

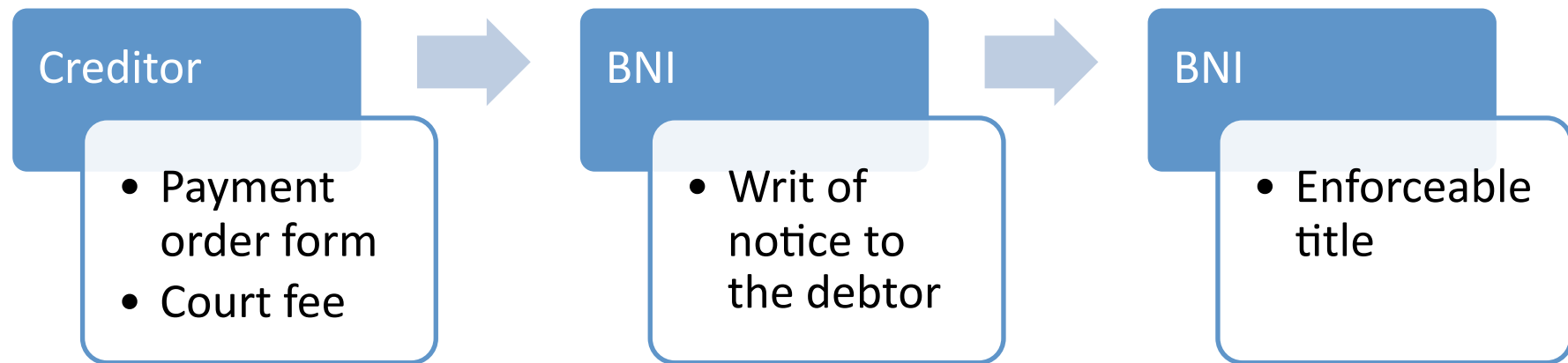
CITIUS – PAYMENT ORDER PROCEDURE

CASE STUDY –PORTUGAL

Bologna, 15 June 2012

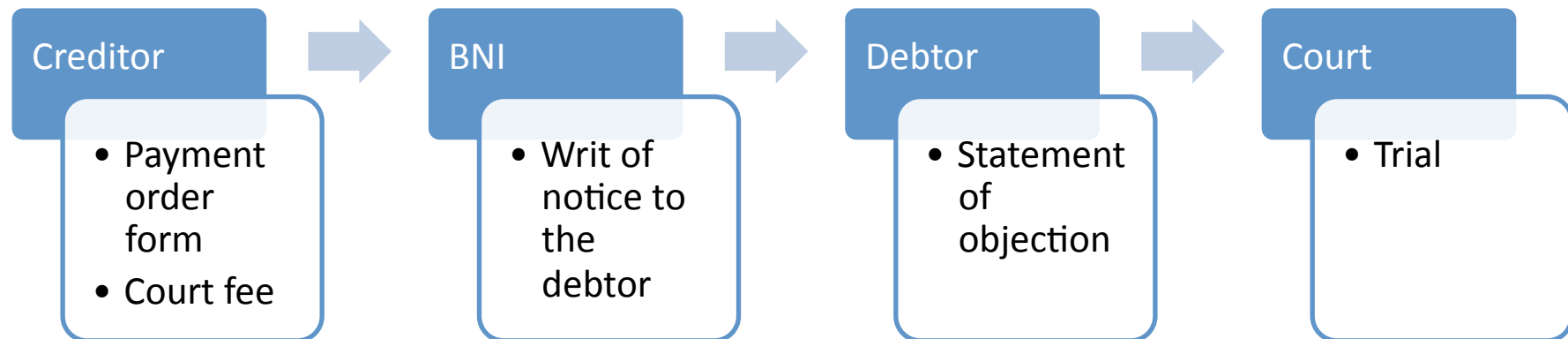
The Payment Order Procedure

Unchallenged claims



The Payment Order Procedure

Challenged claims



The Payment Order Procedure Legal Framework Development

1993	1998	2003	2005	2007
<ul style="list-style-type: none">• Jurisdiction value limited to 1.870,49 €	<ul style="list-style-type: none">• Jurisdiction value limited to 3.740,98 €	<ul style="list-style-type: none">• Jurisdiction value limited to 3.740,98 € for civil claims• Unlimited jurisdiction value for commercial transactions	<ul style="list-style-type: none">• Jurisdiction value limited to 14.963,94 € for civil claims• Unlimited jurisdiction value for