

Legal Informatics and the Technological Landscape of Justice Systems

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NOTE

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1. Introduction

In the last 15 years, the development of information and communication technologies (ICT) has been one of the main and most complex challenges faced by European justice systems. Together with other pressures for change such as the new public management ideas, and most recently the serious budget constraints of the public sector, ICT has been one of the prominent drives of change. In this framework ICT has been used to pursue many different goals: efficiency and cost reduction, but also transparency and accountability.

However, the results of the empirical researches conducted by the Research Institute of Judicial Systems of the Italian National Research Council (www.irsig.cnr.it) in partnership with other European research institutes and ministries of justice, and coordinated by Marco Fabri, clearly show the difficulties of the “technological challenge”. Many European judiciaries faced failures and technological drawbacks associated with serious waste of money and public criticism. But the research findings show also successful projects, innovative development methodologies and lessons we hope useful for the countries that are approaching the technological challenge. Moving from these research findings, this work introduces the topic of legal informatics in the context of information and communication technologies for judicial systems. In this way it is possible to identify the benefits of the specific technologies in a wider technological context.

After having described the main developments of the emerging technological landscape, the paper investigates some of the factors that influenced the deployment of the projects. This should help judges and policy makers to focus not only on the benefits offered by technological innovation but also to identify the many challenges that have to be faced in promoting this kind of innovations. In addition, we have annexed a short report prepared by Davide Carnevali and Marco Velicogna that describes the state of development of legal information systems in European countries as well as in Australia and Singapore.

2. The technological landscape of justice systems

Applications developed in the last 15 years covers almost all the activities performed within judicial systems.

On one side they have been used for the *automation of administrative tasks* (case tracking and case management system, office automation). On the other ICT has been designed to support the judges' operation, in particular their judicial decision-making and to offer to lawyers and citizens access to statutes, regulations and case law (*legal informatics*).

More recently, we have observed a convergence of these different areas into "*full business case management systems*" that automate the administrative tasks, and support judges' decision-making, and writings up to the publication of the sentence on the web. Also for this reason, it is advisable to consider legal informatics within the wider context of ICT in justice systems.

Hearing room technologies is another area rich of remarkable applications, while the *judicial electronic data interchange between* different agencies or between courts and lawyers is the last and most ambitious technological challenge faced by European justice systems.

2.1. Administrative tasks automation

In every court, the administrative staff has to keep track of proceedings managing data such as personal information of the people involved in each single case, status of proceedings, requests of the parties to the judge, hearing dates and so on, up to the interim and final decisions of the judge. These tasks have been performed thanks to paper records that from a legal perspective certify that the every single case followed the right procedure. Traditionally paper records represented one of the main criteria of division of labour of the administrative staff. So, twenty years ago, administrative units of European courts were organised to manage paper dockets.

Case tracking and case management systems - The automation of such paper registries represents a first key step in the deployment of ICT within courts. Simple *case tracking systems*, replicating the functions of the paper dockets, or more

sophisticated *case management systems*, automating a wider area of tasks are the main technologies developed in this area. It goes without saying that the first advantage of this innovation is the time saved in searching the data. Not less important is the possibility to reuse the data entered into the system for many different purposes: printout of standard documents, statistical reporting, automatic monitoring of procedural deadlines etc. In addition, since networks connect these systems, it is possible to enter or to read the data from many different working-stations. This represents the technological pre-condition to change the traditional division of labour within courts, and making it more oriented to the needs of the users. Instead of many different units taking care of different registries, many courts rearranged the internal organisation with the front-office back-office model. With this organisational setting, all the procedural information are delivered by a single unit (front office) while back office can take care of all the other tasks without the "stress" of lawyers and citizens endlessly asking for information. From a user's perspective, this change reduces the need to go to different offices to access to the data entered into different registries.

Public access – When data are collected in case management systems, it become possible their delivery to lawyers with dedicated working stations set up within the courts. In this scenario, each authorised lawyer can log into the system (usually with username and password) and then browse the data of his/her own proceedings. In this way, procedural data is not delivered by courts' employees but straight away by the computer system in a speed and cost effective way. Last but not least, the same approach can be used to deliver case data to authorised lawyers through the Internet. In both cases the reduction of transaction costs is remarkable.

2.2. Legal Informatics

While the administrative staff has always dealt with structured data (collected in paper case dockets or in electronic case management systems) judges (but also lawyers and prosecutors) work with less structured and more complex data and documents.

First of all judges deal with statutes, regulations, and, not less important, case law. To search and analyse these documents judges and public prosecutors need an easy access to relevant information and effective searching tools. In the past, law libraries were offering these functionalities, but now legal informatics changed completely the landscape.

In Europe, the first developments in this area took place in the seventies. The first systems were based on mainframe computers, connected through dedicated networks to dumb terminals placed in courts and in other judicial agencies. In civil law countries were the supreme courts and the ministries of justice to promote this first important technological shift, while in common law countries, private companies took the leadership of this innovation. These services were providing both legislation and case law. Several years later (at the beginning of the nineties), the same data were transferred on CD-ROMS. In this way, data were easily accessible also by computers not connected to the dedicated network. So it became possible to access electronically to this data without an expensive ad hoc connection.

