be answered as follows: yes, but under the condition, that the AI system will perform all assigned duties as well as the human judge.
- The automated judicial proceedings should be considered acceptable only if its functions performed by the AI tools will be carried out at least as good as currently (including ethical perspective), and preferably – much better.



EIPA_062021-WWW.EIPA.EU


4. Cross-border Digital Criminal Justice



7 solutions to implement the DCJ plan:

- Secure Communication Channel
- Communication Tool
- Redesigned Eurojust Case Management System
- The JIT Collaboration Platform
- Exchange of data between the JHA agencies and EU bodies
- Judicial Cases Cross-Check
- Large Files Solution

Source: Cross-border Digital Criminal Justice. Final Report. European Commission June 2020



EIPA_062021-WWW.EIPA.EU

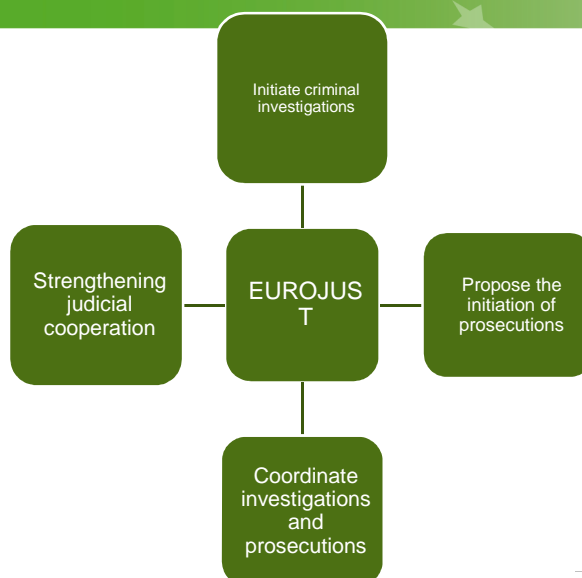
EU Systems - ECRIS

- European Criminal Records Information System (ECRIS)
- **Exchange of criminal records**/Implementation Council Framework Decision 2008/675
- Facilitates exchange of information on criminal records **for** the purpose of **new criminal proceedings** and for **recruitment** procedures
- The MS of which the convicted person is national is responsible for keeping all records of all convictions against that person
- Member States need to send information of convictions against non-nationals to other Member States when requested
- Information is transmitted electronically



EIPA_062021-WWW.EIPA.EU

Art 85 (ex Art 31 TEU)



EIPA_062021-WWW.EIPA.EU


Case Management System

- The Case Management System (CMS) is the **software tool** of Eurojust that facilitates secure storage and processing of case related data
- Member States shall **transmit information** to Eurojust relevant for fulfilling its mission
- Cross-check different cases
- Better coordination against cross-border crime




EIPA_062021-WWW.EIPA.BJ

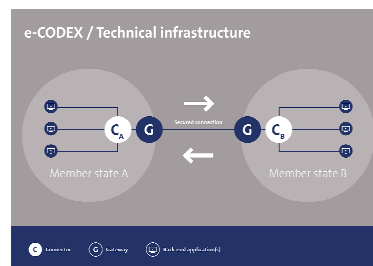
E-CODEX: 'MAKING JUSTICE FASTER'

 e-CODEX (**e-Justice Communication** via Online Data Exchange) : system for **inter-court DIGITAL COMMUNICATION**



 Objective: **judicial cooperation** in civil and criminal matters

 2 December 2020: the Commission put forward a proposal for an **e-CODEX Regulation** as the proposed legal instrument to formally establish the e-CODEX system at EU level.



EIPA_062021-WWW.EIPA.BJ

What is interoperability?

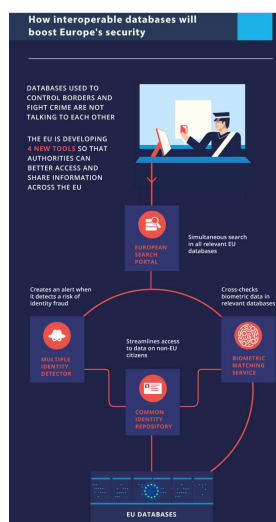
- *“Interoperability is the ability of information systems to exchange data and enable sharing of information”*
- **Systems in the EU:**
 - **Schengen Information System (SIS)**
 - **Eurodac system**
 - **Visa Information System (VIS)**
 - **Entry/Exit System (EES)**
 - **European Travel Information and Authorisation System (ETIAS)**
 - **European Criminal Records Information System for third-country nationals (ECRIS-TCN system)**