commercial transactions	<ul style="list-style-type: none">• Jurisdiction value limited to 15.000 € for civil claims• Unlimited jurisdiction value for commercial transactions

The Payment Order Procedure

Organisational Framework Development

1993

- Registries of first instance courts

1999

- special registry services with exclusive jurisdiction for payment order procedures in Lisbon and Oporto

2008

- National Desk for Payment Order Procedures (BNI)

The Payment Order Procedure

Use of ICT

1993

- Paper

2005

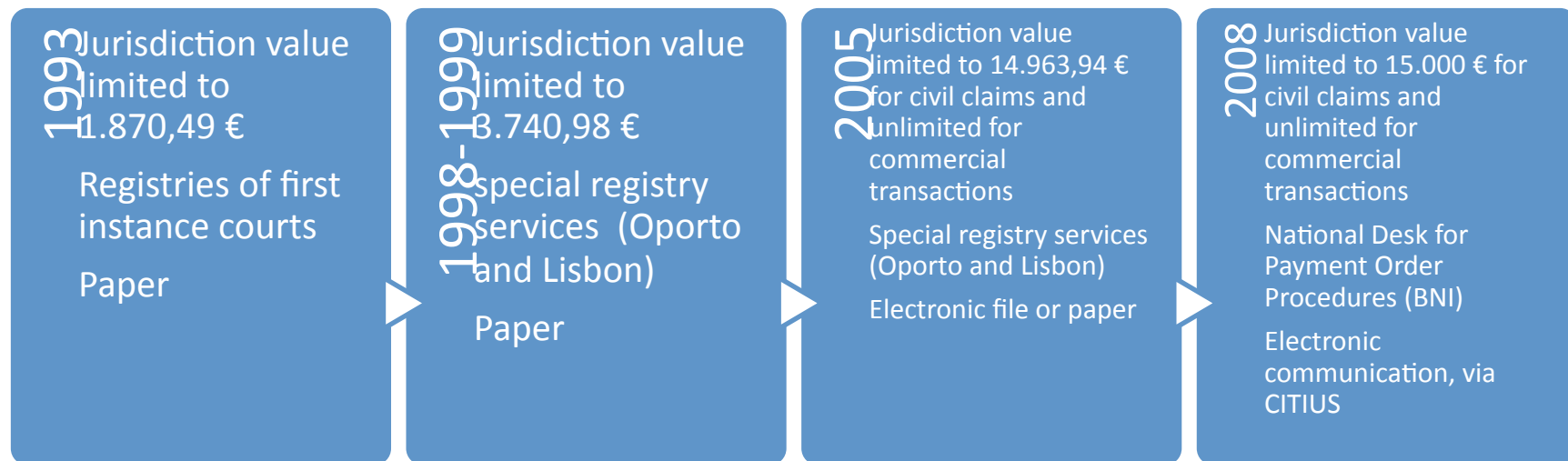
- electronic file (cd, cd-rom, floppy disk, pen-drive), or
- paper

2008

- Electronic communication, via CITIUS (mandatory, for lawyers and solicitors)
- Paper (for individuals not represented by lawyers or solicitors)

