IT Technology in Summary Procedure

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Electronic Forms

- European Judicial Atlas in Civil Matters
  - Electronic forms for European Payment Order submission
  - Moved to European e-Justice Portal in 2012

- European e-Justice Portal
  - European Payment Order forms wizard

Supported EPO forms

- Form A - Application for a European order for payment

- Form B - Request to the claimant to complete and/or rectify an application for a European order for payment

- Form C - Proposal to the claimant to modify an application for a European order for payment

- Form D - Decision to reject the application for a European order for payment

- Form E - European order for payment

- Form F - Opposition to a European order for payment

- Form G - Declaration of enforceability

Small claim forms

- Form A - Claim form
- Form B - Request by the court or tribunal to complete and/or rectify the claim form
- Form C - Answer form
- Form D - Certificate concerning a judgment in the European small claims procedure

The wizard

Dynamic forms wizard

Do you have a legal case which could be decided by a court in a Member State other than your own or that of the other party?

- ○ Yes
- ○ No
- ○ Skip wizard

Next step   >

Dynamic forms wizard

Do you have a financial claim of a specific amount?

- ○ Yes
- ○ No
- ○ Skip wizard

<   Previous step   Next step   >

The Wizard

Dynamic forms wizard

Is your claim for €2000 euro or less?

- ○ Yes
- ○ No
- ○ Skip wizard

`<  Previous step`   `Next step  >`

Dynamic forms wizard

Do you expect the other party to contest your claim?

- ○ Yes
- ○ No
- ○ Skip wizard

`<  Previous step`   `Next step  >`

The wizard

Is your claim about revenue, tax, administrative matters or do you think that the State has acted unlawfully towards you?

- ○ Yes
- ○ No
- ○ Skip wizard

< **Previous step**   **Next step** >

Is your claim about property rights arising out of a matrimonial relationship, wills and succession?

- ○ Yes
- ○ No
- ○ Skip wizard

< **Previous step**   **Next step** >

Form details

- Almost no lookups

- Unconnected lookups

- Lookups not sorted alphabetically

- Missing required fields (e.g. e-mail)

- Without logic controls

Form file

- PDF file

- Unstructured data

- Without electronic signature

Form submission

For this country, you can send your form by: Communication with the courts is possible directly by regular mail, by electronic mail or by other means of telecommunication technology, by submission of the application directly to the court, or indirectly through a person who practises the transmission of the applications professionally (business provider) (Article 105(b) of the Civil Procedure Act).

For this country, you can send the form in these languages: Italian (it), Hungarian (hu), Slovenian (sl)

The average time to complete this form is 30 minutes

Please note that if you exceed 30 minutes of inactivity, all of your input will be lost unless you save a draft!

