International Journal for Court Administration
Vol. 6 No. 2, December 2014
ISSN 2156-7964
URL: http://www.iacajournal.org
Cite this as: URN:NBN:NL:UI:10-1-115632

Using IT To Provide Easier Access To Cross-Border Legal Procedures For Citizens And Legal Professionals - Implementation Of A European Payment Order E-CODEX Pilot

By George Pangalos, Ioannis Salmatzidis and Ioannis Pagkalos[1]

Abstract:

Integration in Europe has resulted in a steadily increasing number of legal procedures containing cross-border requirements to ensure better cooperation between different national judicial systems and establish simpler and more efficient procedures for the users. Information and Communication technologies can help make cross-border judicial procedures more transparent, efficient and economic both in civil and criminal matters.

e-CODEX is an important project of the EU in the domain of e-Justice that aims to provide to citizens, companies and legal professionals easier access to justice in cross-border processes, as well as make cross-border collaboration between courts and authorities easier and more efficient. It develops the required infrastructure and the organizational, procedural and legal environment necessary and also conducts a number of real life cross-border pilot projects. One of the first such pilots to become operational is the European Payment Order (EPO), in which Greece also participates. In this paper we briefly present the e-CODEX cross-border services which provide access for citizens and legal professionals to legal processes in Europe and also discuss the Greek e-CODEX pilot of European Payment Order, which is now operational in this major e-Justice project.

Keywords: e-Justice, European payment order, cross-border access, automated court processes, e-lawyer, automated legal processes.

1. Introduction

Because of the current level of integration in Europe and the resulting high mobility of European citizens, procedures and businesses, legal procedures containing cross-border requirements are steadily increasing. These procedures require better and faster cooperation between the different national judicial systems involved. With the continuous growth in data exchange, beyond the traditional manual methods, different forms of communication to address these requirements are also necessary. ICT (Information and Communication Technology) can help make judicial procedures more transparent, efficient and economic. It can also facilitate access to justice for citizens, companies, administrations and legal practitioners. This results in both smoother access to information and the ability to process cross-border cases more efficiently.

Access to justice has already become an important issue in many justice systems around the world. Technology is also increasingly seen as a potential enabler of access to justice, particularly in terms of improving justice sector efficiency. The following examples of systems in use today help illustrate how those systems might improve access to justice[2]:

(a) TOL: an Italian information system for the electronic transmission of data, accessing procedural documents and notifications, and the payment of fees in civil cases. Its main goal is the creation of the so-called paperless office, an e-justice system that allows complete electronic management of any type of civil proceeding, from case filing, through to judgment and then final enforcement.
(b) MCOL: an online service for the e-filing of money claims in England and Wales that enables most English and Welsh citizens to issue a money claim twenty-four hours a day, seven days a week through a user-friendly website. The website allows for filing documents, checking claim status, and requesting both judgment entry and enforcement (by way of a warrant of execution).

[1] Prof. George Pangalos is the director of the Informatics Laboratory of AUTH and the national scientific coordinator of the e-CODEX project. Contact details: Informatics Laboratory, Faculty of Technology, Aristotle University of Thessaloniki, 54006, Greece, pangalos@auth.gr. Ioannis Salmatzidis (AUTH IT center) and Ioannis Pagkalos (Department of Electrical and Computer Engineering), are members of AUTH's e-CODEX research team.
[2] See Giampiero Lupo, M., Bailey, J., Designing and Implementing e-Justice Systems: Some Lessons, Laws 2014, 3, 353–387; doi:10.3390/laws3020353

(c) e-CODEX: a large-scale e-Justice pilot project co-funded by the EU Commission and coordinated by the Ministry of Justice of the German Land Nordrhein-Westfalen. A more detailed description of the systems and applications developed in the framework of e-CODEX will be given in a subsequent section.
(d) IJP: a project initiated in 1996 to streamline then existing justice sector processes, replace paper based systems with computer based systems and create a Common Inquiry System for criminal cases that would allow authorized persons from various justice areas to link to files (e.g., about witnesses, offenders, victims) held in other areas. It is designed to impact 22,000 government employees at 825 different locations in Ontario, in addition to the law enforcement/police forces, judges, lawyers, and the general public.
(e) CIMS: an integrated Court Information Management System developed in Canada in 2009 that aims to permit enhanced functionality such as e-document management, court scheduling, financial and automated workflow capabilities, and the introduction of online services to the public.
(f) BCI: a British Columbia's e-Court Initiative to develop an integrated case management system and publicly accessible e-services, which eventually paved the way for public access to court documents and e-filing capabilities at all levels of BC courts (including, most recently, the Court of Appeal).

The European Union has already undertaken several initiatives in this area. One of the most important ones is the e-Justice initiative[3]. e-Justice aims to improve access to justice and to facilitate cross border judicial proceedings through the use of information and communication technology and EU-wide interoperability. It also targets the lack of information deficit and language barriers. Its potential audience includes citizens, businesses, legal practitioners and the judiciary. It also strives to develop the European e-Justice Portal as a one-stop (electronic) shop for justice information in the EU[4].

e-Codex (e-Justice Communication via Online Data Exchange) is one of the most important Large Scale e-Justice Projects of the EU designed to provide to European citizens, companies and legal professionals with easier access to cross-border proceedings, improve cross-border collaboration between the courts and agencies and improve efficiency through interoperability between the existing national ICT solutions[5].

