

Turkish IT project UYAP

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UYAP is an e-justice system as a part of e-government projects in Turkey, which has been developed in order to ensure a fast, reliable, and accurate judicial system. As a central informatics system, it covers all of the courts, other judicial units including prisons. All these units were fully equipped with computers and other updated hardware, connected to each other by a secure network and given access to legal sources such as legislation, case law, bulletins and circulars . After a training period for IT skills and UYAP software use, all judges and prosecutors have been given laptop computers for case management and private purposes. All judicial units have been given free access to the Internet. All judiciary processes, case management, trials, correspondence and transactions were transmitted into the electronic environment which enables paperless office structure.

UYAP is carried out by the IT department of Ministry of Justice with a view to improving the functioning and efficiency of the judiciary and to creating an effective and less bureaucratic judicial system for the concerned institutions and individuals. The project was started in 2000 and completed by the end of 2007. In due course, all hardware has been upgraded and also software has been improved and updated by the own project team of IT department itself. All of the judicial units and agencies currently make use of ICT in their daily processes. In UYAP, there currently exist 47.439 users and 10.140.265.232 electronic documents, 57.240.073 electronic files have been stored to UYAP until now. In all of the units nearly more than 1.000.000 new electronic documents are being added to the system daily.

UYAP not only integrated judicial units with each other but also with concerned institutions. So, it is possible to access every kind of data electronically which is needed during both civil and criminal proceedings. In the trials, judges can access criminal records online according to their authority. Birth certificate registrations can also be accessed instantly online by the courts and prosecutor's offices. All cases in Turkey's courts can be accessed on line by the judges, prosecutors and lawyers, provided that they get online approval from the judges who are dealing with case. Land registration and driver registrations can be retrieved instantly at the beginning of the trials. The remote access ability to the UYAP system facilitates judges' preparation and research for trials and the writing of judgments in the convenience of their own homes. With the decision support system, a unique intelligent electronic warning system, notices in labels on the screen can

suggest proposals, remind or recommend some jobs to the users whenever they want or at important times by evaluating data files. UYAP was awarded the e-government prize of Turkey in 2004 and 2005 for making significant breakthroughs in Turkish judiciary as the annual savings of UYAP amounts to 2.701.095.215 €.

UYAP directly or indirectly has influence and impact over the daily life of 5951 judges and 3739 public prosecutors, 818 administrative judges, 30000 auxiliary court staff, 300 high court members, 66000 Lawyers (approx.), 58000 detainee and prisoners, 31000 prison staff, etc. Citizens and lawyers can accomplish their justice related work through the internet without going to the courts. According to the latest figures, 37.710 lawyers have been registered to the lawyer's portal, and use this system effectively. Turkey is among the twenty most populous countries of the world. The courts and other judicial institutions have been shouldering a very heavy workload. Last year judicial units had to settle more than 20,000,000 disputes which mean that one fourth of Turkish society resorted to public prosecutor offices or courts or enforcement offices. All these disputes have been recorded into the system and processed electronically by UYAP. It can be said that UYAP covers all judicial processes including civil proceedings and effectively meets all the requirements of the staff along with individuals.

UYAP has reduced the administrative and communication costs which would otherwise be incurred in a paper-based system. With the on-line connection and correspondence in courts, expenses of bureaucracy and postal costs were removed. All information is digitally delivered or inserted among them. The processes and correspondence that formerly took hours or days can now be done in minutes through UYAP. While preparing daily, monthly or annual statistics of the judiciary took hours, weeks or months, thanks to UYAP it can be done instantly by using electronic means. Despatch of the files and works of courts and enforcement units are done and monitored easily and fairly by UYAP. Serving term of offenders can be calculated automatically by considering all related enforcement laws in detail. Miscalculations, discrepancies and time wasting are prevented. Lawyers can examine all their files, deposit their case fee (thanks to online connection with related banks), submit any document or claim and file a case to any court of Turkey through the Internet. On line cases have just started in Turkey, as some lawyers have begun to submit their claims on line by using their e-signature. Citizens can access and examine their case information via the Internet and learn the day fixed for the trial without going to courts.

