



Brussels, 8 July 2014

Summary report of the 29th Experts Group Meeting – European e-Justice Portal

**PARTICIPANTS: 22 MEMBER STATES (PL, DK, LU, LV, SE AND SI WERE EXCUSED),
THE PUBLICATIONS OFFICE (OP) AND THE COMMISSION.**

1. WELCOME AND OPENING REMARKS

The European Commission (hereafter ‘the Commission’) welcomed the participants to the meeting. There were no comments on the report of the previous meeting and the agenda was adopted with no comments.

2. EUROPEAN E-JUSTICE PORTAL STATE OF PLAY

The Commission noted good progress made in the area of the e-Justice Portal and gave an overview of the state of play of the various on-going e-Justice activities.

- Member States were informed that on the 5th of June 2014, the Commission adopted the Decision on the protection of personal data on the e-Justice Portal, a positive development that will allow a number of e-Justice projects to go live.
- The first e-Justice project to be launched is the Interconnection of Insolvency Registers scheduled to go live on the 7th of July 2014. The Member States will be contacted in order to coordinate the publishing of related press releases.
- The launching of Find a Lawyer/Find a Notary projects is scheduled for late September 2014. Next e-Justice projects tentatively scheduled to go live in late November/early December are: ECLI, Court database and e-CODEX.
- In May 2014, the e-Justice Portal had more than 200.000 visits. This number is expected to increase with the addition of the abovementioned functionalities during the following months.

3. MACHINE TRANSLATION PRESENTATION

The Commission informed Member States that the next release of the Portal scheduled to take place in August 2014 will contain the machine translation functionality. The Commission gave a presentation on the functionality and its specificities. Subsequently, the Commission presented different scenarios pertaining to the possible objections raised by the Member States with regard to the quality of the machine translated content.

Following questions and remarks of several Member States (NL, HU, FI, EL, UK, RO, BE), it was concluded that any requests concerning withdrawal of the machine translated content from the Portal (be it one, several or all content items) shall be submitted to the e-Justice functional mailbox **only by the owners of the content**. Language related requests - coming from the other Member States than the owner of the content - should be sent to the CMS administrator(s) of the Member State owning that content. To this end, the list of MS CMS administrators will be made available on CIRCABC. The Commission also informed that a list of Machine Translation disclaimers will be circulated via email and CIRCABC.

4. CONTENT ISSUES

The Commission informed the Member States on the following points:

- e-CODEX which will initially be delivered in a form meant for internal use only, without the possibility for the public to access it, for testing purposes;
- the switch of the Portal from https to http;
- auto-save option in the Content Management System (CMS);
- change in the access rights for the MS content managers – as from the new release they will have access only to the content in their national language version(s);
- new approach towards the navigation tree which will become accessible via hover and on-click actions.

On dynamic forms, the Commission informed Member States that all the forms (apart from the European Enforcement Order forms) available so far in the Judicial ATLAS have been taken out of this website.

On the revamped judicial training section of the Portal, the Commission announced that several factsheets on national training structures, good practices and other training material will be made available online by the end of June.

On the Member States' content concerning EPO/Small claims court fees which was due end of May, the Commission informed that only 11 MS provided the necessary information. The other ones will soon receive reminders in order to provide their feedback as soon as possible.

On EJN factsheets on compensation to crime victims, the Commission noted that before these factsheets are migrated to the Portal, the issue of the ownership needs

to be clarified since the factsheets deal with both civil and criminal aspects. The Commission will be soon asking the Member States to indicate their preference in order to clarify whose responsibility this content should be.

5. MEMBER STATES COMMUNICATIONS – PRESENTATION OF THE NEW APPROACH

The Commission gave a presentation concerning the new approach towards the notifications (aka communications) from the Member States pertaining to the European legal instruments. It was announced that an official letter will be disseminated in order to inform the Member States about the new process and to ask them to nominate the notifications manager(s).

The functionality will be ready towards the end of the year and all the notifications currently existing in the Judicial ATLAS will be migrated to the Portal and transmitted to the Member States for their validation.