The main objective of e-CODEX is to enable access to justice systems across Europe and provide an easier (digital) way to execute cross-border proceedings and exchange legal information between EU-countries, replacing bureaucratic paperwork, regardless of any differences between the EU countries. It also aims to improve efficiency of cross-border judicial processes through standards and solutions that improve and facilitate the cross-border case-handling activities[6].

The e-CODEX project, started in 2012, is funded through the ICT Policy Support Program of the EU and has duration of 50 months. Twenty EU and EU-associated countries participate in the project (Austria, Belgium, Czech Republic, Estonia, France, Germany, Greece, Hungary, Italy, Ireland, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Romania, Spain, Turkey, United Kingdom), along with the organizations CCBE[7] and CNUE[8]). Greece participates in e-CODEX through the Greek Ministry of Justice, which has mandated the overall responsibility for the national participation and implementation to the Informatics Laboratory of the Aristotle University of Thessaloniki[9].

Beyond the development of the required infrastructure, organizational, procedural and legal environment necessary for providing the e-CODEX services (organized around seven work packages), e-CODEX also runs a number of real life pilots projects (or use cases). The first pilot to become operational is the European Payment Order (EPO), in which Greece also participates. In the following chapters we will briefly present e-CODEX objectives and structure, which is

[3] For more information see: European Commission, The e-Justice initiative of the European Union, http://ec.europa.eu/smart-regulation/impact/planned_ia/docs/2013_just_015_ejustice_en.pdf, Retrieved May 23, 2014. Also: The World Bank, Court automation survey, http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTLAWJUSTICE/0,,contentMDK:23182444~menuPK:445670~pagePK:64020865~piPK:149114~theSitePK:445634,00.html, Retrieved May 23, 2014. Also: Reiling, M., Technology for Justice: How Information Technology Can Support Judicial Reform, Law, Governance and Development Dissertation Series, Leiden University Press, ISBN 9087280718, 9789087280710, 2009.
[4] See: European Commission, The e-Justice initiative of the European Union, Retrieved May 23, 2014, from http://ec.europa.eu/smart-regulation/impact/planned_ia/docs/2013_just_015_ejustice_en.pdf, 2013.
[5] See Mellone, M., Legal interoperability: the case of european payment order and of european small claims procedure, Building Interoperability for European Civil proceedings online, Conference, http://www.irsig.cnr.it/BIEPCO/documents/case_studies/EuropeanSmallClaim_Mellone.pdf, Retrieved May 23, 2014.
[6] See: e-CODEX project, the e-CODEX website, http://www.e-codex.eu, Retrieved May 23, 2014.
[7] CCBE: Council of Bars and Law Societies of Europe
[8] CNUE: Council of the Notariats of the European Union
[9] It belongs to the Faculty of Technology of the Aristotle University of Thessaloniki, and has been mandated by the Greek Ministry of justice because it has a long record and experience in implementing similar cross-border applications

mostly based on[10], and the methodology used and experience gained from the implementation of the first Greek EPO pilot use case.

2. Technical Background and Implementation Structure

As stated earlier, as the European Union evolves, it requires different forms of communication to cope with the continuous growth in data exchange caused by increasing commercial activities. Exclusively manual processing does not provide the responsiveness that a modern society requires. There is therefore a need to automate legal procedures and to make cross-border judicial proceedings more transparent, efficient and economic both in civil and criminal matters. IT and advanced communication technologies can significantly help in this direction since they allow the use of e-Services and make use of the connectivity through the national infrastructure that Member States have already established. e-CODEX aims to automate legal procedures without re-inventing the wheel.

In this context, electronic transmission of data and documents is a key piece of the solution. Any functionality developed for a cross-border e-Justice service will necessarily mean transmission and exchange of information from one country to another, including communication between the e-Justice Portal and the national infrastructure. Because there is a focus on security and availability for the cross-border e-Justice service, e-CODEX coordinates and establishes an appropriate, efficient and secure e-Delivery solution (figure 1).

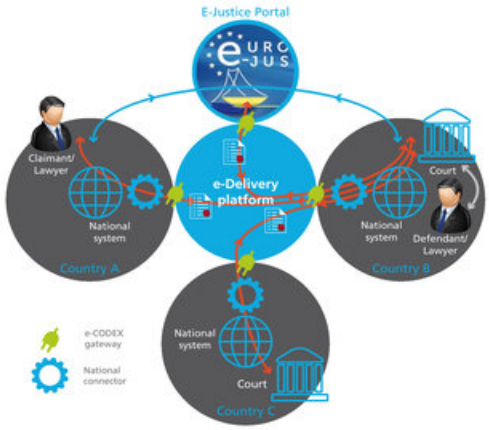

Figure 1: The e-CODEX e-Delivery solution and inter-connection approach

The e-CODEX e-Delivery solution and connectivity requires interoperability in several technical and semantic areas is guaranteed. Thus, e-CODEX cross-border e-Justice services are based on a decentralized approach and a delivery platform consisting of (i) an e-CODEX Gateway, (ii) an e-CODEX National Connector, (iii) a National System (service provider), and (iv) the e-Justice portal (figure 2).

e-Delivery is the basic function of the Gateway. Communication between Gateways takes place through the internet (and possibly in the future through S-TESTA). This approach makes it easier to integrate existing national solutions into a new cross-border e-Justice service[11].

