

The feel and use of videoconferencing by Slovenian legal profession

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Slovenian courts are not equipped with videoconference systems. However, this does not mean that we are not technically capable of establishing cross-border and domestic videoconference supported procedures. Around 50 proceedings at least have been established within our courts with support of videoconference systems, which were outsourced to professional firms for each session separately. Courts in Slovenia had cross-border witness hearings with translators, expert hearings and videoconferences for protected witnesses and a rising number of requests are expected.

Since Slovenia is a small country, we do not have such big distances to cope, which is one of the arguments of establishing infrastructure. Nevertheless, we have to take into account big distances at cross-border procedures, where transportation costs are much higher. Therefore the use of videoconference is highly desirable.

At Faculty of law of University of Maribor, we have conducted a research with aim to explore opinions on the use of videoconferences in judicial proceedings. The research involves Slovenian judges, legal practitioners, law professors and students and some other legal experts, respectively, who are involved in court or other legal work or are anyhow connected to legal activities. The research is continuing, because we would like to involve as many legal professions as possible. We have the opportunity to present the methodology and some of the first outcomes of the research. Detailed results of the study will be most probably be presented in further articles or at a next e-justice conference.

An electronic questionnaire was distributed among different legal professions. The questionnaire consists from three main parts. General opinion about videoconferences and reasons, where we are interested in opinions about cost effectiveness, cross-border issues, legal issues of videoconference. The second part consists of information on the use of videoconference, knowledge about the use of videoconferences and videoconference equipment. In the last part we investigate general use of information technology and internet in legal profession.

In Slovenia we are facing the start of the constant use of videoconference in judicial proceedings. Many arguments have to be discussed, researched and estimated before entering in the project of implementation the videoconference infrastructure. Firstly, possibilities of use have to be researched, especially in connection with possible locations (courthouses, videoconference rooms, prisons, hospitals). Present and future needs of videoconference infrastructure should be researched and estimated. It is also advisable to start with pilot project.

For this purpose three Faculties of Law at University of Maribor (SI), University of Graz (AT) and University of Zagreb (HR), together with Ministry of Justice of Slovenia have applied for the European Commission funds regarding civil justice and e-justice. One of the common project aims is to foster the use of videoconferences in judicial proceedings by judges and other legal experts especially targeting European small claim procedures. It is planned to prepare a set of cross-border videoconference simulations in co operation with Austrian Ministry of Justice to accustom judges for future work with videoconferences and set up a kind of educational centre for application of videoconferences in judicial proceeding.

Nevertheless, the most important (beside technical facts) is the question to which extent will the judges and legal experts be willing to use videoconferences at their every day work. Willingness of the participants is the basis of the successful implementation of videoconference project. That is also an important objective of our research and of our common project to educate them for the future work.