More radical changes happened with the fast growing of the Internet. Through this network, not only judges and legal professionals, but also every person with an Internet access can now browse an incredible amount of legal information. In addition to case law and legislation, also "general judicial information" such as court organisation, opening hours, court procedures, courts rules, and downloadable forms are now available in web sites all over Europe. These websites are developed and maintained by Ministries of justice (Austria, Finland and Italy, among many others) court agencies (Denmark, England, and Ireland) or by the Supreme Court (Belgium, Switzerland).

As a general trend, a basic access to legal information is free of charge, while for more advanced search engines a fee can be required. It goes without saying that this is not the case of legal information systems developed by private companies that are always fee-based.

Among the many benefits, it is worth to stress that legal informatics:

- 1) Speed up the access to relevant information, reducing also the search costs;
- 2) Offer an easier access to statutory and case law, improving in this way the transparency of justice operation;
- 3) This greater transparency, associated with clear and consistent case law, potentially reduces the number of ill-founded cases;
- 4) In addition, the greater transparency helps to increase the confidence in and the legitimacy of the justice system.

Since legal informatics is the main focus of this paper, the Annex offers a detailed view of the state of the art in several European countries as well as in Singapore and Australia.

2.3. Full business case management systems

Judges and prosecutors have to deal also with the large amount of documents produced within each single case: legal briefs, investigative or prosecutorial reports, witnesses' verbatim, hearing records, and finally judge's decisions. All these documents are archived in the case folder that, together with the court dockets (registries) are key artefacts of judicial proceedings. Also this area has been affected by information and communication technologies, since the use of standard word processors (Microsoft office and Open office) is became more and more popular among judges. They use these systems to write sentences and other legal document without the help of support staff.

Several countries attempted to develop *full business case management systems* supporting the operation of both staff and judges. Through these systems the data collected by the case management systems, such as names and personal data of the parties, indictments and requests to the judge (etc.) are automatically made available to the judge for the writing of the sentence. In addition these tools offer to the judges the possibility to browse the case law of the court, to specify glossaries to speed up the writing, and also to publish the sentences (and generally speaking court decisions) on the court's web site. It goes without saying that generalized adoption of this kind of technology would dramatically increase

the effectiveness and the efficiency of the justice system. However, for reasons that will be investigated, the development of these systems has been problematic.

2.4. Hearing rooms technologies

In the last 15 years information and communication technologies appeared also in hearing rooms. Here, more or less sophisticated and expensive technologies offer the possibility to improve and simplify the exhibition of proofs, such as sized documents and weapons, or the display of relevant pictures, or show videotapes of crime scene etc. In addition video technologies have been extensively used for video arraignments of defendants, and also for distance hearings involving of juveniles or cases with persons suspected of organised crimes, or witnesses under special protection programs.

But the most widespread use of technologies in hearing rooms is for taking court records. A number of technologies has been developed for this purpose such as stenomask, computer assisted stenotyping, video and audio recording. The first goal of this technology is to offer to the judges and the parties a detailed (and in some cases unbridged) court report. In addition, the search of relevant information is much simpler since such reports are available also in electronic format. But we want to stress that also these technologies, increasing the transparency of court operation, improve the legitimacy and the authority of courts and justice systems.

2.5. Judicial electronic data Interchange

The justice system can be described as a network of independent organisations (courts, law firms, police, prosecutors, prisons departments etc.) exchanging data and documents. Traditionally, papers files have supported this data and document exchange. In this way the same data (e.g. the name of the suspect) has to be re-entered a number of times in each organisation with problems of efficiency, and often, low reliability of the data, due to mistakes made in the data entry process.

In this area, information and communication technology offers the possibility to develop electronic data interchange among different case management systems. Data collected in the prosecutor's case management system can be transferred to the court's case management system and vice versa. In addition, with this system a lawyer can file a new case electronically, receive electronically the summons, and pay – always electronically – court fees. In this way, the court's staff doesn't need – just to make an example – to re-enter the data and also to print the summons. Therefore the number of units working at the counter can be reduced.

Judicial electronic data interchange is certainly one of the most challenging opportunities offered by the technological development in the justice system. In Europe, the experiences made in this area are still quite limited, even if almost all justice systems are at present attempting to develop such kind of systems. Successful projects have been carried out in Austria, Finland and more recently in England.

3. Organisational and regulative complexities in the development of ICT in justice system

To understand the successes and the difficulties of European judiciaries in developing ICT we have can consider the organizational and regulative complexities that have to be faced in order to develop these projects.

In order to carry out our analysis we will shortly consider the different achievements reached by European judicial systems classifying them in terms of organizational and regulative complexity that has to be tackled in order to adopt the innovation. Our understanding is that there is a correlation between the level of organizational and regulative complexity that has to be addressed and the level of success of the different innovations. In other words the more the organizational and the regulative context involved in the adoption of an ICT project is complex, the less successful tend to be the project.