The National Connector is responsible for all semantic local mapping and guarantees the ability of the national systems to communicate with the e-CODEX gateway. It is usually linked to a National System which is, in turn, used by the courts, lawyers, parties, etc. The e-CODEX Gateway establishes a secure and standardized connection with any other Gateway connection on either the member state's national or e-Justice portal side (figure 2).

[10] See: e-CODEX project, The e-CODEX website, http://www.e-codex.eu, Retrieved May 23, 2014.
[11] See e-CODEX project, The e-CODEX website, http://www.e-codex.eu, Retrieved May 23, 2014. Also: Reiling, M., Technology for Justice: How Information Technology Can Support Judicial Reform, Law, Governance and Development Dissertation Series, Leiden University Press, ISBN 9087280718, 9789087280710, 2009.

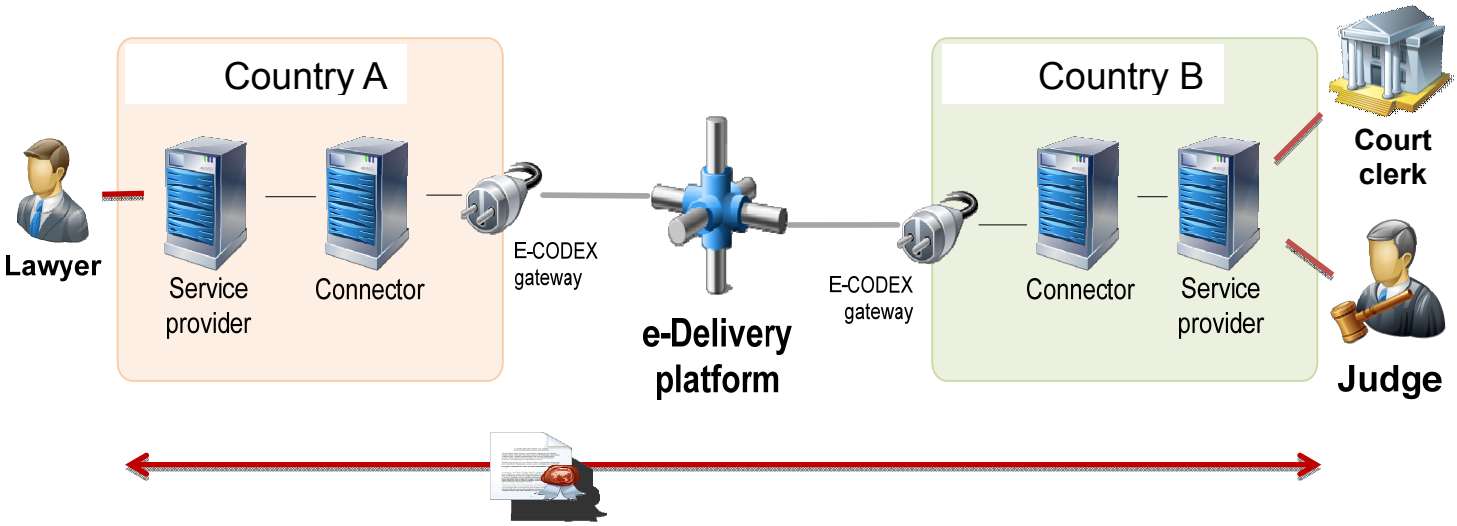

Figure 2: The overall information flow supported by e-CODEX

Communication flows from the National System, to the National Connector, to the National e-CODEX Gateway and then, respectively, to the foreign country's e-CODEX Gateway, their National Connector and their National System. The e-Justice Portal of the EU is the only e-CODEX component that communicates directly with the gateway without a connector (since there is no need to transform documents to a national standard format). Depending on the service to be supported, the bi-directional communication could be from the e-Justice portal to the courts, from court to court, from court to the secure mailbox in the e-Justice portal, etc. The overall information flow supported by e-CODEX is also depicted in figure 2.

