

# ACCESS TO JUSTICE IN A DIGITAL AGE

ENCJ Digital Justice Seminar Amsterdam

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#### Main Topics

- Principles of E-Justice
- Providing Digital Access to Justice
  - Electronic State Gazette
  - Public e-File
    - Digital Court File
- Benefits & Challenges

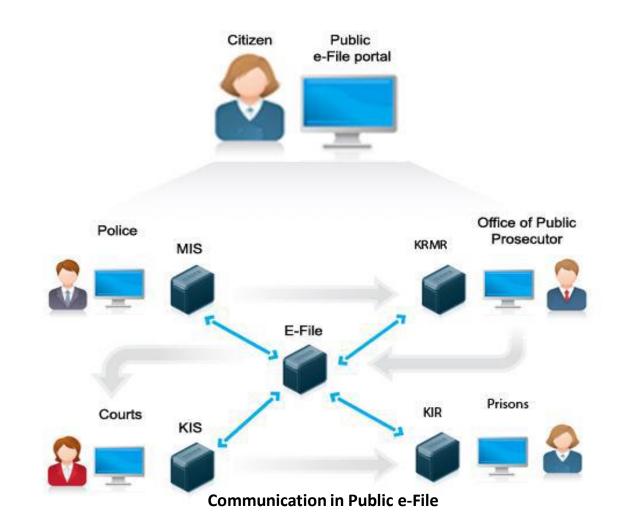
#### **Principles of E-Justice**

- Secure authentication & digital signatures
  - ID-card or Mobile-ID
- One-time data entry
  - All data regarding the proceedings is entered once to the IS of the body conducting proceeding (e.g. procedural decision)
- Secured exchange of information
  - All the data regarding proceedings is stored and moved simultaneously through <u>E-File</u> between authorities and parties of proceeding
  - X-road



## How the digital access to justice is provided?

- Through Electronic State
  Gazette publishes
  legislation and other
  documents (hereinafter
  legislation).
- Through Public E-File –
  portal for procedural
  information and
  documents &
  communication with
  judicial authorities
  - Through Digital Court
    File tool for working with case documents



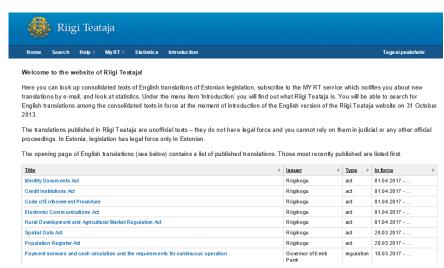
# Free Public Access to The Legislation and Judicial Information Through Electronic State Gazette (Riigi Teataja) of Estonia

#### Judicial information

- Judicial decision summaries of European Court of Human Rights
- Judicial decisions from Estonian courts since 2006
- All upcoming court hearings
- Public announcement times of the judicial decisions

#### Legislation

Legislative drafts



https://www.riigiteataja.ee/en

### Digital Access to the Proceedings through Public e-File

Public E-File is accessible with ID-card or Mobile-ID (*identification of the person is needed*) on the web <a href="https://www.e-toimik.ee/">https://www.e-toimik.ee/</a>

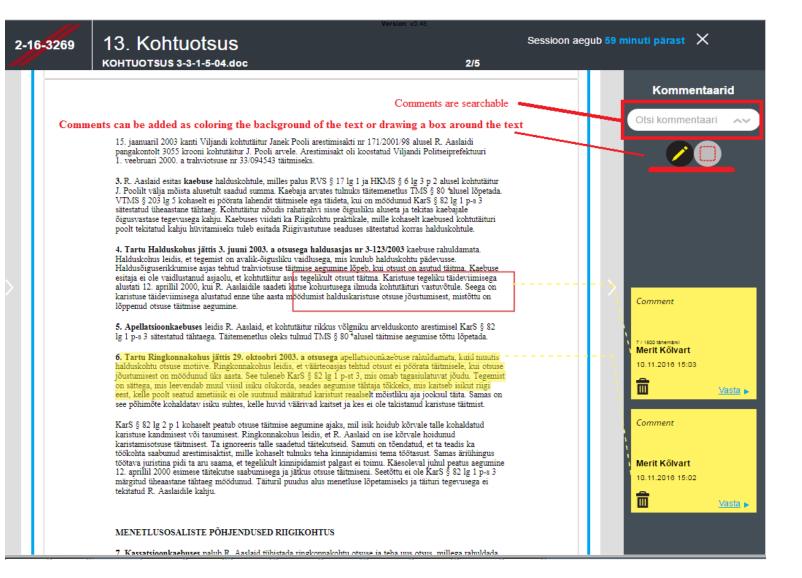
- The Public E-File allows:
  - submitting digitally signed documents to the body conducting proceedings;
  - monitoring the progress of the proceedings;
  - using pre-filled petitions for submitting to courts;
  - users can also supplement and amend unfinished petitions initiated by themselves;
  - it is also possible to challenge decisions of bodies conducting proceedings and to file appeals on court decisions;
  - receive documents and get notifications about procedural deadlines to email

## **Digital Court File** — a tool for working with digital content of court documents

- Key system for a paper-free proceeding
  - Offers easy and quick access to a digital court files regardless of the size and type of the document files
- Should replace the paper file and end an era when there were two parallel worlds:
  - Digital content
  - Paper court file

# Access to Digital Court File

- For citizens and lawyers through
   Public e-File
- For court
   officials
   through
   Court
   Information
   system



#### Benefits of Digital Court Proceedings

- Promotes fair trial
  - equal rights
  - transparency
- Efficiency
  - saves time & money
- Improved data quality
  - correct form of data
  - minimized multiple data entries
  - data is up-to-date
- Well secured data

- securer and safer than "papersystem"
- data is backed up and located in different places (servers)
- traceability
- Better opportunities for collection of statistics
  - provides reliable combined and segregated statistics

## **Challenges Regarding Digital Court Proceedings?**

- How to end printing documents due to habits?
- What should be the role of the courts to ensure the digital accessibility of the proceeding?
  - How to ensure accessibility to court proceedings, especially for elder people and prisoners?
- Should the rules of proceeding have to change?
  - Could participant of the case appeal the court decision on the basis of flawed data?
  - Meaning of procedural data assistive or legal meaning?



### Thank you!

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