3.1. Organisational complexities

The classification considers as unit of analysis the court organization and comes out from the cross-tabulation of two variables critical for the adoption process: the type of organizational adoption required (individual or organizational), and the organizational actors involved (administrative staff or judges). It is our understanding that the implementation of technologies requiring an organizational adoption (such as a case management system that must be adopted by the large majority of court clerks) is much more complex than those requiring an individual adoption such as legal informatics. In addition, while the implementation of certain technologies (e.g. a case management) requires the replacement of a pre-existent technology, the adaptation of other kind of systems may coexist with pre-existing technologies. Legal informatics is not intended to replace completely the law libraries and the law books. It is rather considered a new mean available for the members of an organization that can be used or ignored without too many consequences.

The second variable takes into account the organizational actors involved in the innovation process. If technologies that impact just on the administrative staff have to face the typical adoption problems of a formal bureaucratic organization (such as rigidities in the adaptation of work practices, obstacles in the learning of new skills etc.), technologies that are addressed to judges have to face also with the strong individual independence generally showed by this professional group and that can become a difficult barrier to overcome.

A simple case: legal informatics and hearing rooms technologies

A first group of technologies is identified for cases in which the organizational context involved in the adoption process is quite simple, because once they have been bought or developed, they do not necessary require some kind of organizational adoption within the judicial office since they are only extra available resources that every organizational actor can freely use or ignore. Hearing room technologies and Legal informatics belong to the category. Web pages providing information about courts, systems developed to offer an access to general information, legal information systems collecting legislation and case law do not require any form or organizational adoption by the courts. Judges can

use them for legal research as they can carry out their legal search in law libraries. Consequently the possibility of individual adoption produces a smooth impact on organization functioning.

This first group of technologies does not affect directly the existing procedures and organizational settings of courts. In particular, they do not force to replace pre-existing tools, and therefore they do not necessarily require changes in the previous organization of work, even if they can also make changes possible.

The area of organizational change is, in this case, located outside the court, i.e. outside our field of analysis. Here organizational changes are related mainly to the establishment of ad hoc organizations such as specialised technical units in charge of setting up hearing room technology, updating the Web pages of the Ministry or preparing the information to publish on a legal information system.

Due to this low organisational complexity, the achievements by European justice systems in this area have been positive.

Facing the bureaucratic constraints: administrative tasks automation

A second group of applications can be identified among those that require both organizational adoptions by the administrative staff. These changes are essentially related to the replacement of old paper-based working-tools with new automated one or, more recently, with the replacement of old automated systems with new updated. Case tracking and case management systems more or less sophisticated belong to this category. Also the public access to case management systems data belongs to this category.

In this case, the changes in the working practices are limited to the 'bureaucratic side' of the organization (clerks and administrative staff), while judges are not involved. The complexity of the receiving context is relatively low also because these systems are designed to automate the existing status quo. Their main function is still to keep track of judicial proceedings.

Almost every European judicial system has reached positive results also in this filed, especially in the development of case management systems. More problematic seems to be the deployment of public access to case management systems. If it has been relatively easy to create some public point of access to

these data within the courts, as many countries did, difficulties arise when data should be accessed through the Internet. The sensibility about privacy and data protection is very different in the various countries considered and it affects enormously the possibility of accessing court records. Here the barrier seems to be the definition of juridical, technical and procedural criteria in order guarantee the identification of the parties accessing the court records.

It is worth mentioning, however, that the administrative tasks automation is a sector where many valuable achievements can be reached, in terms both of better services offered to the clients of judicial offices, both of a reduction of the time dedicated by the clerks in giving information collected by CSM and related to specific cases.

Judicial independence and ICT: judges and full business case management systems

A more complex dynamic is associated to the adoption full business case management systems, since for being successful, this technology require a widespread adoption by the judges of a court. Judges are guaranteed with a very high level of professional autonomy related to the judicial independence. This principle endows judges (and in some European countries also prosecutors) with a considerable individual freedom of choice in terms not only of judicial decision making, but also in terms of organizational behaviours: members of these professional groups, have in many cases the possibility to accept or reject changes, constrains and some organizational features (such as the use of a full business case management system) that are not allowed to clerks, or administrative personnel at least in the same terms.

This organizational autonomy guaranteed to judges can dramatically increase the complexity of the organizational context that has to be taken into consideration when the design of new information systems is undertaken. It can, in fact, lead to failure or to a very slow diffusion of innovation. This is indeed what happened to several full business case management systems developed to support judges in their decision-making and judicial writings.

To understand the difficulties found by these new technologies it is necessary to stress the differences between full business case management systems and legal informatics.

As we mentioned, legal informatics is a resource available that can be individually adopted by judges. In these cases, the level of complexity of the organizational context involved in their adoption is simple. But full business case management systems require an organizational adoption¹.