The e-CODEX Building Blocks

A basic characteristic of e-CODEX project develops common building blocks (components) that can be used in, or, between Member States to support cross-border operation of processes in the justice field. Such solutions have been developed in different areas, ranging from safe transportation to identity and document standards, and are used in several different e-CODEX pilots. The developed solutions also enable a secure environment for different user-groups to access a wide range of legal services across Europe. More specifically, e-CODEX is currently using the following main building blocks[12]:

e-Delivery

The e-Delivery building block is at the center of the e-CODEX architecture and is responsible for securely transporting information between member states. The e-Delivery system includes for every participating country - the gateway and a basic framework for the national connector. The connector is then customized by each participating country to fit its specific needs. The e-CODEX e-delivery / e-transport building block is a reusable connection solution based on the ebMS 3.0 standard (based on the Holodeck b2b messaging software) and the ETSI REM, and ISO, OASIS and ETSI standards. It is essentially a content agnostic, plug and play cross-border connection solution, that could also be used as the basis of other inter- European and world-wide projects.

e-Signature

The e-Signature building block is part of the national e-CODEX connector and helps to sign documents and generate the so-called 'trust-ok' token. It also checks the validity of incoming signed documents and, thus, helps guarantee the security of the cross-border transmission of documents. It also provides connection with the national e-identity frameworks (existing national solutions). The implementation and verification of e-Signatures is based on the so-called DSS-Tool[13].

e-ID

The e-Id building block makes it possible for EU citizens and legal professionals to access e-CODEX services and the e-Justice portal by authenticating themselves through the use of their national identities. A specific role authentication system for lawyers called "Find a lawyer 2"[14] is also being considered to be connected to e-CODEX.

[12] For more information: e-CODEX project, The e-CODEX website, http://www.e-codex.eu, Retrieved May 23, 2014.
[13] For more information: e-CODEX project, The e-CODEX website, http://www.e-codex.eu, Retrieved May 23, 2014.
[14] For more information: Council of Bars & Law Societies of Europe, Find A Lawyer

e-Document
The e-Document building block deals with document conversion and semantics. Documents need to be converted to conform to national standards. The document conversion is done through the use of XML schemas and mappings. The XML data accompanying the documents are automatically converted to fit the national case management system. This conversion again takes place on the return transmission to transform data to the EU standard. This makes it possible for national systems to stay independent and still participate in the cross-border exchange of data. All of this takes place in the national connector.

3. The e-CODEX Pilots

Beyond the development of the infrastructure and the organizational, procedural and legal environment necessary for providing the e-CODEX services, e-CODEX also runs a number of real life pilots (use cases). During the piloting phase, which started in 2013, real life pilots are being tested. Upon completion of the pilot phase, an evaluation will also be done and further revisions undertaken. Pilots will be easily adaptable by countries wishing to join the use case at a later stage, provided that they fulfill the necessary technical and legal requirements. These pilots also address some of the weaknesses that have been identified in regards to current practices, by providing the ability to reduce delays, in the interest of both the judicial authorities and the requested person, and ease the collection of statistical data.
Eight major procedures have been identified by e-CODEX so far as use cases for piloting:

A. *Civil Claims Area:*
- European Payment Order (EPO), and Small Claims (SC)

B. Cross-border Mutual Legal Assistance Area:
- Secure cross-border exchange of sensitive judicial data, EURegio, Mutual Legal Assistance, Synchronous Communication applied to business Registers, Mutual recognition of financial penalties, and European Arrest Warrant.

3.1. The European Order for Payment Pilot

The swift and efficient cross-border recovery of outstanding debts is of prime importance not only for EU citizens but also for companies, as late payments often constitute a major reason for insolvency, threatening the survival of many small, medium-sized and even large businesses and resulting in numerous job losses. EU has taken the initiative to simplify and speed up the recovery of uncontested monetary claims in cross-border cases by creating a harmonized European order for payment procedure (EPO)[15]. EPO procedures are applicable in several cross border case types. For example, sales contracts, rental agreements, contracts of service (related to transportation, hotels, restaurants, etc), subscription agreements (newspapers, magazines, etc.), insurance contracts, out-of court settlements, membership fees, etc.) It must be noted that many of such small claims do not reach the courts, because the expected financial outcome does not compensate for the costs (accounting for 63% of all such cases EU-wide today)[16].

Cross-border communication in this area has traditionally been paper-based. The EPO e-CODEX pilot implements the necessary technical infrastructure and interfaces for secure electronic cross-border submission of business documents, based on the European order for payment procedure. The e-CODEX pilot enables companies, institutions and legal professionals (e.g. lawyers), to electronically file EPO cases to the competent court in another piloting Member State, by connecting to the respective national filing systems via e-CODEX.

EU citizens therefore benefit from the new functionality, as they are able to complete the application-form for a European order for payment and submit this application and the accompanying documents directly in electronic format to the competent court in any other Member State participating in the pilot directly from their desk. These actions result in speedier access to efficient justice in cross-border money claims. Courts also become more efficient in handling cases with less burdensome paper effort.

The e-CODEX implementation of the EPO cross-border pilot is based on the EPO workflow, as described in current EC regulations (1896/2006 and 936/2012)[17]. Ideally, according to the EU regulations, a claimant fills in the claim, signs it with

[15] For more information see: The European Payment Order regulation 936/2012, Retrieved May 23 2014, from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:399:0001:01:en:HTML, and, http://euroalert.net/en/ojeu.aspx?idd=23618, 2014. Also: European Commission, The European Payment Order regulation 1896/2006, Retrieved May 23, 2014, from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:399:0001:01:en:HTML, 2014. A related discussion can also be found in: Mellone, M., Legal interoperability: the case of european payment order and of european small claims procedure, Building Interoperability for European Civil proceedings online, Research Conference, Retrieved May 23, 2014, from http://www.irsig.cnr.it/BIEPCO/documents/case_studies/EuropeanSmallClaim_Mellone.pdf, 2012.

