

Project Outline

Information and communication technologies have been one of the main drivers of change in courts and judiciaries. Initially considered as tools to increase productivity or make judicial operations more transparent and streamlined, now ICTs are deeply seated in the judicial machinery and organization, affecting also the ways in which justice is administered through trials and judicial proceedings.

In the last ten years, e-justice applications have been developed in several European States. National judiciaries have learned how to develop and adopt e-filing applications, data and document interchange, and public access to procedural data and documents. This has affected the ways in which documents and relevant information circulate in civil proceedings, but has also changed the institutional landscape: private companies are now partners of judicial organisations in service delivery, and the dynamics between the rule of law and the “rule of technology” have still to be investigated.

The new goal is now to bring e-justice from the national to the European level, thus enabling trans-border civil proceedings such as the European Payment Order and the European Small Claims Procedures. To pursue this goal, a number of new challenges have to be faced. The e-justice platform must support 23 official languages, and cope with the specific institutional, procedural and administrative features of each national judiciary. Moreover, the platform should be interoperable, to some extent, with the technological applications already developed in each nation.

Due to the new interdependencies of law, technology and organisation between member states, a rise in the level of system complexity is reasonably predictable - a level of complexity, though, that users, both professionals and ordinary citizens, should still be able to handle effectively in their judicial transactions. Effective interoperability for judicial communications and operations requires a carefully designed shared infrastructure. But in this emergent institutional and technological landscape, the development of a shared infrastructure is everything but easy.

The research project ***Building Interoperability for European Civil Proceedings Online*** aims to contribute to e-justice development in trans-border cases with research findings coming from in depth

[case studies](#)

of national and European e-Justice applications, and with an analysis of the

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[legal, institutional, organizational and technical](#)

conditions in which e-justice can successfully support and handle national and trans-border civil cases. The pursuit of this goal requires the deployment of a pan-European technical, legal and organisational infrastructure that supports the performativeness of judicial proceedings and the circulation of judicial agency across national borders and media. Such infrastructure is a necessary condition to support system interoperability requirements, together with their expected changes over time.

This project has led to the identification of innovative design principles, addressed to dealing with system complexity and facilitating the circulation of agency across different legal domains and between paper based and digitally enabled procedures.

Last but not least, the project results will be presented to e-Codex (www.ecodex.eu) a European Large Scale pilot in the domain of e-Justice that wants to develop running pilot applications to improve the cross-border exchange of information in legal proceedings.

The project research findings will be discussed in a [research conference](#) to be held in Bologna, June 15 and 16, 2012.

The project has been supported by a research grant of the European Commission, Civil Justice, grant JLS/2009/JCIV/AG/0035