EIPA_062021 - WWW.EIPA.EU

JHA AND INTEROPERABILITY

- **Terrorist and criminal threats require better information sharing**
- **Security through the management of EU internal and external borders necessitate measures for sharing systems**
- **EU large-scale Information systems are meant to improve communication and exchange of information**



EIPA_062021 - WWW.EIPA.EU

eIDAS

- Regulation (EU) No 910/2014
- Electronic identification and trust services for electronic transactions in the internal market

= Electronic Identification (eID) and Trust Services (AS).
What is it for?

1. To ensure electronic interactions between business, citizens and public authorities are safer and more efficient, - no matter the European country they take place in.
2. promotes interoperability across the 28 EU countries, ensuring that countries mutually recognise each others' electronic identification and trust services across borders.



EIPA_062021- WWW.EIPA.BJ

- **Data** of potential use for an investigation or prosecution
- **Digital device** storing those data, e.g., computer, digital storage or other digital device
- Data in electronic format AND digital devices
- Objective: extracting and analysing data which are **admissible in court**



EIPA_062021- WWW.EIPA.BJ

Cross-border access to electronic evidence: challenges and objectives

- **Background and Challenge: securing electronic evidence directly from providers in a different jurisdiction**
- **Objective: facilitate cross-border access to electronic evidence**
Solutions should be found to ensure swift and efficient cross-border access to electronic evidence in order to effectively fight terrorism and other serious and organised crime, both within the EU and at international level; the Commission proposals on electronic evidence and access to financial information, as well as to better combat money laundering, should be agreed on by the end of the legislature”
 (European Council Conclusions of 18 October 2018)
- **Outcome: e-evidence proposals**



EIPA_062021- WWW.EIPA.BJ

European Production and Preservation Orders

2018 (SWD(2018) 118 final)

- **Objectives:**
 - Overcome issues related to the nature of electronic evidence (location, volatile)
 - Speed up processes for obtaining electronic evidence
 - Preserve specific data for investigations
 - Protection mechanism for fundamental rights



EIPA_062021- WWW.EIPA.BJ

European Production Order

- Allows a judicial authority in one Member State to **obtain e-evidence directly** from a SP or its legal representative in another Member State
- Respond within 10 days, and within 6 hours in cases of emergency
- **Emergency** defined as a situation where there is an **imminent threat** to life or physical integrity of a person or to a critical infrastructure



EIPA_062021-WWW.EIPA.BJ

European Preservation Order

- Allows **judicial authorities in one Member State** to **request** that a **SP or its legal representative in another Member State preserves specific data** in view of a subsequent request to produce this data via mutual legal assistance (MLA), a European Investigation Order or a European Production Order.
- **SPs should preserve data** as long as necessary to produce upon request, provided that the issuing authority confirms within 60 days after having issued the Preservation Order that it has launched the subsequent request for production
- Rules for preserving data



EIPA_062021-WWW.EIPA.BJ

EU Directive on legal representatives

- Objective: **gathering evidence** for criminal proceedings
- Target challenge: obtaining e-evidence from **non-EU service providers (SP)**
- Service providers **MUST** have a **legal representative in the Union**
- Provide legal certainty for businesses and service providers



EIPA_062021- WWW.EIPA.EU

Cooperation between the courts of the Member States in the taking of evidence in **civil or commercial matters**

- Proposal amending Council Regulation (EC) No 1206/2001
- Electronic transmission as the default channel for electronic communication and document exchanges;
- Modern means of taking evidence such as videoconferencing if a person needs to be heard from another Member State and incentives (via the financing of national projects) for Member States to equip courts with videoconferencing facilities;
- Removing legal barriers to the acceptance of electronic (digital) evidence;
- Tackling divergent interpretations of the term 'court';
- Communicating the importance of the uniform standards provided by the Regulation (streamlined procedures, equal standard of protection of the right of the parties involved);
- Apply the procedures properly and without delay; and
- Courts' and legal professionals' awareness of the availability of the direct channel of taking evidence



EIPA_062021- WWW.EIPA.EU

Service of documents

Proposal amending Regulation (EC) No 1393/2007

Issue: underperforming workflow

Focus: electronic service of documents

Process:

