

# E-Justice and E-Codex, Lisbon meeting French example. Emmanuel Jeuland



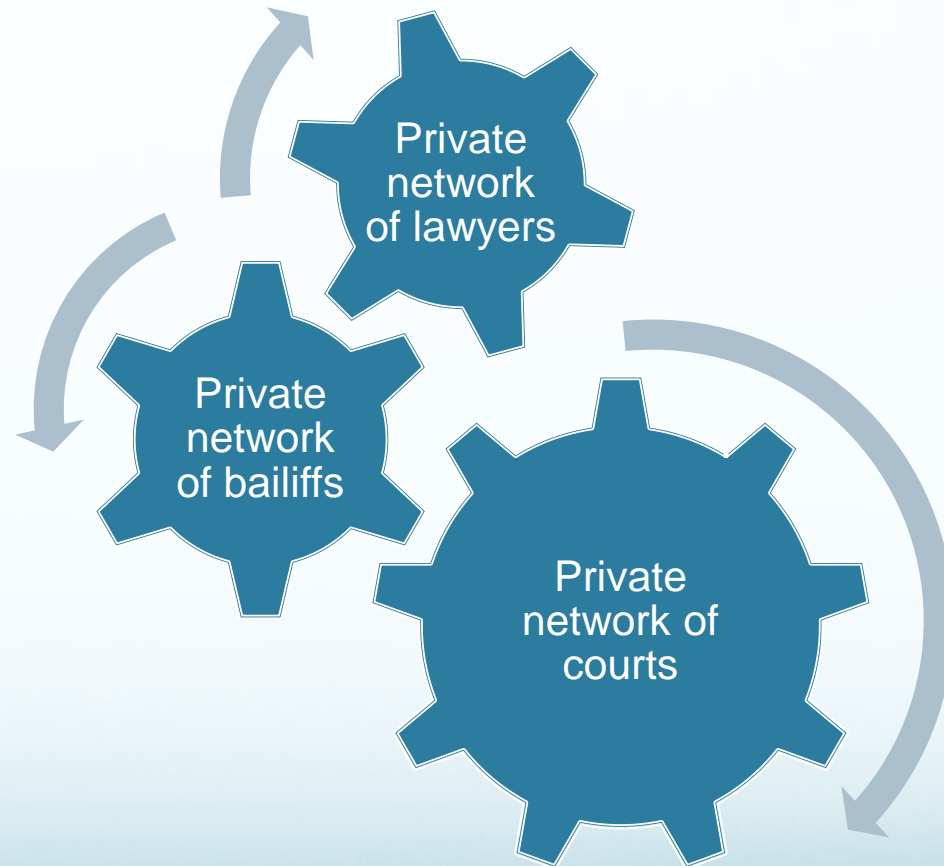
# Bad or good practice?

- 40 years of computerisation In France to replace paper
- Recent shift toward a digital procedure V. written or oral procedure.
- Instantaneous like oral, recorded as written, and something new: deals with big data, makes calculus with algorithm, reduces time and space distance, changes legal professions.

# The French situation

- Private networks of justice to serve pleadings
- Bailiffs may serve by digital service the initial writ
- Lawyers have a digital key to access the private network of courts

# Three networks



# A centralized public system

- The software: Winci court, the clerks receives all documents, pleadings and orders in a electronic file but : parties do not have access to their file. New software is Portalis : to get access to the file, very centralized, not yet working
- Cassiopée : software in criminal justice, very heavy and long

# The first digital court

- Statute 23rd of March 2019: on of the Goal: achieving digitalization of justice:
- Payment order in front of a digitalized and national court
- If European payment order, uses e-codex (decree 2017) allows parties to consult their file's case online.
- No hearing with exception

# Private platforms

- Filing : Demanderjustice.com = Legalzoom
- Private ODR authorized: compulsory for small claims (Statute 23rd of March 2019)
- Predictive justice: Predictice, Caselaw Analytic (compensation, damages)
- No profiling of judges (Statute 23rd of March 2019)
- Doctrine.fr: all legal information, legal texts, caselaw and doctrine (subscription)

# Dangers

- No hearing : need for a principle of presence, directness
- Privatisation : no access to justice for the poorest
- Fragmentation of pleadings, facts, reasoning (in big data, numbering of legal points)
- Privacy: profiling of judges even if prohibited (not all the judgments are available, need to be anonymise, but not for the names of the judges).



- Thank you for your attention
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