



## Commission proposes to modernise and digitalise EU civil judicial cooperation

Brussels, 31 May 2018

**Today, the Commission is proposing to modernise and digitalise judicial cooperation for cross-border civil and commercial cases throughout the EU. It aims to make access to civil justice cheaper, more efficient and more accessible to citizens and businesses.**

The proposals will make it obligatory for courts to exchange documents electronically, and will promote the use of videoconferencing to hear witnesses based in another country.

Věra **Jourová**, Commissioner for Justice, Consumers and Gender Equality said: *Every year, there are approximately 3.4 million cross-border civil and commercial court proceedings in the EU. More and more people are living, studying and working in other EU countries, and businesses are expanding across borders. This proposal will give them access to faster and more affordable cross-border justice.*"

The proposals will update the Regulations on [Service of documents](#) and on [Taking of evidence](#).

The updated rules will:

- **Make it obligatory for courts to exchange documents electronically cross-border** - Currently, in a cross border case, both Member States' justice systems involved submit the documents by post, which is slow and incurs some costs. Shifting communications from paper-based channels to electronic could save up approximately EUR 30 to 78 million per year across the entire EU.
- **Introduce a uniform return slip for documents sent to people and companies by post** -- Currently there are many problems with receiving documents cross-border as return slips vary and often are not correctly filled out. It is estimated that with this improvement more than EUR 2.2 million could be saved every year.
- **Promote the use of video-conferencing** - It will make it easier for persons to be heard without requiring them to travel to another country. Videoconferencing will facilitate this and allow savings. The cost of a cross-border hearing of a party or of a witness carried out via videoconferencing typically costs EUR 100, against EUR 400 and EUR 800 for a physical hearing.
- **Strengthen procedural rights of the parties and access to justice** – The rules will strengthen the rights of the defence, for instance it will clarify when and how people can exercise the right of refusal. Digitalising justice and using technologies cross-border will make justice more efficient and cheaper for people.

The rules provided for by the Regulation on service of documents may also be relied upon in various out-of-court proceedings, for example in succession cases before a notary, or in family law cases before a public authority.

### Background

Today's proposals to modernise these judicial cooperation mechanisms is another step in the European Commission's contribution to building a strong EU justice system for the benefit of citizens and businesses as a key part of reaping the full benefits of the Single Market, creating a [Digital Single Market](#) and promoting [e-Justice](#).

Since 2008, the [Regulation on Service of Documents](#) has put in place a fast, secure and standardised transmission procedure for documents in civil or commercial matters between courts and other parties located in different EU countries. In many civil or commercial proceedings, courts need to obtain evidence from another Member State for instance hearing a witness in divorce proceedings, or in cases of unpaid bills between two companies. Since 2004, the [Regulation on the taking of evidence](#) facilitates access to that evidence.

The 2018 EU Justice Scoreboard, published this Monday, found that the use of ICT tools still limited in some countries (see [press release](#)). In more than half of Member States electronic submission of claims is limited or does not exist. An updated survey of the use of ICT between courts and lawyers shows that ICT tools are widely used in 12 out of 22 Member States covered and that last year these

tools became compulsory in more Member States.

**More information**

[Revised Regulation on Service of Documents](#)

[Revised Regulation on Taking of Evidence](#)

[Civil justice](#)

[e-Justice Portal](#)

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