Start

Prototype

- Electronic form submission

- Help with jurisdiction selection

- Central database for courts

The portal

Cross-border e-commerce

- Electronic Commerce and Electronic Signature Act

- Mutually recognized qualified digital certificates across member states

  - Required to recognize electronic signature as handwritten signature

- Technical standards for electronic signature formats

Two layer PKI architecture
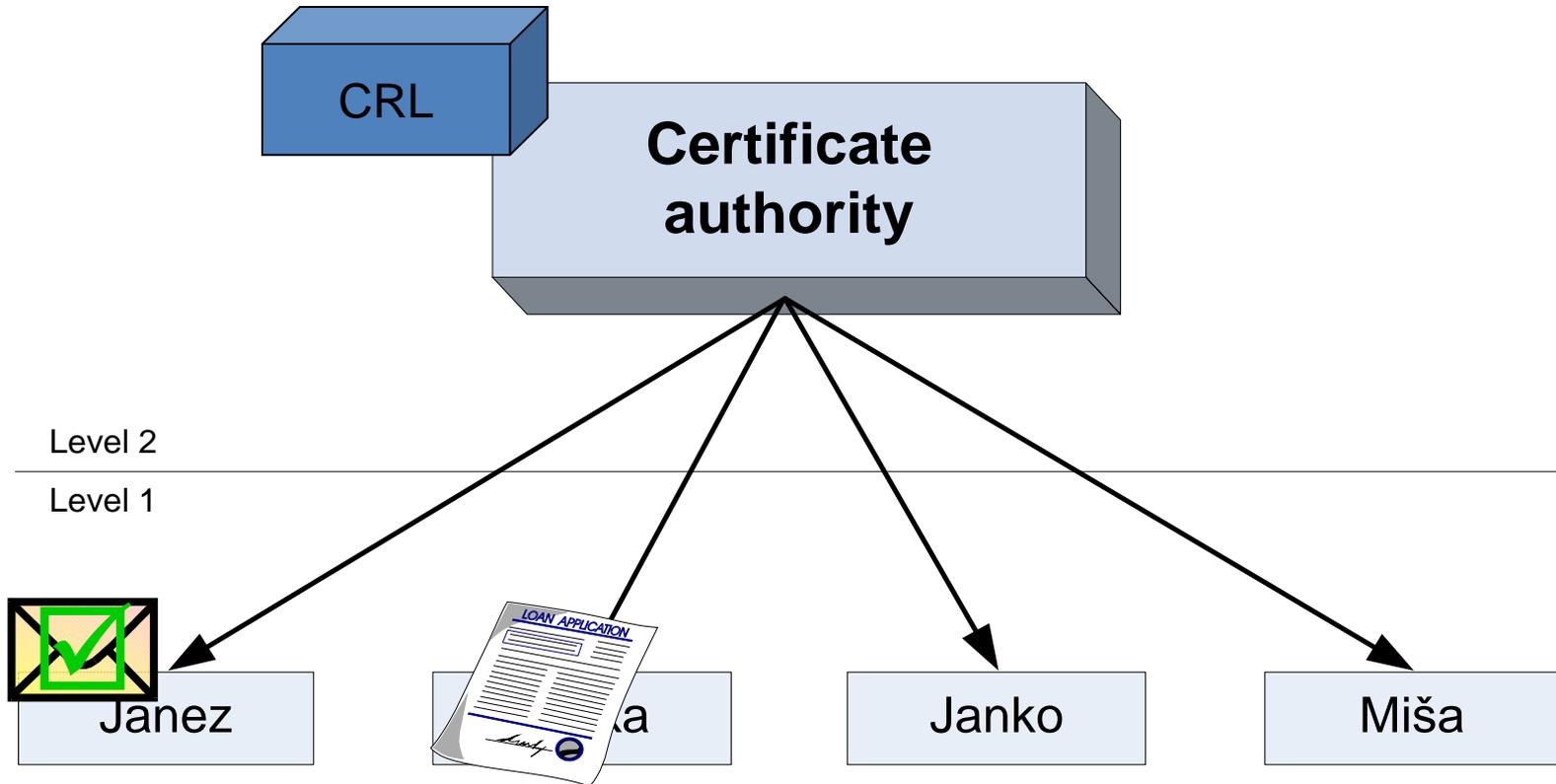
CA web
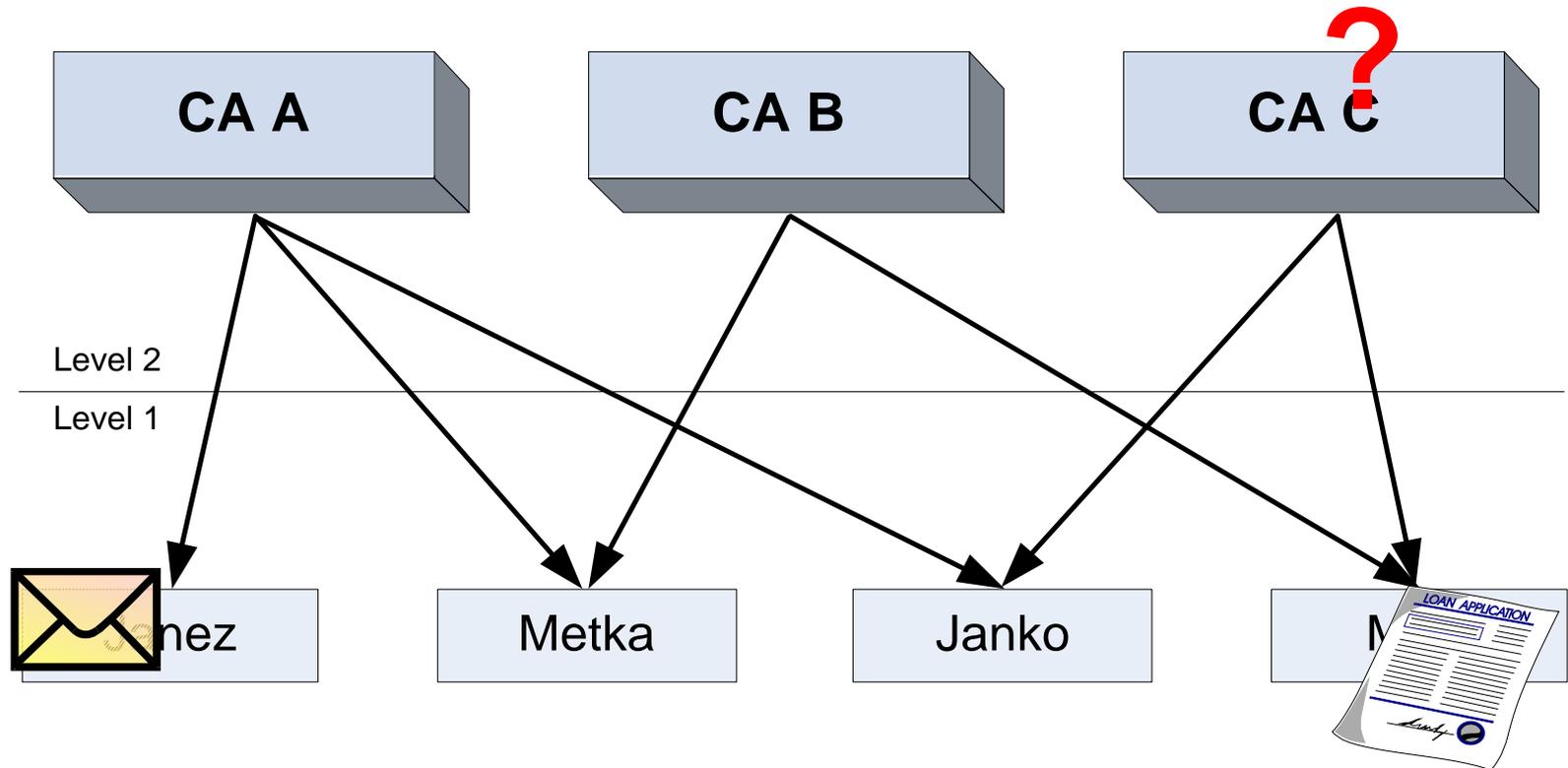
Mutual recognition