Overall, UYAP has enhanced the quality of services provided to citizens and the effectiveness of justice. As a result public confidence has been achieved in justice services thanks to transparent and rapid justice, aiding stability and peace in society and growth in the economy. These developments mentioned, in terms of their consequences represents progress that augments the confidence of citizens in the judiciary and shows ongoing improvements. UYAP has transformed an old-

fashioned, paper based Judiciary into a smooth functioning organization, which is assessed by some the biggest revolution in Turkish Judiciary throughout the history.

Procedures, among the branches of the justice system and other relevant official bodies, have been totally integrated and automated on electronic signature infrastructure in UYAP, establishing electronic office atmosphere that not need paperwork. After the enactment of the Law on Electronic Signature no: 5070, dated 15.01.2004, the Ministry of Justice has reached an agreement with the public e-signature provider, for the delivery of the 30.000 e-signatures for judges, prosecutors and staff until the end of June 2008. Until now, 33.493 personnel have applied for the e-signature and 24.535 of them have been given their e-signature. It was required by a regulation by the Ministry of Justice that documents will no longer be circulated physically among the judicial units after 01.07.2008. All the documents will be required to be sent in the electronic environment, which are signed by e-signature. Namely, correspondence among the judicial units will be done by using electronic signature after that date.

Another Project, carried out within UYAP, is “Expert System Portal Development Project” which aims to develop a web-based expert system portal. In this Project, the user will access the information about which route to follow, how much fee to pay and how much money to spend during the course of law suits regarding the suit of damages involved. It enables the user to access the decisions from a suit for similar cases when s/he enters the key words and the required parameters that will appear on the screen concerning the law suit involved. Reports of similar cases will be extracted together with statistical information related; the number of lawsuits filed according to the topics; the duration of lawsuits; the number of claims that are accepted, partially accepted and rejected; the cost of the suit, the quantity of amendments, the amount of money paid to defendants.

As a recent development, after reaching and agreement with the GSM operators; text messages containing information about the case files can be sent to the parties of cases, who need to be warned when to attend court. It allows users to ask for alerts to be sent to them whenever any chosen event occurs, by email or text (<http://vatandas.adalet.gov.tr/proxy/lib/vatandas.html>). In addition to this, after completing the test stage, courts and other judicial units will be equipped with “video and audio recording”, “video conferencing systems” and “electronic transcription systems”. These systems are being tested currently in Ankara Courthouse which is the biggest court in Turkey and will be rolled out soon nationwide. The UYAP infrastructure is now available for implementing this.

In UYAP it is planned to set up integration with the other national and international institutions and organizations’ databases in the in the course of progress towards accession to the European Union. In this context, it is also aimed to establish links to the central databases of the European Union and EU member countries’ systems.

There are a variety of articles and comments about UYAP in the domestic press. An article, about UYAP, was published in the European Journal of ePractice (May 2008) which discusses the principles of the EU in the field of modernization of the judiciary, in particular UYAP's role and function in this process, demonstrating the Turkish Judiciary's potential. There are also comments, presentations, articles and success stories of UYAP written by judges, staff, citizens and lawyers in the English webpage of UYAP: <http://www.uyap.gov.tr/english/index.html>

In the course of progress towards accession to the European Union and in response to the obligations of the *acquis* of the EU and its Member States, the Turkish government, is actively following a National Programme for the Adoption of the *Acquis*. Modernisation of justice is one of the fundamental priorities of this programme. Thus UYAP, which has been developed during the period of different Governments, has been fully supported by all the responsible public authorities.

The UYAP database can be connected to the central databases of the EU or member states and can form a broadened network in which European courts can benefit from. In the near future it will be possible to bridge UYAP with the backbone networks such as TESTA and other EU member countries' systems. Achieving this goal will result in secure and swift transition of international requests such as rogatory letters, extradition matters and transfer of sentenced persons. UYAP complies fully with the E-Plus strategy of the EU which aims to establish a high level information society and remove the gap between the justice staff and the individuals seeking justice. Apart from these, UYAP case and document management system and word processor software were designed to be independently used by other judicial systems. So, it is completely possible to import these main components to other European courts as they have already been transferred other related institutions in Turkey.