The case of Polis, developed by the Italian ministry of justice, can clarify this point. Polis is an application that would integrate the activities that go from the writing of a sentence by the judge, to its 'juridical classification' up to its publication on the web. A number of ad hoc features have been developed to support such a key judicial task. In addition, this application is integrated with the case management systems used by the clerks of court. This allows the automatic download of all the relevant data already collected in this system. Despite the great effort made by the IT Department of the Ministry of justice, the project "has never taken roots". A large number of judges refused to use the Polis arguing that due to the principle of judicial independence its use was not mandatory.

It goes without saying that the value of Polis can be remarkable if every judge of a court uses it regularly, but if some judges in the court do not adopt it, its usefulness quickly decrease. In this case, if Polis has been developed to publish all the sentences on the web someone else (such as administrative units) has to do the job that the judge could have done automatically using Polis; finally if judges perform this task following several different procedures and using different word processors the work done by the administrative staff in order to support the procedures would increase even further.

¹ While in the first group judges are seen as users of the information made available by the electronic resources accessible on the web, in this new group judges are considered as those who produce that information. In this group, therefore, are classified the few technologies developed in various countries with the aim of supporting the judges tasks and automating the most repetitive side of their job.

The many challenges of judicial electronic data interchange

The current challenges of judicial electronic data interchange faced by several European judicial systems bring together the fourth group of applications.

The challenge of developing e-filing is greater than those undertaken for the deployment of other groups of technology. First of all the basic infrastructure (hardware, software, networks) has to be widespread and fully reliable. Second, electronic data interchange does not simply deal with the automation of old paper based technology and procedures as for the administrative tasks automation. It is rather concerned with the creation of completely new working practices and new 'technological artefacts' with juridical value, such as electronic summons, electronically signed documents, on line payments and electronic document management systems. This implies a difficult and uncertain interplay between technological alternatives (such as digital signature with smart card vs. simpler solution such as username and password), formal regulations and organizational constraints.

Differently from legal informatics, the judicial electronic data interchange is not a resource that can be freely used or ignored by each single judge. As in the case of full business case management system, the innovation could have an insignificant or a negative impact if adopted only individually by some judges. In this way it would require keeping in operation two different ways of working, one paper based and the other 'electronic'. Therefore innovation requires an extensive organizational adoption that means also a difficult change in the medium normally in use, i.e. from paper to electronic.

Furthermore, from a governance point of view, the development of judicial electronic data interchange demands the involvement of lawyers and BAR association, and other judicial agencies. This increase even further the complexity of the organizational context involved in the innovation. The modest results of European judiciaries confirm the difficulties that have to be faced. At present, only Austria and Finland can show positive results in this area of innovation.

3.2. Regulative complexities

The organizational context involved in the introduction of the innovation is just one of the factors that influence the levels of complexity and of uncertainty that

have to be dealt with in this field. Changes and adaptations in the rules that regulate the functioning of judicial organizations are the other points that must be discussed. It can be observed that the different technologies show also different levels of regulative complexity to be dealt with.

From a regulative perspective, legal informatics does not create any problem except (in some country), for the question of the publicity of the names of the parties involved in the case. This problem, if present, is generally addressed during the editing stage of the document to be published. In this case technology can reduce the editing costs by deleting the names of the parties from the sentences automatically. In all the other cases, the development of legal informatics does not require any normative change or adaptation.

The same limited problems of regulations arise with the administrative tasks automation and also with the full business case management systems. These two technologies do not need any regulative adaptations since they automate existing internal procedures.

Public access to court records and judicial electronic data interchange involve more difficult regulative problems.

As far as public access concerns, it may be problematic to establish appropriate rules regulating the access to court records. The situations analysed by our researches vary greatly. While in Australia the access to data related to specific cases such as the name of the parties, the hearing schedules, the status of the case etc. is generally available to everybody (general public and the parties), in Europe the majority of the countries limits the access to the parties of the case. Here the issue of the correct identification of the persons entitled to access the data comes up. It becomes necessary to establish specific rules and to identify the proper technologies to protect access to the data. This regulative problem, even though it is bigger than those faced by the previous groups, is modest in comparison with those facing many countries in order to regulate judicial electronic data interchange in particular when lawyers are involved. In this latter case the questions of the authenticity, integrity, non repudiation of the documents filed electronically, along with the issue of identification discussed above have to be solved from a juridical and technological point of view.

Tab. 1. Organizational and regulative complexity

Organizational complexity	Regulative complexity		
	Low	Medium	High
Low	Legal informatics		
Medium	Administrative Tasks automation	Public access to court records	
High	Full business case management systems		Judicial electronic data interchange

To conclude this summary analysis, the table four shows the cross-tabulation of the organizational and regulative complexity factors that we have considered. Therefore it represents a simple map focusing on the barriers that have to be successful overcome in the development process. To sum up, legal informatics and administrative tasks automation, having to face a low or medium level of organisational complexity and a low regulative complexity, are easier to develop than the other technological areas. The development of full business case management system has to face strong judicial resistances, while the deployment of public access needs an appropriate regulation of the external access to court systems. The judicial electronic data interchange has to face a very high level of complexity in the areas of regulation and organisation. It represents therefore a challenge that requires very strong management and governance capacity within the justice system, and a strong collaboration with the other institutional actors involved.