CA Hierarchy

```
                         CA A
                          |
     Level 3 ─────────────┴───────────────────────
                   /                    \
               CA B                    CA C
              /    \                   /    \
     Level 2 ──────────────────────────────────────
     Level 1 ──────────────────────────────────────
           /        \                /          \
        ez        Metka          Janko        [loan]
```

The European way

Local CA-s

?

Level 3

CA A

CA B

Level 2

Level 1

...anez

Metka

Janko
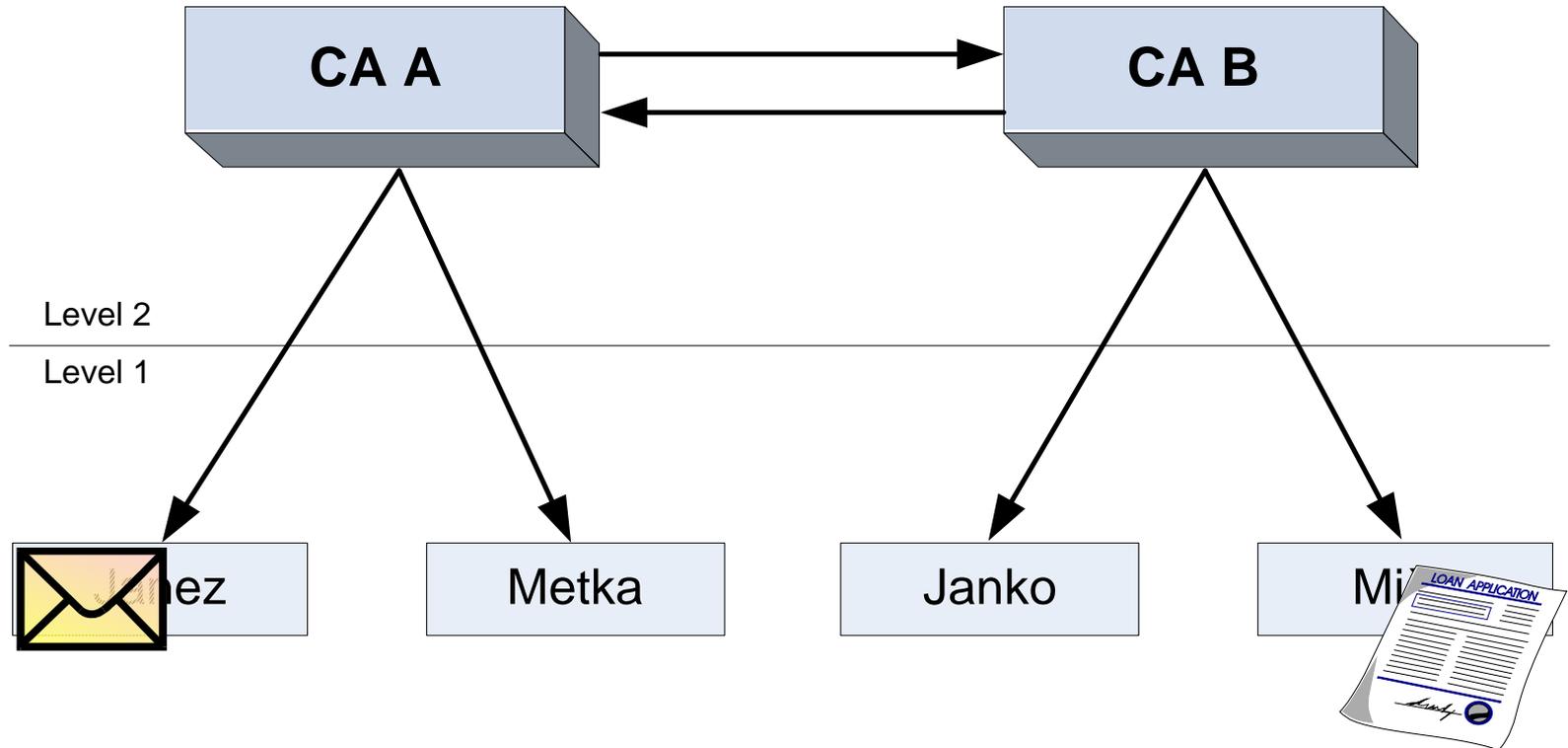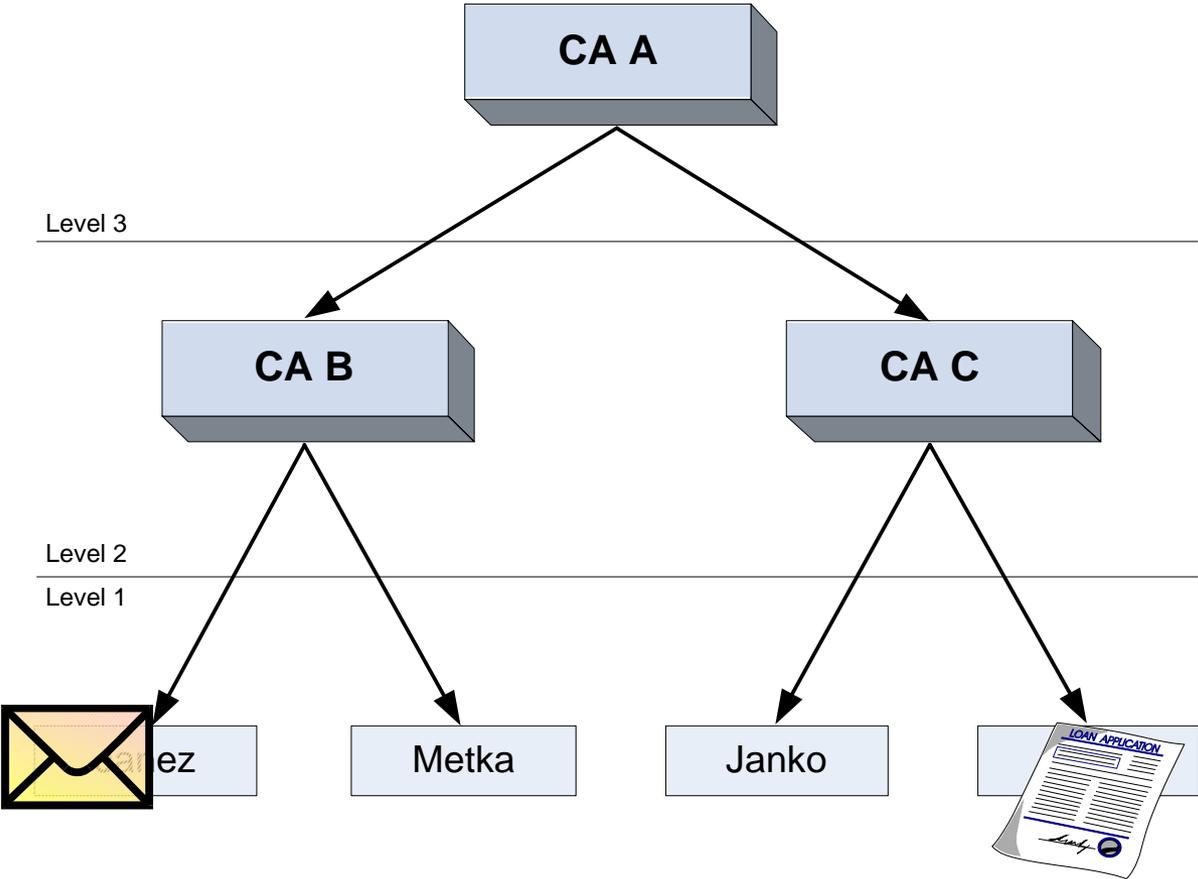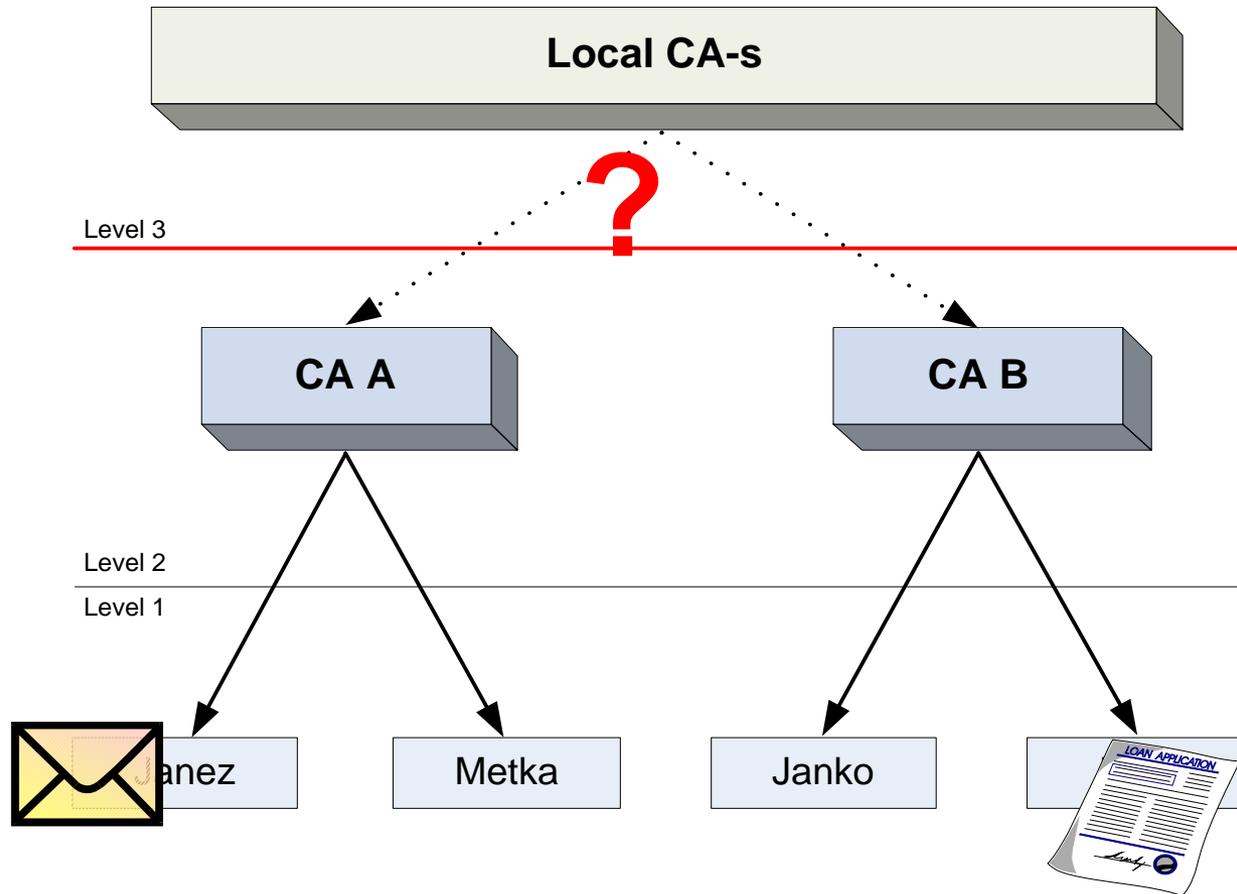
Solutions

