The Role of the Portuguese Contact Point of the European Judicial Network in Civil and Commercial Matters.

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Civil EJN

The European Judicial Network in Civil and Commercial Matters (EJN civil) was created by the Council of the European Union in 2001, through Decision 2001/470/EC.
All the Member States of the EU belong to the civil EJN, with the exception of Denmark (Article 1)
THE EJN AIMS: To facilitate judicial cooperation between Member States in civil and commercial matters, both in areas covered by the instruments in force and in areas where no instrument applies (preamble 10)
The mission is to **facilitate** judicial cooperation between the Member States in civil and commercial matters, in particular through the design, progressive creation, and updating of an information system aimed at network members.
And to **facilitate effective access** to justice, through information actions on the functioning of community and international instruments relating to judicial cooperation in civil and commercial matters.
THE CIVIL EJN IS COMPOSED:

• 1. Of **contact points** designated by the Member States;

• 2. Of the **central entities and authorities** provided for in Community acts and instruments of international law to which the Member States are parties, or in the rules of domestic law, in the field of judicial cooperation in civil and commercial matters;
• 3. Of any other judicial or administrative authority responsible for judicial cooperation in civil and commercial matters, whose participation in the network is considered appropriate by its Member State;
• 4. Of **professional associations representing at national level in the Member States** legal professionals directly involved in the application of Community acts and international instruments on judicial cooperation in civil and commercial matters
Pursuant to Articles 5 (2) and 5 (2) a) of Decision 2001/470/EC, as amended by Decision No. 568/2009/EC, Contact Points are empowered to assist judicial authorities or central authorities, other public entities or professional associations, when they act within the scope of powers conferred by the EU Regulations or Directives to which the requests for information refer.
The EJN-Civil Contact Point is not competent to provide information aimed at individual citizens, their representatives, lawyers or members of other legal professions acting individually.
Provide any information to facilitate the application of the law of another Member State which is applicable by virtue of a Community act or an international instrument.

Supply

Provide all the information necessary for proper judicial cooperation between the Member States, the other contact points, the authorities that make up the network, as well as the local judicial authorities in your Member State.

Guarantee

Gurantee that local judicial authorities receive general information on Community and international instruments relating to judicial cooperation in civil and commercial matters.
**FUNCTIONS**

**SEARCH FOR**
Look for solutions to problems that may arise when applying for judicial cooperation.

**FACILITATE**
Facilitate the coordination of the handling of requests for judicial cooperation in the Member State (MS) concerned, in particular when several requests from the judicial authorities of those MSs are to be executed in another MS.

**CONTRIBUTE**
Contribute to general public information, via the website, on judicial cooperation in civil and commercial matters in the EU, on relevant Community and international instruments and on the domestic law of the Member States on access to justice.
Produce a report every two years, which, where appropriate, should refer to best practices in the network, present it at a meeting of network members and specifically draw attention to possible improvements to the network.
In each Member State, the authorities provided for in Community acts or international instruments relating to judicial cooperation in civil and commercial matters and the network’s contact points, exchange views and establish regular contacts in order to ensure the widest possible dissemination of the respective experiences.
The network’s contact points are available to the authorities provided for in Community acts or international instruments on judicial cooperation in civil and commercial matters with a view to providing them with any useful assistance.
In order to contribute to the performance of the network’s missions and activities, the contact points must establish appropriate contacts with professional associations, in terms to be defined by each Member State.
PROFESSIONAL ASSOCIATIONS

Such contacts may include, in particular, the following activities:

a) Exchange of experiences and information regarding the effective and practical application of Community and international instruments;
b) **Collaboration** in the preparation and updating of information sheets;

c) **Participation** of professional associations in relevant meetings.
Contact points in non-EU countries and members of other judicial networks

EJN Contact Points also cooperate with third countries and members of other judicial networks in the EU and around the world.
The Civil EJN establishes and updates accessible and free information sheets for legal practitioners and the public on the national legislation of each Member State.
FACTSHEETS

It is up to the Contact Points in each Member State to compose these factsheets.