4. Annex: Legal information on line in Australia, Singapore and European Countries

Edited by Davide Carnevall and Marco Vellcogna. In Fabri, M. and F. Contini *Judicial Electronic Data Interchange in Europe: Applications Policies and trends*, Bologna, Lo Scarabeo, 2003

Australia

Court departments, agencies and ministries of justice web pages commonly include: 1) description of the department or agencies' role and function; 2) information about the agencies within the department or related to it, including courts, prosecution agencies, tribunals, victim services, legal aid and links to those organizations; 3) Information about legal rights and going to court; 4) Information about how to obtain legal advice; 5) Links to case law, legislation; 6) Frequently asked questions; 7) media releases and other information directed to the media; 8) speeches; 9) Annual Reports; 10) Publications – almanacs, directories, strategic plans, information pamphlets, reports, discussion papers; 11) Court lists; 12) Budgets information; 13) Information on interpreting services; 14) Fines and penalties information and recovery services; 15) Information on alternative dispute resolution; 16) Information targeted to schools; 17) Births, Deaths and Marriages information; 18) Guardianship provisions; 19) Case law; 20) Court calendars; 21) hearing lists; 22) feedback and comments.

Directors of Public Prosecution web pages provides information such as: 1) description of function and information about the role; 2) information about prosecution policy and guidelines; 3) witness and victim services; 4) contacts details; 5) links to related agencies; 6) Frequently asked questions; 7) media releases; 8) speeches; 9) Annual Report; 10) publications; 11) Freedom of Information and file list.

Australian Legal Information Institute (AUSTLII) provides legal information and case law.

Criminal courts web site with "judges' comments on passing sentence"

Austria

Federal Ministry of Justice Website (www.justiz.gv.at) contains 1) amendments of law, 2) bills, 3) office hours, 4) forms for default action, 5) application for enforcement, 6) legal aid & consumer's protection. There are not courts web sites. Info. are provided by FMJ.

Legal Information System (www.ris.bka.gv.at) contains: 1) Federal and State Legislation; 2) Database on case law documentations (legal maxims and full text

of rulings of Constitutional Court, Administrative Court, Supreme Court, and other judicial agencies.

Belgium

Court of Cassation Website (www.cass.be/pyramide_fr.php). Under this portal the various courts and tribunals have the possibility to build and to maintain their own website following a common, but more or less open template. Probably the most advanced example is the website of the Court of Appeal of Antwerp. It contains information about the opening hours of the court administration, the composition of the chambers, etc. The website visitor can download forms but these forms cannot yet be filled in online. It is also possible to search case law – final decisions – of Belgian courts and tribunals, using index terms, article numbers or dates.

Czech Republic

The Justice Department's Internet Portal (<http://portal.justice.cz>) provides for the presentation of all of the department's organizational divisions, both graphically and structurally, in a uniform manner. The uniform graphic design provides users with easy orientation around the entire portal, a way of quickly finding the basic information on every court, public prosecutor's office or other organization: the office hours, address of the registered office, electronic addresses, structure of the division's directorate, including telephone numbers and email addresses, etc. Furthermore, each division can then provide further optional information, starting with the latest news, press releases, a complete address book, personnel and other advertisements, etc. Each division (a court, a public prosecutor's office) is responsible for its own data, and for its timely updating; for updating it is possible to make use of the departmental WAN or a dial-up line. Apart from information on the individual divisions of the department, it is possible to obtain from the justice department's portal access to information from the basic centrally maintained registers and databases: from the Commercial Register, the Database of Experts and Interpreters, the Database of Bankrupt Entities and the List of Judges and Public Prosecutors.

Some courts also use this electronic address in the full extent as an electronic bulletin board and publish here other information as well, such as mandatory

proceedings, etc., the requisite documentation for the issuance of various certificates, forms, etc. Publication of some forms which however must be sent in their paper form in order for them to be legally valid.

Denmark

Danish Courts Administration Website (www.domstol.dk) has a number of general information pages on the organization of the Danish Courts (both in Danish, English and French). The general public has access to electronic forms at the website. The forms can be filled in at the website, but the form still has to be printed, signed and mailed to the court. Furthermore each Danish courts (county, higher, supreme and commercial & maritime courts) have a separate sub sites with general information concerning that particular court – address, opening hours e.g. – along with information on court operations of the day and abbreviated rulings. Some of the information is anonymous depending on the type of the case.

Prosecutors' Office has an information page as part of the Police Website.

Legal Information System (www.retsinformation.dk) is the official on-line legal information system of the Danish State.