- Have all CA-s installed on a local computer

- Centralised registry of CA-s
    - Technically not justified
    - EU project in progress, not yet operational (Post of Slovenia)

Electronic archiving

- Protection of Documents and Archives and Archival Institutions Act

- High expectations by the Archive of Slovenia

- How to support other states?

Service of certified electronic mail

- Many providers across Europe
- Slovenia
  - http://moja.posta.si/
  - http://vep.si/
- Similar in other states (Portugal, Spain)
- Web interface with prior registration with all local providers
  - May include registration or maintenance fee and even specialized software

PostAR.eu

- Converts any electronic mailbox into a safe electronic mailbox

- www.postar.eu
  - Integration with existing systems
  - Cross-border support
  - No up-front registration required

Secure Electronic Mailbox

User's existing electronic mailbox.

The receiver receives notification message with locked electronic message attachment from existing electronic mailbox.

PostAR.eu server sends notification message with locked electronic message attachment to the recipient's mail server.

PostAR.eu server sends electronically signed message sent receipt to the message sender.

The receiver securely electronically signs advice of receipt.

3 PostAR

PostAR.eu server sends unlocked electronic message to the receiver.

The sender sends electronic message to the usual mail server attaching electronic stamp and appending ".postar.eu" to the receiver's electronic mail address.

The mail server forwards electronic message to the postAR.eu server.

Existing electronic mail server.

PostAR.eu

Testno priporočeno sporočilo - Message (HTML)

Message | Insert | Options | Format Text | Developer

Paste — Cut, Copy, Format Painter
Clipboard

Trebuchet | 10 | **B** *I* <u>U</u>
Basic Text

Address Book, Check Names
Names

Attach File, Attach Item, Business Card, Calendar, Signature
Include

Permission, High Importance, Low Importance, Follow Up, Sign, Encrypt
Options

ABC Spelling
Proofing

To... info@cepris.si.postar.eu;
Cc...
Bcc...
Account

Subject: Testno priporočeno sporočilo
Attached: postARznamka_726f1a204be0444e99eefa614b543ef7.xml (3 KB)

Send

Testno sporočilo, brez posrednika.

Za pošiljanje se uporabi običajni poštni strežnik uporabnika (ni težav z nastavitvami vrat lokalnega omrežja ipd.)

Sporočilo je lahko elektronsko podpisano, lahko vsebuje poljubne priponke.

Glede naslova prejemnika ni omejitev.