NL questioned the procedure in cases where there is a disagreement on the content between the Commission's validator and a Member State. The Commission clarified that there must be such agreement between the two before any publishing can take place.

Further to the question of HU, the Commission clarified that the new functionality will be described in detail in the content management manuals.

6. COURTS AUTHORITY TABLES

The Commission presented a new version of the working document amended in order to facilitate the maintenance of the future authority table. In a nutshell, the authority table will receive all the data directly from the Court database; the Member States will no longer need to appoint the contact points; there will be no notifications between the Publications Office and the Member States. Consequently, those Member States who were so far hesitant to participate in the project will be soon asked to revisit their position.

Several Member States took the floor to comment on the new approach. The Commission replied that the authority table will pertain only to the Courts; the Publications Office will be publishing the authority table because this is part of its role and because the Court Database project does not aim at providing this information in the same form; the ownership of the content of the authority table lies with the Member States.

7. COURT DATABASE

The Commission announced that for the provisioning of the Excel files, only the .xlsx format will be supported because of the file size. The Commission asked Member States if it was possible for a national court to accept claims in a different set of languages depending on the means of sending (post, e-mail, e-CODEX...). The Commission announced that an e-mail with relevant questions on claims and languages will be sent to Member States. AT commented that, in theory, claims could only be submitted in German. DE explained that claims have to be submitted in German.

8. AOB

The Commission provided information on the promotion of the Portal and noted that the agenda of the next meeting will include a related point.

On the Court database functionality, the Commission noted that several workshops are planned to take place in order to help MS representatives to fill in the Excel sheet provided.

The Commission announced that the next Experts' meeting will take place at the end of October.

9. COURT DATABASE WORKSHOP

The Commission explained that its initial plan was to have experts explain, verbally or in writing, the rules to find the competent courts and that it would be input in the system by Commission staff. NL and AT expressed concerns with respect to this approach, explaining that the rules were sometimes very complicated. AT also stressed that around 90% of the cases were easy to handle, but that the 10% remaining were likely difficult to cover, which could lead to the engine returning a court that would not be competent in that case – as the content of the claim would need to be analysed to find the competent court. AT added that a strong disclaimer should be included with the use of the future system; a disclaimer that would be MS specific and prepared by MS representatives.

NL noted that it would be useful to have a graphical use interface (GUI) in addition to the Excel sheet to edit data stored in the Court Database, AT and HU supported the idea. HU added that it would be practical to be able to print the content of the database in order to have a paper version that could be amended by relevant stakeholders. The Commission acknowledged that this could be done but may pose conflicting issues with the other methods of providing the data (Excel and Web Service). NL added that inputting the data in the Excel file and expressing business rules to find the competent court would be very difficult for a judicial expert; it was suggested that this work would be best done by a combination of a legal expert and an IT expert. NL also added that there should be a way to test the rules with the provided data directly, to make sure that the expected results are returned – an idea that was supported by AT and HU; this would also best be done in a GUI. The Commission clarified that it is planned to set a test system and a tool called FITNESSE.

The Commission then asked all MS what is the national rule if a claim is sent to the wrong (i.e. non competent) court. AT replied that the claim is rejected in this case; DE replied that the claim would be forwarded to the competent court, but at the claimant's expense. The Commission asked MS representatives to check what the procedure is in that case in their respective MS.

Translation will be available only for the type of the Court. Moreover, the Commission asked Member States to establish responsible persons and contact points for running this functionality.

NL questioned whether the contact points for ATLAS are aware that they are fulfilling this task. The Commission replied that this issue depends on each Member State's internal decision. NL also asked about the "court type" field in the database

to which the Commission replied that it would be the same classifications as in the ECLI project – first instance courts, appeal courts, highest courts and other courts.

HU noted that given the discussions and concerns expressed, the announced deadline was unrealistic, and that more time should be given to MS for testing. The Commission acknowledge that due to the changes requested and concerns regarding the input requested, the current timeline would be unrealistic. The Commission noted that although the ATLAS should be decommissioned as soon as possible, there was no legal deadline for doing so.