



Digitalisation of justice in the context of the RRF

Online Workshop on available EU funds for Bars and lawyers

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2020: A new impetus for digitalisation

- The COVID-19 crisis highlighted the high dependence on digital solutions – no longer just a matter of efficient justice systems, but a question of resilience
- On 2 December 2020, the Commission adopted:
 - Communication on the digitalisation of justice in the EU
 - Staff Working Document accompanying the Communication – a “digitalisation mapping” of the state of play in the Member States
 - A legislative proposal establishing the e-CODEX system for interoperable and secure cross-border electronic communication between judicial/competent authorities
 - The European Judicial Training Strategy 2021-2024

But what is e-Justice? A few examples

- Possibilities for remote work, videoconferencing for exchanges, hearings, interviews...
- Use of electronic tools by judicial authorities and practitioners – case management systems, electronic channels for secure data exchange...
- Provision of digital public services in the justice field – public registers, access to an electronic case file, possibilities to file or follow up to claims, electronic service of documents...
- Online publication of case law, open data...
- Use of AI solutions – (pseudo)anonymisation, speech to text, process automation... Predictive justice – pros and cons

The Communication

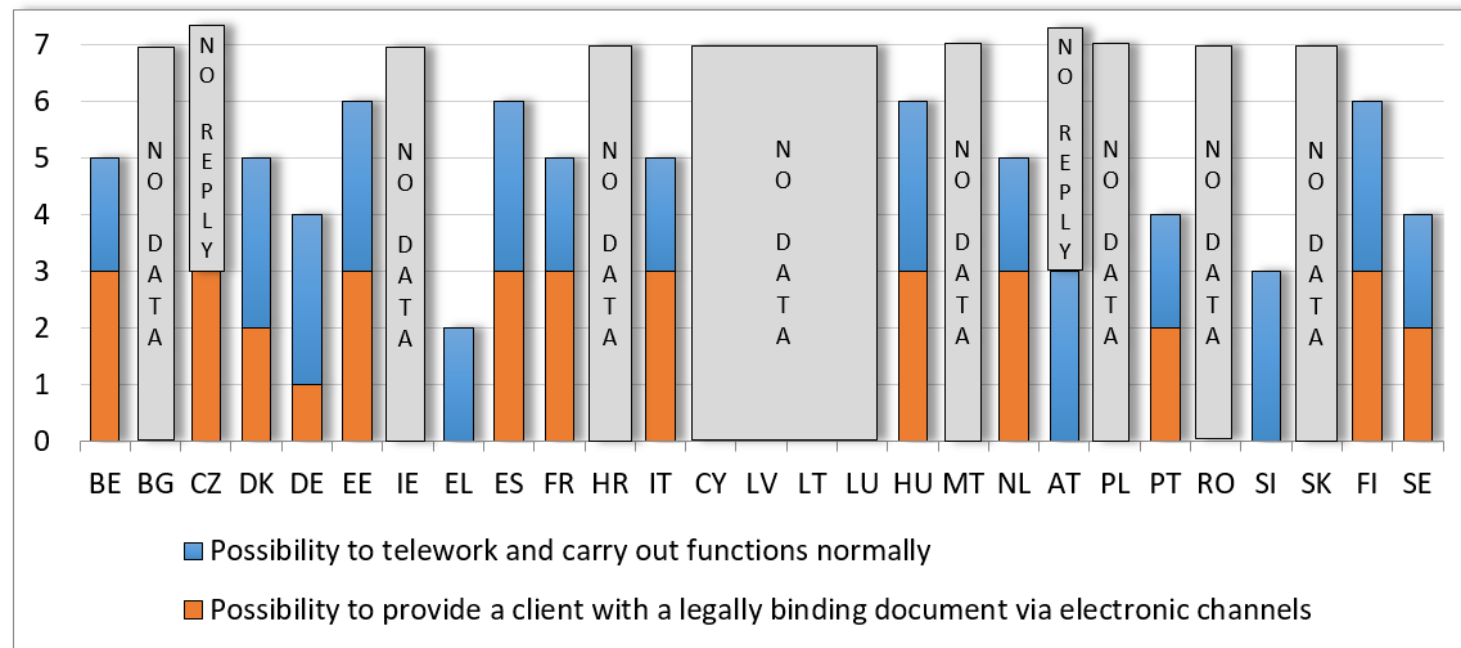
- Sets out the Commission's strategic vision on the future of digitalisation of justice, both at the EU and the national level
- A toolbox built around three main pillars:
 - **Financial support towards modernisation and reform**
 - EU legislative action
 - Practical IT tools

Digitalisation mapping

- Comprehensive analysis of the state of play of digitalisation of justice in all EU Member States
- A large constituency consulted via various networks and channels (ministries of justice, judicial authorities, legal practitioners (16 bar associations/law societies provided replies)...
- Adopted as a Commission SWD, accompanying the Communication ([SWD \(2020\) 540](#))
- National progress will be tracked on annual basis, through an enhanced digitalisation component, as of the EU Justice Scoreboard 2021

Digitalisation mapping – relevant examples

- **Videoconferencing: lawyers** in **five** Member States are able to use videoconferencing facilities to carry out functions in all aspects of their work. In **two** Member States, lawyers are able to use videoconferencing in most aspects of their work, and in **nine** Member States lawyers are limited in this regard.



Digitalisation mapping – relevant examples

- ***Digital access to court proceedings in criminal cases*** : In **seven** Member States, **secure distance communication between defendants and defence lawyers** guaranteeing confidentiality during remote hearings is possible. In **six** Member States this possibility partially exists, and in **14** Member States confidential distance communication between defendants and defence lawyers is not possible.

Digital access at the disposal of and to legal practitioners - lawyers in **10** Member States are able to electronically initiate proceedings or file an application and ensure follow-up communication for all types of court proceedings, and in **three** Member States in most court proceedings. In **three** other Member States lawyers can initiate legal or other official proceedings using the electronic channel, however limited to specific scenarios.

In summary

- The RRF is the key financial support instrument, which can support national digitalisation of justice reforms
- Member States need to officially submit their recovery and resilience plans (RRPs) **by 30 April** (Article 18(3) of Regulation (EU) 2021/241)
- Stakeholders, e.g. bar associations and law societies, are invited to contact their respective national authority (typically, Ministries of Justice) to discuss possible digitalisation measures for inclusion in the country's RRP (multi-country initiatives are also encouraged)

Resources

- Digitalisation of justice – DG JUST web page: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/digitalisation-justice_en
- 2 December 2020 Commission Communication on Digitalisation of Justice in the EU: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2020:710:FIN>
- 2 December 2020 Commission SWD (“digitalisation mapping”): <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020SC0540&from=EN>

Thank you



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