Cross-border Judicial cooperation and e-justice

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Important websites:

- e-justice.europa.eu
- eur-lex.europa.eu
- www.hcch.net
- www.curia.eu
The European Judicial Network in civil and commercial matters (EJN-civil) is a flexible, non-bureaucratic network which brings together national judicial authorities. It aims to simplify and strengthen judicial cooperation between Member States. In operation since 2002, the EJN-civil improves the practical application and implementation of EU civil justice instruments. In such way, it contributes to building bridges between the different justice systems of the Member States and thereby creating mutual trust.
The Network’s main tasks are direct contacts and case-handling between national Network contact points, facilitating cross-border access to justice through information given to the public and to practitioners through factsheets and other publications available at the European e-Justice Portal in all Union languages, evaluating and sharing of experience on the operation of specific Union law instruments in civil and commercial matters.
The European Judicial Training Network (EJTN) is the principal platform and promoter for the training and exchange of knowledge of the European judiciary. EJTN represents the interests of over 120,000 European judges, prosecutors and judicial trainers across Europe.
The European Judicial Training Network (EJTN)

- Formed in 2000, EJTN’s fields of interest include EU, civil, criminal and commercial law and linguistics and societal issues training. The vision of EJTN is to help to foster a common legal and judicial European culture.

- EJTN develops training standards and curricula, coordinates judicial training exchanges and programmes, disseminates training expertise and promotes cooperation between EU judicial training institutions.
The European Judicial Training Network (EJTN). Mandate.

- EJTN’s mandate is to help build a genuine European area of justice and to promote knowledge of legal systems, thereby enhancing the understanding, confidence and cooperation between judges and prosecutors within EU states.

- Charged with this mandate, EJTN promotes training programmes with a genuine European dimension for members of the judiciary in Europe.

- This involves analysing and identifying training needs, designing programmes and methods for collaborative training, developing exchanges, and disseminating experiences in the field of judicial training, coordinating programmes and providing training expertise and know-how.
The European Judicial Training Network (EJTN). Structure.

- EJTN’s governance and structure promotes internal democracy and stimulates cooperation.
- Governance is overseen by the General Assembly, which meets annually, and the Steering Committee that meets several times per year. The Secretary General ensures the proper management of the Network and its finances, initiates, co-ordinates and monitors the activities of the Network, and is the head of the EJTN Secretariat.
- Dedicated Working Groups (WG) plan and implement EJTN’s projects and programmes within their respective fields. Focussed Sub-Working Groups are assembled to address specific projects or issues.
- EJTN works with the European Commission (EC) and nearly 40 EU national judicial bodies, which are Members and Observers of EJTN.
The European Judicial Training Network (EJTN). Structure.
The European Judicial Training Network (EJTN). Team. Direction.

Judge Wojciech POSTULSKI
EJTN Secretary General

Quentin BALTHAZART
Head of Office

Emilie BAUR
Secretary
EJTN has a wide array of projects and programmes to benefit Europe’s judges, prosecutors and judicial trainers at all stages of their careers, from initial training requirements to continuous training needs.
The European Judicial Training Network (EJTN). Projects & Programmes.

EJTN’s flagship activity, **the Exchange Programme**, is open to judges, prosecutors and judicial trainers from across Europe. It offers short-term exchanges as well as study visits and long-term exchanges to EU institutions along with the courts, prosecution offices and judicial training institutions of EU Member States.

**The AIAKOS programme** is designed for future and newly-appointed judges and prosecutors, giving them an opportunity to learn about other European judicial systems, training curricula and judicial cooperation instruments as well as to foster professional links for their future careers.
Each Member State shall designate a Central Authority to discharge the duties which are imposed by Regulation number 4/2009 on such an authority;

Central Authorities shall cooperate with each other, including by exchanging information, and promote cooperation amongst the competent authorities in their Member States to achieve the purposes of this Regulation; shall seek as far as possible solutions to difficulties which arise in the application of this Regulation;
Central Authorities shall take measures to facilitate the application of this Regulation and to strengthen their cooperation. For this purpose the European Judicial Network in civil and commercial matters established by Decision 2001/470/EC shall be used.
COOPERATION BETWEEN CENTRAL AUTHORITIES

- There is the possibility that an application under the regulation 4/2009 can be made through the Central Authority of the Member State in which the applicant resides to the Central Authority of the requested Member State.

- Central Authorities shall provide assistance in relation to these applications and shall in particular:
  (a) transmit and receive such applications;
  (b) initiate or facilitate the institution of proceedings in respect of such applications.
the Central Authority can:

1. provide or facilitate the provision of legal aid,
2. to help locate the debtor or the creditor,
3. to help obtain relevant information concerning the income and, if necessary, other financial circumstances of the debtor or creditor, including the location of assets
4. to encourage amicable solutions with a view to obtaining voluntary payment of maintenance,
5. to facilitate the ongoing enforcement of maintenance decisions,
6. to facilitate the collection and expeditious transfer of maintenance payments;
7. to provide assistance in establishing parentage where necessary for the recovery of maintenance;
COOPERATION BETWEEN CENTRAL AUTHORITIES

8. to facilitate the obtaining of documentary or other evidence, without prejudice to Regulation (EC) No 1206/2001;