PostAR.eu

[PostAR] Potrdilo o poslani pošiljki 'Testno priporočeno sporočilo' - Message (HTML)

Message   Developer

Reply   Reply to All   Forward   Delete   Move to Folder   Create Rule   Other Actions   Block Sender   Not Junk   Safe Lists   Categorize   Follow Up   Mark as Unread   Find   Related   Select   Send to OneNote

Respond   Actions   Junk E-mail   Options   Find   OneNote

From: PostAR [info@postar.eu]   Sent: sre 5.10.2011 21:59
To: bostjan.kezmah@uni-mb.si
Cc:
Subject: [PostAR] Potrdilo o poslani pošiljki 'Testno priporočeno sporočilo'
Signed By: info@postar.eu

Message   potrdilo.xml

Pošt**AR**

P O T R D I L O

Potrjujemo, da smo prejeli naslednje elektronsko sporočilo:

Pošiljatelj: bostjan.kezmah@uni-mb.si
Prejemnik: info@cepris.si
Datum in ura: 5.10.2011 21:58:48
Prstni odtis sporočila: 4uIQYEx+bYnRfEuFIvoUqyJRWBA=
Identifikator sporočila: <006701cc8399$216fc5f0$644f51d0$@kezmah@uni-mb.si>

To sporočilo je elektronsko podpisano in overjeno s kvalificiranim digitalnim potrdilom, zato ima enako veljavno vrednost, kot potrdilo v papirni obliki.

Za vaš arhiv prilagamo tudi elektronsko podpisan XML dokument s potrdilom o prejetem elektronskem sporočilu, ki ima enako veljavno vrednost kot to elektronsko sporočilo.

Status pošiljanja elektronskega sporočila lahko preverite na portalu postar.eu tako, da v sistem naložite elektronsko znamko, ki ste jo uporabili pri pošiljanju elektronskega sporočila ali uporabite identifikator sporočila, ki je naveden v tem potrdilu.

Sporočilo bomo vročili skladno s trenutno veljavnimi splošnimi pogoji storitve.

Hvala za sodelovanje in lep pozdrav,

PoštAR,
vaš sistem za elektronsko vročanje

PostAR.eu

Message Developer

Reply | Reply to All | Forward | Delete | Move to Folder | Create Rule | Other Actions | Block Sender | Not Junk | Safe Lists | Categorize | Follow Up | Mark as Unread | Find | Related | Select | Send to OneNote

Respond | Actions | Junk E-mail | Options | Find | OneNote

From: PostAR [info@postar.eu]   Sent: sre 5.10.2011 21:59
To: info@cepris.si
Cc:
Subject: [PostAR] Prejeli ste pošiljko 'Testno priporočeno sporočilo'
Signed By: info@postar.eu

Message | posiljka.dat

Pošt**AR**

OBVESTILO

Obveščamo vas, da ste prejeli priporočeno elektronsko sporočilo.

Priporočeno elektronsko sporočilo je zaklenjeno in je kot priloga priloženo temu sporočilu.

Prevzamete ga lahko na portalu PostAR tako, da na portalu naložite priponko tega sporočila in elektronsko podpišete vročilnico z vašim kvalificiranim digitalnim potrdilom.

Nekateri odjemalci elektronske pošte omogočajo samodejno nalaganje in odklepanje zaklenjenega sporočila. Če vaš odjemalec to omogoča, lahko elektronsko sporočilo prevzamete z gumbom:

[Prevzem sporočila]
Stran za prevzem

To sporočilo je zaradi vaše varnosti elektronsko podpisano. Zaupajte samo sporočilom z veljavnim elektronskim podpisom!

Sporočilo bomo vročili skladno s trenutno veljavnimi splošnimi pogoji storitve.

Hvala za sodelovanje in lep pozdrav,

PošTAR,
vaš sistem za elektronsko vročanje

Patent

- Method and device for electronic service of certified electronic messages
- WO/2011/112157
- PCT/SI2010/000012
- EP2365669
- SI 23331

Recommendations

- E-justice portal needs content upgrade and update

- Upgrade of PKI infrastructure
  - Use of available technologies

- Required content of digital certificates (required e-mail address)

- EU certified component for electronic signature (cross-platform browser plug-in)
  - Encourage browser vendors to include e-signature support

Contact

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