[16] See: e-CODEX project, The e-CODEX website, http://www.e-codex.eu, Retrieved May 23, 2014.

[17] For more information: The European Payment Order regulation 936/2012, Retrieved May 23 2014, from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:399:0001:01:en:HTML, and http://euroalert.net/en/ojeu.aspx?idd=23618, 2014.

his electronic signature and transmits it to the appropriate court. The court considers the applicability of claim and decides to issue an EPO, or rejects it, or requests further information, or assesses that only a part of the claim meets requirements. The defendant then either accepts or contests this decision. Finally, if there is no response by the defendant, the court declares EPO enforceable and processes it. Several complexities in completing the process remain due to the individual country rules still in place regarding, the payment of court fees, notification issues, etc.

The main stakeholders of the e-CODEX EPO pilot are the legal professionals and companies which need to submit EPO claims using electronic interfaces, the EU citizens which are enhanced to support electronic communication via e-CODEX, and the courts which are connected via their national electronic filing systems and their national back-office applications for court case management. Other stakeholders of the e-CODEX EPO pilot include the Justice Ministries of the participating Member States, which are responsible for the national filing systems and the country's court case management systems, as well as the EU Commission, which is responsible for running the European e-Justice Portal.

Some EU Member States already allow the electronic filing of EPO cases, especially for key customers of justice that comprise the majority of the courts civil proceedings caseload (e.g. lawyers, banks, insurance companies and social security institutions). Two examples are the national filing system "EGVP" (Elektronisches Gerichts und Verwaltungspostfach) of Germany and the "ERV" (Elektronischer Rechtsverkehr) system of Austria. Currently these national filing systems are only in use for participants in their own Member State, while the e-CODEX EPO pilot aims to provide interfaces to enable cross-border communication between EU member states.

4. The Country Specific Requirement

Each country intending to participate in the different use cases selected for the e-CODEX piloting phase has to meet a number of organizational and technical requirements. For each one of the use cases a country chooses to participate in, a corresponding country wide or member state case management system has to be available (or be implemented). The participants have also to make sure that their national technical, organizational and legal framework provisions allow for the respective electronic submission and processing of documents to their court system.

The key players for the implementation of the first e-CODEX EPO pilot in Greece have been the Greek Ministry of Justice (overall political responsibility and guidance), the Aristotle University of Thessaloniki (national coordinator and technology provider, responsible for setting up the e-CODEX Gateway and the National Connector and for implementing the national EPO Case Management System - CMS), and the Athens Court of First Instance (CMS host and also responsible for involving stakeholders during the piloting stage - mainly lawyers of the Greek Bar Associations). Just prior to the EPO pilot launch (beginning of 2014), the electronic submission of documents to Greek courts was also made available to the lawyers of Attica.

Significant time and effort was spent during the design and implementation phase of the Greek EPO pilot in in discussions with potential users, mainly lawyers of the Greek Bar Associations. The lawyers also participated in assessing the current conventional practices of the paper-based procedures and discussing organizational issues regarding the potential and limitations for the application of EPO procedure in Greece and their exploitation by local lawyers including:

- The detailed organizational analysis of the Greek Payment Order procedure
- The detailed study of the e-Codex requirements regarding e-Signatures and e-ID and the assessment of their compatibility with the Greek eID government portal "Ermis"[18]
- The analysis of the European Payment Order and its actual implementation at national level by the Greek courts and lawyers
- The stakeholder organization and roles of the Athens Court of First Instance (Judges and Court Administration), the Athens Bar Association and more recently the Thessaloniki Bar Association
- The setup of the necessary technical communication infrastructure (Gateway, National Connector, CMS, etc.)
- The development and Implementation of a suitable security policy and the necessary procedures foreseen by the 'Circle of Trust' agreement signed among all EU partners participating in the pilot
- The development of the national EPO Case Management System
- The promotion of dissemination activities for local stakeholders, etc.

The involvement of stakeholders (mainly lawyers, court clerks and Judges) from the early stages of the exercise has been crucial in order to gather information on organizational issues regarding the actual courts' application of the European

Also: European Commission, The European Payment Order regulation 1896/2006, Retrieved May 23, 2014, from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:399:0001:01:en:HTML, 2014.

[18] For more information: Greek Ministry of the interior, The Greek government portal, Retrieved May 23, 2014, from http://www.ermis.gov.gr/portal/page/portal/ermis/, 2012.

procedure and the actual use of the procedure by lawyers, their attitude against the new procedure and the issues that they may encounter. The Greek – specific problems encountered include the limited use of the EPO procedure by Greek lawyers, the relatively scarce number of EPO claims that courts receive, the difficulties lawyers encounter in identifying the competent courts in another country and the payment of fees. These are issues and difficulties that other future piloting countries may also encounter. These issues are systemic and cannot be solved by e-CODEX infrastructure.