England and Wales

The Court Service Website maintains the daily list for Crown court centers, county courts and the High Court; a database of selected High Court and Court of Appeal judgments. Civil forms & leaflets currently issued by courts can be printed.

The British and Irish Legal Information Institute BAILII (www.bailii.org) provides access to the most comprehensive free and up-to-date collection of British and Irish primary legal materials. BAILII has been developed through cooperation between the Australasian Legal Information Institute (AustLII) and organisations in the United Kingdom and Ireland.

Pilot operation of a Court Service Information Kiosk began in the autumn of 2000. The kiosk is based in a public library and is an information system accessed via the use of touchscreen technology. It contains electronic versions of civil forms & leaflets currently issued by courts - presented on-screen to the kiosk user. If necessary those forms and leaflets can be printed and taken away. Kiosk users

unfamiliar with legal terminology can also search using an A-Z index facility. The kiosk will also play the Court Service's General Information audio tape which can be accompanied by on-screen text, and the "Jury" video for those selected for jury service at a nearby Crown Court. Information is also available at the touch of an on-screen button concerning the Court's Charter (describing service standards for court users), tribunals, the family jurisdiction, the High Court and appeals. If further advice is needed, kiosk users can initiate, at the touch of a button, a videoconference link to the local Citizens' Advice Bureau.

Websites of the courts offer information such as listings, facilities and FAQs.

CJS Online (www.cjsonline.org). A total of 16 tours is accessible through the website. The tours use pictures, sound and text to guide users through the physical environment of the court buildings and courtrooms, and introduce them to the proceedings they would go through when undertaking jury service.

Estonia

The majority of Court Information System is gathered to the central server of the Ministry of Justice. Each court has its own web page with uniform layout and structure administered by the central administration module (www.just.ee, <http://talk.just.ee>). Minimum requirements imposed on disclosed information are laid down by Public Information Act.

Prosecuting authorities have their own 2nd level domain www.prokuratuur.ee.

Finland

Ministry of Justice Website (www.oikeus.fi). These web pages contain: 1) useful information on the judicial system of Finland, 2) of the courts and their services, 3) on the decisions of the courts, 4) on how to apply for summons in different cases, 5) the fees of the courts and 6) the most common forms. The pages contain 7) the addresses of the courts with e-mail addresses and recommendations on the attached files and other document formats. Service available for anyone free of charge. Privacy is guaranteed by leaving the names out of the texts.

Courts Web Site. Each court can also have a web page of their own and about 50 courts have already built their own pages.

Finlex service (www.eduskunta.fi). There is the Finnish legislation since 1734 available for anyone free of charge. It also has the government bills and the links to the parliamentary documents. The Finlex service also contains the decisions of the Supreme Court and the Supreme Administrative Court, cases from the courts of appeal and the administrative courts and special courts.

France

Ministry of Justice Website (www.justice.gouv.fr). It contains on line information as to how local courts work and how they can be accessed. Information about people's rights and duties, on how to take a case to court and on the grounds for legal actions. There are also numerous forms and practical advices. The Government intends to launch a new service in 2002 which will enable both the general public and members of the legal professions to have free access to all codes, laws and regulations, all case law and International Conventions.

Courts are free to develop their own Web sites provided they respect a certain number of rules. The Information and Communication Department (Sicom) of the Ministry ensures respect for these rules and the coherence of information presented on individual court websites. Court Internet sites give local information, in particular their postal and electronic addresses, telephone numbers, maps and opening times. They also give necessary information as regards members of the legal professions and invite the browser to log into the national site for legal information. Many of them also give links to other law sites. More than 23 regional court sites or regional legal aid services, in addition to the Conseil d'Etat and the Cour de Cassation, had opened Internet sites in June 2002.

Since 2002 thanks to Public Service Legal Access (SPAD) it is going to be possible to consult court decisions on-line.

General public access to legal data is currently restricted by regulations. This system will shortly be replaced by a system of general and free public access to all case law through a free public website. This new system is designed to inform citizens of applicable legal rules and not to give individuals information as to the progress or outcome of any case which they might have initiated. Decisions will thus normally be published in a manner which respects the anonymity of the parties involved.

Germany

North-Rhine Westfalia Ministry of Justice's Website (www.justiz.nrw.de). Offer general information about the courts and a list of links to the courts homepages. Since 2001 there is a new public database in the internet (NRWE), to inform the public about important decisions of all courts in the state. The access to the NRW database is for free and it is possible for everyone without any kind of registration. The protection of the privacy of the parties will be ensured by a special process of anonymisation.

NRW courts websites The court web sites follow a corporate design (supervised by the Ministry of Justice) and offer general information about the court in concern

Federal courts websites. All federal courts are offering or just projecting to offer their decisions in the internet to the public for free. The first court which did it, was the Federal Constitutional Court from the 1998, the Federal Social Court from the beginning of the year 2001 and the Federal Fiscal Court since 2000. The Federal Administration Court in October 2002 proclaimed to publish its decisions. The Federal Court of Justice which does not publish decisions until now, discuss to do so on its court homepage.