- communication and exchange of documents between sending and receiving authorities is carried electronically, through a decentralised IT system made up of national IT systems interconnected by a secure and reliable communication infrastructure.
- Appoint a representative to serve documents in the proceedings on them in the Member State of the proceedings
- specific return slip



EIPA_062021- WWW.EIPA.BJ

5. Digital justice and fundamental rights - Setting the scene -

- **The rise of digital technology implies a technological, economic and social revolution**
- **Digital technology has prompted the recognition of new fundamental rights**
 - the right to protection of personal data
 - the right to internet access
- **Digital technology has brought about profound changes in the several fundamental freedoms**
 - Freedom of expression
 - Freedom to do business
 - Balance between protecting public order and personal freedom.
 - Intellectual property law
- **The internet is not immune from the power of the state either under the law in practice**
 - States have no less legitimacy in legislating on digital networks, yet particular difficulties resulting from governance of the internet, defining the applicable law and the effectiveness of state interventions.



EIPA_062021- WWW.EIPA.BJ

A reexamination of the protection of fundamental rights is needed...

- The ambivalence of digital technology
- The explosion in the use of personal data and the risks associated with it
- A legal framework whose fundamental principles remain relevant, but mechanisms require significant reform
 - A broad definition of personal data
 - The principle of defined purposes
 - The principles of proportionality and limitation on retention periods
 - The role of the consent
 - no barrier to the development of Big Data.
- Surveillance of communications by the public authorities raises specific issues and calls for appropriate response
- Promoting freedom in the era of platforms
 - Network neutrality, fair platforms and combating unlawful content
 - The need to ensure audiovisual regulations have mechanisms appropriate to the digital environment
 - Gauging the role played by algorithms and designing ways of managing their se



EIPA_060201-WWW.EIPA.BJ

Issues

- Defining a set of compulsory rules applicable to all technology actors regardless of where they are based
- Ensuring effective cooperation with respect to implementation, both within the European Union and with other legal systems
- **Ensuring digital technology supports both individual rights and the public interest**
 - Defining the principles underpinning fundamental rights in the digital era
 - Neutrality of electronic communications operators
 - Increasing the powers of individuals and group of individuals
- **Redefining mechanisms to protect fundamental rights and rethinking the role of the public authorities**
 - Data protection
 - Freedom of expression
 - Mediation
- **Ensuring protection for fundamental rights in the use of digital technology by public bodies**
 - Openness of public data



EIPA_060201-WWW.EIPA.BJ

Data protection as a fundamental right - EU

- Article 8 of the EU Charter provides the right for everyone to the protection of personal data concerning him or her.
 - Such data must be processed fairly for specified purposes and on the basis of the consent of the person concerned or some other legitimate basis laid down by law. Everyone has the right of access to data which has been collected concerning him or her, and the right to have it rectified. Compliance with these rules shall be subject to control by an independent authority.
 - Any individual in the Union whose personal data are processed in the Union or where the processing relates to the offering of goods or services to such individuals in the Union or to monitoring of their behaviour within the Union are protected by the legal framework adopted by the Union pursuant to Article 8 of the Charter and Article 16 of the Treaty on the Functioning of the European Union.
- **Restrictions and limitations to this right**
 - Digital Rights Ireland Ltd (C-293/12),
 - Tele2 Sverige AB (C-203/15),
 - Maximilian Schrems v Data Protection Commissioner (C-362/14),
 - PNR Canada (Opinion 1/15).
- **EU data protection package** Regulation (EU) 2016/679, 11 or General Data Protection Regulation (GDPR + Directive (EU) 2016/680, 12 known as the Law Enforcement Directive (LED)



EIPA_060201-WWW.EIPA.EU

Privacy rights - EU

- Article 7 of the EU Charter enshrines the fundamental right to the respect of private and family life
- ePrivacy Reform
 - Reform of the ePrivacy Directive (2002/58/EC) which set forth rules guaranteeing the protection of privacy in the electronic communications sector.
 - proposed ePrivacy Regulation takes account of the important technological and economic developments in the electronic communication sector since the adoption of the ePrivacy Directive in 2002, where new services of interpersonal communications coexist in parallel with traditional communication services and presenting a similar impact on the privacy and the protection of personal data of individuals.