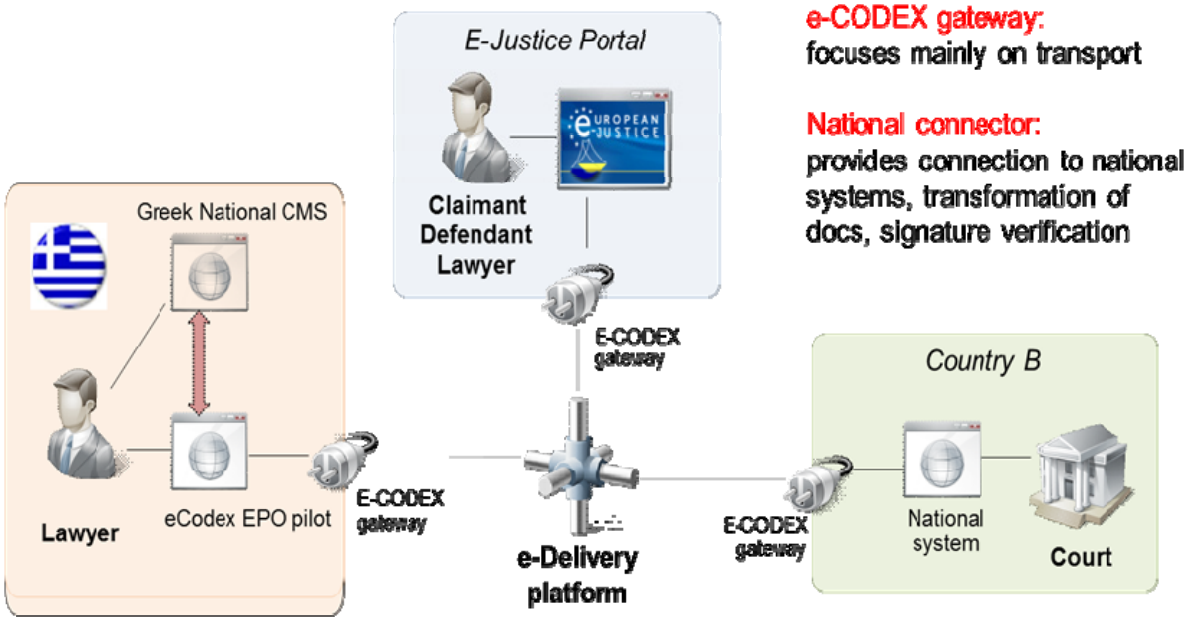

Figure 4: Overall structure of the Greek EPO pilot

The Greek EPO pilot (figure 4) has been operational since June 2014. Today, Greek lawyers, using a fully automated, fast and easy procedure, can submit EPO cases directly to competent European courts (figure 5) from their offices, as can lawyers from other pilot European countries. For the time being, cases from abroad can only be submitted to the Athens Court of First Instance (which handles approximately 60% of all cases at the country/national level). A detailed users' manual (handbook) for the Greek e-CODEX EPO pilot and an instructions manual for the Greek users are also available (figure 6)[19].

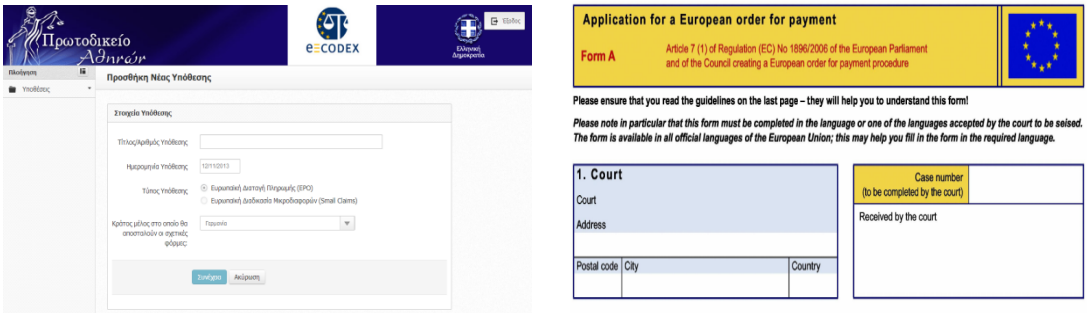

Figure 5: On-line submission forms for a new EPO case – Form 'A'

Managing the technical and organizational complexity of the national system is the key to a successful pilot. Greece decided to implement a phased or gradual pilot approach where the initial pilot is restricted to lawyers. The pilot will be opened to citizens with digital signatures at a later stage. While not a technical limitation of the system, Greece determined that the electronic procedure may be too complicated for the average user at this stage, due to the belief the citizens may have a limited understanding of the legal terms and procedures, the identification of the correct court and the payment of fees.

[19] See: e-CODEX project, The e-CODEX website, http://www.e-codex.eu, Retrieved May 23, 2014. Also: Lobber, A., Oskamp, A., Information Technology and Lawyers: Advanced Technology in the Legal Domain, from Challenges to Daily Routine, Springer, ISBN 1402041454, 9781402041457, 2006.

To validate the installed system (e-Codex gateway and connector) are working properly, a peer member with a working connector sends a series of test messages. To accurately test the system, the user needs to send a number of variable messages, on a sporadic and random basis. This user testing process may prove difficult to set up, since it is difficult to predict exactly when these messages are needed. To answer this concern, we are setting up an automated testing tool that can be easily adapted to national environments and can make implementation easier for piloting countries. The testing platform may acquire all relevant roles (sender and receiver) and support not only EPO XML schemas, but also schemas regarding the rest of the use cases, such as small claims, criminal law use cases, etc.