Greece

Ministry of Justice's web-site (www.ministryofjustice.gr).provides general information about the judicial system.

Supreme Courts (Areios Pagos, Council of the State, Court of Audit) maintain local databases with case law, mainly for internal use.

Athens Bar Association System (www.dsa.gr). has direct "on-line" link with Areios Pagos which provides the full text of judicial decisions. The database of the Council of the State will soon be hosted by the Athens Bar Association system. The 13 Appeal Courts of the country, the 14 First Instance Courts and, respectively, the 14 Bar Associations of the same district, are also linked "on-line" to the Athens Bar Association system. The rest 49 First Instance Courts (and, respectively, the rest 49 Bar Associations) provide the text of judicial decisions electronically to the Athens Bar Association via an "off-line" system. The system of the Athens Bar Association provides, for its users, restricted access to administrative information. An electronic

signature is required for access to legal information records and issues of the official gazette of the government. In general, the use of electronic signature is required for any record allowing access on a subscription basis. There are no electronic judicial records requiring a digital signature to be accessed.

Websites of the courts. Very few courts have designed their own web site. The web sites under construction will provide general statistics on the organization and operation of the courts as well as information on the services provided by such courts.

Hungary

Websites of the courts. 7% of the courts have their own home-page; at present, a common web-site is being developed, from where any person can get access to information for public use published by either court. Access to such information shall be provided via the usual Internet channels, not requiring any authentication.

Office of the Prosecutor General Website provides laws concerning the prosecutorial organization, general information, and information about issues of public interests.

Ireland

The Courts Service Website (www.courts.ie) provides a comprehensive view of the work of the Courts Service. Information is provided in relation to the following areas: Court Offices, Court Locations, Legal Professionals, FAQ, CS Newsletter, Press Releases, Links, Legal Diary, On Line Forms, Jurisdiction Working Group. The site has been re-launched with new sections and navigational features. Some of the sections will include a "Quick Links" section to allow easy access to frequently visited areas of the site and a "Take a Tour" option of the interior of the Four Courts precinct.

Government Information Portal OASIS (On-line Access to Services, Information and Support) at www.oasis.gov.ie gives general Court information.

Italy

Ministry of Justice Website (www.giustizia.it) and Government Portal (www.italia.gov.it) the Ministry of Justice's website offers information on judicial

system services (how to access them, their operation) such as adoptions, applying for certifications and registration in lists and public registers. In some cases it is possible to download the forms from the Ministry of Justice's website. There are not specific measures of authentication or privacy in order to access the Ministry or Courts and prosecutors' offices websites.

Websites of courts and prosecutors' offices. At the moment the websites of the judicial offices are updated and coordinated locally. Therefore there is no common scheme related to contents or to the services offered. Not all the offices are online and most of them just offer information to facilitate the contact with the people (telephone number, address and opening hours). In some cases it is also possible to download the forms for the services (registration in the bulletin-board of the advisors of office, release of certificates). Some offices also offer online services for lawyers.

Italgiure-Find (Easyfind) (www.giustizia.it/cassazione/bancadati.html). The Center of Documentation of the Supreme Court provides a service of online access to the database of the jurisprudence of the Supreme Court, of the Consiglio di Stato, of the Corte dei Conti, etc. and of the sentences of the Constitutional Court and the European Court of Justice. Some user classes (essentially belonging to public services) have free access to the database, while there is a subscription fee for all other users.

Luxembourg

Courts are free to develop their own websites provided the respect of a certain number of rules given by the national Commission for information society (Commission nationale pour la société de l'information CNSI) which is in charge of coordination and execution of the e-Luxembourg project (www.eluxembourg.lu).

The Administrative Courts have developed a web site giving local information of the addresses, telephone numbers, maps, opening hours, and publishing judgments. Most courts can be contacted by an "online mail form". This mail form is only meant to give comments on the web site itself.

Netherlands

Judiciary Website (www.rechtspraak.nl) gives information about courts organization and about the different procedures. On the national site guidelines for civil and administrative proceedings are published. Each court also publishes its organizational rules and various guidelines concerning different types of proceedings and compensations of costs. From the sites of some courts information brochures for the general public can be downloaded in PDF. The courts also publish a selection of their jurisprudence and a calendar of court sessions. Additional offices of judges are published on each courts' web site. Furthermore, some courts publish (an abstract) of their annual report including their production in numbers. The web site also includes declarations of bankruptcies. Everybody may register for the electronic newsletter.

Public Prosecution Service Website (www.openbaarministerie.nl). It gives information about the Public Prosecutors' organization and about penal proceedings, about the administrative handling of minor offences, news, dossiers on special cases and guidelines for requesting punishments in most categories of cases and also special information for children and for victims and about complaints. For traffic offences a list of offences and corresponding fines can be found at: www.openbaarministerie.nl/beleidsregels/dbase/verkfrm.htm.