EIPA_060201-WWW.EIPA.EU

6. Digitalisation of the justice system in practice: MS' projects

Italy: PCT (Processo Civile Telematico)

- System for the communication and submission of electronic documents between lawyers and the courts in civil cases



EIPA_08/2021 - WWW.EIPA.BJ

Digitalisation of the justice system in practice: MS' projects

France: Medicys

- Online mediation platform for consumer disputes



La médiation conventionnelle

La médiation conventionnelle, dans laquelle les parties sont à l'origine du processus de médiation. Elles peuvent saisir Medicys sur le fondement d'une clause de médiation ou à l'initiative de l'une des parties.

[En savoir plus](#)



La médiation judiciaire

La médiation judiciaire, dans laquelle la médiation est une mesure ordonnée par le juge civil ou commercial. Medicys a été référencé en qualité de médiateur judiciaire par plusieurs cours d'appel.

[En savoir plus](#)



La médiation de la consommation

La médiation de la consommation intervient dans le cadre d'un litige qui oppose un consommateur à un professionnel.

[En savoir plus](#)



EIPA_08/2021 - WWW.EIPA.BJ

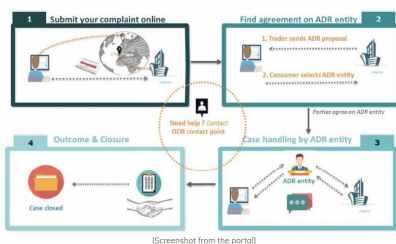
Digitalisation of the justice system in practice: MS' projects

- Spain : LEXNET
- e-system of telematic notifications from the courts to legal professionals (lawyers and attorneys) used in the Spanish Administration of Justice



EU Systems: Online Dispute Resolution (ODR) Portal for Consumers




- Portal for the online resolution of consumer disputes in Europe



Toolbox for digital justice in the EU

Initiative: EC's **Communication** on: the *Digitalisation of justice in the European Union A toolbox of opportunities* (COM(2020) 710 final)

Objectives:

-  Steer and coordinate **the digitalisation of judicial procedures**
-  Foster **interoperability** of national systems
-  Bring digital technologies into the day-to-day functioning of the EU justice system







EIPA_062021-WWW.EIPA.EU

Toolbox for digital justice in the EU

Initiative: EC's **Communication** on: the *Digitalisation of justice in the European Union A toolbox of opportunities* (COM(2020) 710 final)

Approach:

- Toolbox – **'a comprehensive set of legal, financial and IT instruments to be used by the various actors in our justice systems according to their needs'**
-  Financial support
-  Legislative initiatives
-  IT tools
-  National coordination and monitoring



EIPA_062021-WWW.EIPA.EU

Toolbox for digital justice in the EU: some of the measures

- 1) Financial support to MS
- 2) Legislative proposal on the digitalisation of cross border judicial cooperation
- 3) Best practices, lessons learned on AI in justice
- 4) Increase availability of machine-readable data
- 5) Better IT tools
- 6) Digital criminal justice
- 7) My e-Justice space
- 8) Cooperation, coordination and monitoring tools



EIPA_062021- WWW.EIPA.EU

Electronic information on justice systems

European e-Justice Portal:

- Improves access to cross-border justice
- Enhances public access to information
- Electronic services

The screenshot shows the European e-Justice Portal interface. At the top, there's a navigation bar with the EIPA logo and search options. Below that, a main menu lists various legal topics. The central part of the page features a large banner with the text: "The European e-Justice Portal is conceived as a future electronic one-stop-shop in the area of justice. As a first step it strives to make your life easier by providing information on justice systems and improving access to justice throughout the EU in 22 languages." To the right of this banner is a login section. Below the banner, there are four columns of service categories: Citizens, Disputations, Legal practitioners, and Judiciary, each with a list of specific services. At the bottom, there's a 'Latest news' section and a 'Registers' link.



EIPA_062021- WWW.EIPA.EU

EU Initiatives: EJCN

- Established by Council Conclusion of 9 June 2016 (10025/16)
- Facilitate exchange of best practices and expertise
- Enhance cooperation against cybercrime



EIPA_062021- WWW.EIPA.EU

1) In your experience/opinion, what is still needed to develop digital literacy among judges and court staff?

Exchange between participants

2) Which are the digital solutions implemented and planned in your court?



EIPA_062021- WWW.EIPA.EU

Questions?