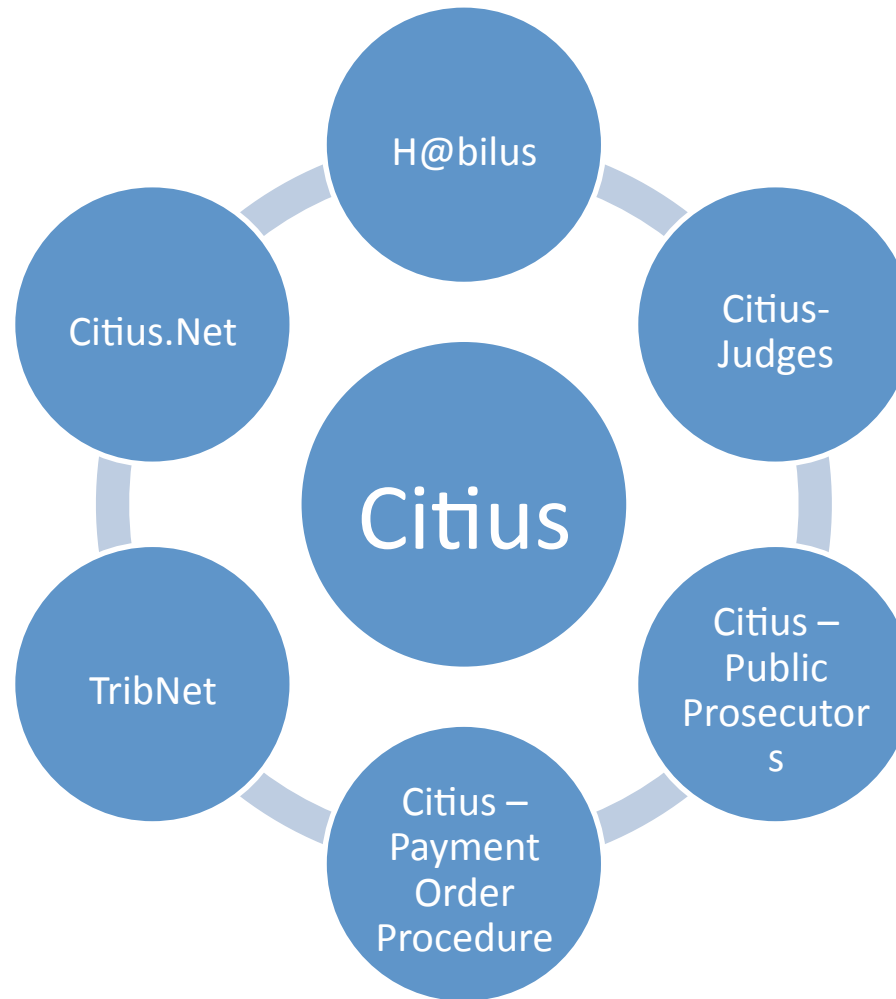
The Payment Order Procedure

Overlapping reforms



Citius – Payment Order Procedure

A piece of the puzzle



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Lodge the request electronically, through the internet

Electronic payment of court fees

Full electronic procedure

Electronic remittance of the payment order to the competent court

Creation of an enforceable title

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Between maximum feasible simplicity and maximum manageable complexity

Factors of complexity

- Lack of information on the building of the system (internal documentation)
- Limited access – only lawyers and solicitors
- Security issues

Factors of simplicity

- VNet Format
- Digital signature only as a prerequisite to access the system
- Central Database
- Legal reforms followed technological updates
- Full electronic procedure

Citius – Payment Order Procedure

Between maximum feasible simplicity and maximum manageable complexity

When a statement of objection is presented:

- Remittance to courts – embrace all the factors of complexity of Citius-H@bilus
 - Two-level architecture;
 - Outdated software (Visual Basic 6)
 - Complexity in connecting to other entities:
 - (1) direct connection to Web Services made available by other entities; (2) connection to Web Services made available by other entities by a central gateway of Web Services; (3) connection to central Web Services; (4) direct connection to the central server (by SQL)
 - Restricted access to lawyers and solicitors;
 - Digital certification (for lawyers, judges, public prosecutors and court clerks)