Figure 6: The EPO handbook and the instructions manual for the EPO Greek users

The implementation and use of the Greek EPO pilot to date has demonstrated several advantages. It helps to speed up and facilitate the processing of EPO cases that include parties domiciled in different member states by discounting the geographic locations and transforming them in an electronic system. It is also important to note that no special expertise or infrastructure is required for installing and using the system (only a computer, an internet connection and a digital signature are required). The new system can also support a rapid debt recovery for companies, by reducing the delays often occurring in today's civil procedures, and thus helps built a better economic environment all over Europe. It also provides a direct and secure communication with courts and also provides for the acknowledgement of exchanged forms through electronic proof of receipt. It also helps reduce costs of cross border communication by automating the entire process and eliminating registered mail. Finally it helps eliminate language barriers since e-filed are created in the local language (court accepted languages are only used for some small parts of the form). Finally, the Greek lawyers that have used the system so far are very positive on its usefulness and simplicity of use.

5. Conclusions

The steadily increasing number of legal procedures containing cross-border effects in Europe requires better cooperation between different national judicial systems and simpler and more efficient procedures for the users (citizens, lawyers, companies, etc). Information Technology and telecommunications can help make those procedures more transparent, efficient and economic, in civil and criminal matters alike. e-CODEX aims to provide citizens, businesses and legal professionals with easier access to justice in cross border proceedings and to make cross border collaboration of courts and authorities easier and more efficient.

The project has already developed the required infrastructure, organizational, procedural and legal environment necessary for testing and piloting. It also operates a number of real life cross-border pilot use cases. One of the first to become operational is the European Payment Order (EPO). In this paper we briefly presented the services of cross-border access of citizens and legal professionals to legal procedures in Europe provided by e-CODEX as well as the Greek e-CODEX pilot of European Payment Order, which has already operational under the framework of this major project. Today, through this pilot, Greek lawyers can easily submit and process EPO cases directly to the competent European courts from their offices, using a fully automated, simple and fast procedure. Lawyers from other piloting European countries can do the same. All they need is a computer, an Internet connection and a digital signature. A number of related issues which cannot be solved only by technology as they are systemic (payment of court fees, identification of competent courts, notification, etc.) have also been studied and solutions are being researched. The project demonstrates that modern information technology and telecommunications processes can help improve efficiency of cross-border judicial procedures, through solutions that facilitate and improve cross-border case-handling activities.