These factsheets can be obtained on the European e-Justice Portal:

www.e-justice.europa.eu
FACTSHEETS

Factsheets are available on a variety of subjects, such as:

- divorce
- maintenance
- parental responsibility
- family mediation
- succession
- insolvency
- enforcement
- and interest.
FACTSHEETS

They are a precious tool to help you understand the legal concepts of other Member States.
In order to strengthen the effective implementation of the Union’s instruments, the network has also produced a series of guides for citizens and practitioners.

The guides are prepared by the contact points in cooperation with the national members of the network and the European Commission.
They are available in the official languages of the European Union and can be downloaded from the Civil EJN section of the European e-Justice Portal:

https://e-justice.europa.eu/287/EN/ejn_s_publications
EJN Contact Points are all legal practitioners with a deep knowledge of their legal system. They can help you with your questions and give valuable information that will assist you when drafting requests for mutual legal assistance or other requests for legal assistance.
THE PORTUGUESE CONTACT POINT

Is appointed by the High Judicial Council and they perform their functions on the premises of this Council and under its responsibility

(Protocol between the CSM and the Ministry of Justice)
The National Members' Network

DGJ - Directorate General of Justice Administration
DGPJ - Directorate General of Justice Policy
DGRSP - Directorate General of social reintegration and prisional services
IRN, IP - Institute of Registries and Notary
ISS, IP - Institute of Social Security
OA – Bar Association
OSAE - Order of Solicitors and Enforcement Agents
Commission for the protection of crime victims
IGFEJ – Institute of Financial Management and Justice Equipment, IP
Council of Justice of the Peace
Liaison Judge of the international Network of judges of the Hague Conference
Order of Notaries
The Contact Point organizes **quarterly meetings** with all national members. When necessary, extra meetings take place with some members to resolve occasional difficulties in the application of a regulation or convention.
Meetings of the Civil EJN Contact Points - around six meetings per year plus some restricted working group meetings.
THE JUDINET PROJECT

The Superior Council of Judiciary, with the collaboration of the Contact Point, submitted an application to the Justice Program of the European Union.
THE JUDINET PROJECT

with a view to funding the Project *Strengthening the national judicial network that supports the activities of the Civil EJN in Portugal* (Judinet – PT)
The execution of this European project started in April 2021, and will last for 24 months.
The project aims to:
1. Organize **two workshops for Portuguese judges** from Judinet, which is a network of national judges specializing in Union law.
2. Host the study visit to Portugal of the Finnish delegation of the European Judicial Network in Civil and Commercial Matters;
3. Select and translate into English judgments of the Supreme Court of Justice published in the European Case Law Identifier (ECLI) and make the respective translation available for online consultation by the legal community in other Member States.
Rede Nacional de Juízes para apoiar a actividade da RJE Civil

www.redecivil.csm.org.pt
The Contact Point also has a regular newsletter, where it publicises its activities and important information.

All numbers are available:

https://www.redecivil.csm.org.pt/newsletters/
Iberoamerican Network for International Legal Cooperation

Is made up of Contact Points from 23 States located in Europe, Latin America and the Caribbean. It aims to optimize the civil and criminal judicial assistance instruments of the Ibero-American Community.

Community of Portuguese-speaking Countries

Is the prime multilateral forum for forging stronger bonds of cooperation among its members. It comprises a population of over 230 million inhabitants and has a total area of 10,742,000 km².
NUMBER OF REQUESTS

- EJN CIVIL: 355
- CPLP: 59
- IBERRED: 17
NUMBER OF REQUESTS

- The public: 10
- Other administrative authorities: 35
- The local judicial authority: 237
- The legal profession: 12
- The contact point: 11
- The central authority: 50
THANK YOU

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