9. to facilitate the service of documents, without prejudice to Regulation (EC) No 1393/2007;

10. to initiate or facilitate the institution of proceedings to obtain any necessary provisional measures which are territorial in nature and the purpose of which is to secure the outcome of a pending maintenance application.
E – JUSTICE, ONE OF THE MOST USEFUL TOOLS FOR THE PRACTICERS

- The European e-Justice Portal is conceived as a future electronic one-stop-shop in the area of justice.
- As a first step it strives to make your life easier by providing information on justice systems and improving access to justice throughout the EU, in 23 languages.
<table>
<thead>
<tr>
<th>E-justice portal contains</th>
<th>General information on EU law and case law, national Member State law and international law;</th>
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<tr>
<td>a lot of information</td>
<td>General information on the organisation of justice at EU and national level;</td>
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<tr>
<td>which are very</td>
<td>General information on the types and organisation of legal professions at EU and national level as well as on various justice networks;</td>
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<tr>
<td>important in the</td>
<td>User friendly on-line forms contained in legislation concerning civil and commercial matters</td>
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<td>application of EU law</td>
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The right to legal aid allows those who do not have sufficient financial resources to meet the costs of a court case or legal representation. Legal aid systems exist in all Member States of the European Union (EU) in both civil and criminal proceedings.

The right to legal aid is enshrined by:

1. The European Convention on Human Rights (ECHR) - Article 6 (3)(c) of the ECHR guarantees the right to legal assistance where the defendant has insufficient means to pay for legal assistance, and to get free legal aid when the interest of justice so requires;

2. The Charter of Fundamental Rights of the European Union - Article 47 of the Charter stipulates that legal aid shall be made available to those who lack sufficient resources in so far as such aid is necessary to ensure effective access to justice.
User friendly on-line forms contained in legislation concerning civil and commercial matters.

**Council Regulation 4/2009 of 18 December 2008**

Aside from the nine standard forms an additional, non-compulsory standard form on the statement of maintenance arrears was developed by the European Judicial Network in civil and commercial matters. The aim of this additional form is to facilitate the practical implementation of the Maintenance Regulation, and the effective exercise of citizens’ rights throughout the EU.

Nine standard forms.

You can complete these forms online by clicking one of the links below. If you have already started a form and saved a draft, you can upload it using the "Load draft" button.

ANNEX I - Extract from a decision/court settlement in matters relating to maintenance obligations not subject to proceedings for recognition or a declaration of enforceability

ANNEX II - Extract from a decision/court settlement in matters relating to maintenance obligations subject to proceedings for recognition and a declaration of enforceability
FROM THIS WEBSITE, IF WE CLICK AN INTERACTIVE LINK WITH THE NAME OF REGULATION, WE WILL BE TRANSFERRED TO THE EUR-LEX WEBSITE


ISUPPORT

Cross-border recovery of maintenance obligations

Project funded by the European Union’s Justice Programme (2014-2020)
iSupport, co-ordinated by the Permanent Bureau of the Hague Conference, was born out of the ambition to develop an electronic case management and secure communication system for the cross-border recovery of maintenance obligations under the EU 2009 Maintenance Regulation and the 2007 Hague Child Support Convention.

An initial project, supported by a significant European Union action grant, nine Hague Conference Member States and three organisations, resulted in the delivery of the iSupport software. Portugal and the state of California have been using it in a pilot capacity since the autumn of 2016 and extension to other States is ongoing.
iSupport uses the e-CODEX electronic communication technology, in line with the requirements of the eIDAS Regulation. Both e-CODEX and iSupport are released under the EUPL licence, allowing States to realise considerable savings and to provide their citizens with effective access to justice.
From 2016 to 2018, a second EU-funded project, iSupport 2.0, focused on consolidating the software with new functionalities and supporting the efforts of further countries to join.

A new EU-funded project, iSupport PM (for Promotion & Maintenance) started on 1 September 2018 and will last until 2020. It involves 15 States: Austria, Brazil, the Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, the Netherlands, Norway, Portugal, Slovakia, Switzerland, the United States of America.

The project’s two main objectives are maintaining and improving the software as well as enlarging the number of participants.
The Permanent Bureau of the Hague Conference on Private International Law is pleased to announce a third successful EU Action grant Application for iSupport. This new project will be called iSupport PM (Promotion and Maintenance), as it will aim at enlarging the number of participating jurisdictions and provide for the continued operation of iSupport.

iSupport is an electronic case management and secure communication system for the cross-border recovery of maintenance obligations under the EU 2009 Maintenance Regulation and the 2007 Hague Child Support Convention.
The proposal was submitted in September 2017, with the support of the following States and organisations: Austria, Brazil, the Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, the Netherlands (ministry of justice and LBIO), Norway, Portugal, Switzerland, Slovakia, the United States of America (state of California and federal Office of Child Support Enforcement), the Aristotle University of Thessaloniki and Lipman Karas. These States and organisations participated in the preparation of the application and generously offered contributions.
iSupport is being used by the state of California, in a piloting capacity, and Portugal since 2016. Five further States from Europe and Latin America are expected to join soon and start using iSupport.

All relevant documentation relating to the iSupport project is available on the iSupport section of the Hague Conference website. For further information, we can contact iSupport@hcch.nl.
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