References

1. European Commission, The European e-Justice portal, Retrieved May 23, 2014, from https://e-justice.europa.eu/home.do?action=home, 2013.
2. Greek Ministry of Justice, The action plan for e-Justice, Retrieved May 23, 2014, from http://www.ministryofjustice.gr/site/en/Leadership/Greetings.aspx, 2013.
3. Politis, D., Donos, G., Christou, G., Gianakopoulos, P., Papapanagiotou, A., Implementing e-Justice on a National Scale in Greece: Coping with Balkanization and Socio-Economical Divergence, Journal of Cases on Information Technology, Volume 10, Issue 2, 2008.
4. Van den Hoogen, R., Will e-Justice still be Justice? Principles of a fair electronic trial, International Journal of court administration, Vol. 1, No. 1, 2008.
5. e-CODEX project, The users handbook for the e-CODEX EPO pilot, Retrieved May 23, 2014, from https://www..jol.nrw.de/bscw/bscw.cgi, 2014.
6. e-CODEX project, The Greek EPO pilot: Instructions manual for the Greek EPO users, Retrieved May 23, 2014, from http://infolab.gen.auth.gr, 2014.
7. Reno, J., Fisher, R., Robinson, L., Brennan, N., Gist, N., Report of the National Task Force on Court Automation and Integration, National Consortium for Justice Information and Statistics, Retrieved May 23, 2014, from https://www.ncjrs.gov/pdffiles1/177601.pdf, 1999.
8. Fabri, M., Contini, F., Justice and Technology in Europe: How ICT is Changing the Judicial Business, Kluwer, ISBN 904111694X, 9789041116949, 2009.
9. Pere, A., Martinez, A., E-justice: Using Information Communication Technologies in the Court System, IGI Global Snippet, ISBN 1599049996, 9781599049991, 2009.
10. Velicogna, M., Justice Systems and ICT - What Can Be Learned from Europe, 3 Utrecht L. Rev. 129, 2007.
11. Sartor, G., Pompeu, C., Casellas, N., Rosella, R., Computable Models of the Law and ICT: State of the Art and Trends in European Research, Lecture Notes in Computer Science, Volume 4884, pp 1-20, 2008.
12. M. Fabri in collaboration with Giampiero Lupo, Some European and Australian e-justice services, Towards Cyberjustice Project Working Paper No. 1, Cyberjustice Laboratory,University of Montréal, Montréal, QC, Canada, 2012. Available online: http://site.cyberjustice.ca/Content/documents/WP001_EU_Australia_e-justice_IRSIG20121019.pdf (accessed on 21 June 201426).
13. National Center for State Courts, Technology in Courts: Resource Guide, Available online: http://www.ncsc.org/Topics/Technology/Technology-in-the-Courts/Resource-Guide.aspx (accessed on 21 June 2014).
14. M. Velicogna, Justice Systems and ICT: What Can Be Learned from Europe?, Utrecht Law Review 3 (2007): 129–47.
15. M. Velicogna, Use of Information and Communication Technologies (ICT) in European Judicial Systems, Available online: http://www.coe.int/t/dghl/cooperation/cepej/series/Etudes7TIC_en.pdf (accessed on 21 June 2014).
16. J. Bailey, and Jacquelyn Burkell. “Implementing Technology in the Justice Sector: A Canadian Perspective.” The Canadian Journal of Law & Technology 11 (2013): 253–82.
17. M. Fabri, and Francesco Contini, eds. Justice and Technology in Europe: How ICT Is Changing the Judicial Business. The Hague: Kluwer Law International, 2001.
18. R. Mohr, and F. Contini, Reassembling the Legal: ‘The wonders of modern science’ in court-related proceedings, Griffith Law Review 20 (2011): 994–1019.
19. M. Velicogna, Electronic Access to Justice: From Theory to Practice and Back, Droit et Cultures, 2011. Available Online: http://droitcultures.revues.org/2447 (accessed on 21 June 2014).
20. G. Lupo, Explaining Successes and Failures of E-Justice Services in Europe: The Cases of Money Claim on-Line, Trial Online, e-Barreaux and e-Codex, Paper presented at the Law and Society Annual Meeting, Boston, MA, USA, 1 June 2013.
21. O. Hanseth, Developing Pan-European eGovernment Solutions: From Interoperability to Installed Base Cultivation, The Circulation of Agency in E-Justice: Interoperability and Infrastructures for European Transborder Judicial Proceedings. Edited by Francesco Contini and Giovan Francesco Lanzara. Dordrecht: Springer, 2014, pp. 161–83.
22. M. Velicogna, and F. Contini, Assemblage in the Making: Developing the e-Services for the Justice of the Peace Office in Italy, ICT and Innovation in the Public Sector, Edited by Francesco Contini and Giovan Francesco Lanzara. Basingstoke: Palgrave, 2009, pp. 211–43.
23. F. Contini, and M. Fabri, Judicial Electronic Data Interchange in Europe, Judicial Electronic Data Interchange in Europe: Applications, Policies and Trends. Edited by Francesco Contini and Marco Fabri. Bologna: Lo Scarabeo, 2003, pp. 1–26.
24. M. Cislaghi, G. Eleftherakis, R. Mazzilli, F. Mohier, S. Ferri, V. Giuffrida, and E. Negroni, Secure Judicial Communication Exchange Using Soft-computing Methods and Biometric Authentication, Proceedings of the International Workshop on Computational Intelligence in Security for Information Systems CISIS’08, Genova, Italy,

23–24 October 2008. Edited by Emilio Corchado, Rodolfo Zunino, Paolo Gastaldo, and Álvaro Herrero. Berlin: Springer-Verlag Berlin Heidelberg, 2009, pp. 11–18.
25. E. Fersini, E. Messina, F. Archetti, and M. Cislaghi, Semantics and Machine Learning: A New Generation of Court Management Systems, Knowledge Discovery, Knowledge Engineering and Knowledge Management, Edited by Ana Fred, Jan L.G. Dietz, Kecheng Liu, and Joaquim Filipe, Berlin: Springer-Verlag Berlin Heidelberg, 2013, pp. 382–98.
26. B. Harley, C. Wright, R. Hall, and K. Dery, Management Reactions to Technological Change: The Example of Enterprise Resource Planning, Journal of Applied Behavioral Science 42 (2006): 58–75.
27. D. Carnevali, and A. Resca, The Civil Trial On-Line in Italy." In Building Interoperability for European Civil Proceedings Online, Edited by Francesco Contini and Giovan Francesco Lanzara. Bologna: Cooperativa Libraria Universitaria Editrice Bologna, 2013, pp. 273–316.
28. Regulation (EC) No. 1896/2006 of the European Parliament and of the Council of 12 December 2006 Creating a European Order for Payment Procedure, 2006 O.J. (L 399) articles 1–32.
29. G. Borsari, M. Velicogna, R. Boersma, Z. Kolitsi, and S. Wigard, e-Codex Deliverable D7.1: Governance and Guidelines Definition, Available online: http://www. e-codex.eu/news-and-media/media/deliverables.html?eID=dam_frontend_push&docID=143 (accessed on 21 June 2014).
30. M. Mellone, Legal Interoperability: The Case of European Payment Order and of European Small Claims Procedure, Paper presented at the Building Interoperability for European Civil Proceedings Online Final Research Conference, Bologna, Italy, 14–16 June 2012.
31. D. Cowper, A Criminal Justice System for the 21st Century, Available online: http://www.ag.gov.bc.ca/public/justice-reform/CowperFinalReport.pdf (accessed on 21 June 2014).