National Website for Legal Aid (www.bureaurechtshulp.nl) This web site is a joint initiative of the regional councils for legal aid and the bureaus for legal advice. The organisation of legal aid is a responsibility of the Ministry of Justice but has been designed as a combination of public regulation and implementation by different foundations.

Justex is a free database of recent jurisprudence in administrative law.

Norway

Judiciary Website (www.domstol.no) provides 1) general information about the judicial system, the court and the proceedings, 2) an educational section with illustrative drawings, on how the proceedings take place; 3) a juridical dictionary; 4) a section with extensive information about the citizen's right to access court hearings and case documents, with references to legal sources.

Every single court website provide 1) general information about the court, 2) a list of upcoming cases (with details of parties, time of disposition, short case description, etc); 3) statistics. In courts websites decisions are made available for free for a limited period (about two months), in full text, included links to relevant statutory material.

Lawdata (www.lawdata.no) provides a lot of legal information available for free on web site (100 databases). This includes all acts and regulations, and recent rulings from the Supreme Court and the appeal courts. Lawdata. Gives free access but the free material does not have the same level of cross-references as the pay based service.

Portugal

The Ministry of Justice, some courts and other justice departments have developed their own web sites. They provides: Institutional information referring historic aspects and biographic notes of their Magistrates; Court organization, court rules, court business hours, court addresses, etc; Calendar sessions with schedule of the processes to be analysed and the report of the related conclusions; Important legal notices; Case law data bases that can be accessed on-line Current legal affairs and reforms proposed by the Ministry Links to international web courts.

Case Law Databases are available to the general public and can be accessed through the Internet free of charge. These databases provide information about court decisions and include the case law of the following courts: Supreme Court, 3 Courts of Appeal, Supreme Administrative Court, Administrative Court of Appeal, Central Administrative Court, Constitutional Court, Opinions of the Consultative Council of the General Prosecutor of the Republic. In order to access case law data bases it is not necessary any kind of registration, electronic or digital signatures. Information recorded in database is produced accordingly to established rules in order to protect the privacy of the parties.

Slovenia

Ministry of Justice Website (www.sigov.si/mp). Provides an access to some forms (i.e., for certification of criminal records' status for legal and natural persons, and

maintains lists of court interpreters, appraisers, and expert witnesses. General judicial information is available without any additional charge and/or limitation of access

Supreme Court's Website (www.sodisce.si) provides general judicial information related to Courts, information on the Slovene court system and substantive jurisdictions of particular courts, instructions for the visitors and the media, general information on its regular operations (i.e., official hours, location of premises, conditions for access to the court premises and courtrooms for general public and the members of the media, etc.), links to other relevant websites, and news related to the operation of the Supreme Court and the court system itself (i.e., statistics, etc.), access to the relevant legislation and to all decisions of the Supreme Court since 1992.

IUS-INFO (<http://ius-info.ius-software.si>) is an on-line legal and business information system produced by a private company. It provides information on all currently valid legislation and with all laws in full-text as well as substantial additional information valuable to legal practitioners.

Spain

The new website for the Spanish Justice (www.poderjudicial.es) aims to include all the information related to the legal system in Spain. It provides: information competencies, organization, composition, governing regulations, headquarters, annual reports, etc, direct on-line access for citizens for lodging complaints and claims. Corporate information on complaints and claims procedures. Access to Statewide directory information on local citizen services, information on the judicial career (the tests, syllabus, list of those who passed the tests, members of the examining board, etc.), the judicial school, press releases issued by the CGPJ and direct access to the agreements reached by plenary meetings of the CGPJ, jurisprudence, judicial Libraries. Access to the complete catalogue of electronic CGPJ publications, statistics and links.

Sweden

National Courts Administration Website. This contains relatively extensive information about the judiciary and NCA. Info. Material, forms, reports, and NCS magazine can be downloaded

Courts web-sites These websites include a presentation of the court and its organization and the judiciary in general, information about opening hours, reception times, telephone numbers, directions to the court, how to order copies of public documents etc. Certain courts also provide information about when e-mail can be used and when it ought to be avoided. In the majority of cases there is a description of the different case types and information about what is required from a party in court proceedings, such as payment of application fees, documents that are to be submitted, the appeal procedure etc. Many websites also have a frequently asked questions section ("FAQ"). One court even provides information about which hearings are taking place. Certain courts issue press releases or highlight judgments on their website.

The Prosecutor-General has a website with general information, the Prosecutor-General's list of laws, statistical information, information about recruitment, news and contacts to the different prosecution departments.

Lagrummet portal. Which is the opening page of the public legal information system. The system includes: 1) laws in full text, 2) legal practices; 3) international legal material

Switzerland

The internet site of the Supreme Court (www.bger.ch) provides information about the Swiss judicial system in general and the supreme court in particular. The site gives also access to two databases, one that compiles the published cases of the Supreme Court up from 1954 and another one that compiles about 50 or 60% of the cases rendered by the Supreme Court (most of them in anonymous form).