



UNIVERSITY OF
LEICESTER

eJustice for Small Claims



*Professor Pablo Cortés
Chair in Civil Justice
Leicester School of Law
University of Leicester*

*‘e’ Meets Justice
e-CODEX Plus Project & ‘Building EU
Civil Justice’ Project
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e-Justice and Small Claims

- Online communications help to ensure **proportionality** in dispute resolution, esp for
 - Small claim
 - Cross-border
 - High volume
 - Online
- Many small claims are:
 - Debts
 - C2B claims





European Procedures

- European Order for Payment (Reg 1896/2006)
- European Small Claims Procedure (Reg 861/2007)

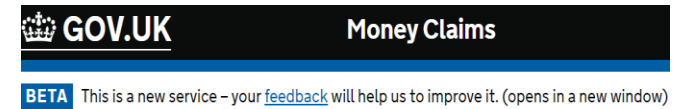
- Drawbacks
 - Not fully digitalised
 - Lack of awareness
 - No connection with ADR/ODR
 - Difficulties with the enforcement





The Civil Money Claims Online (the Online Court)

- Tiered process
 1. Issue claim and defence online
 2. Case officer recommends parties to use ADR/ODR and assists with case management
 3. Judicial adjudication
- Aims:
 - Process pluralism
 - Preference for early settlements
 - Minimise judicial involvement
 - Making the courts more accessible and effective



Is this claim against more than one person or organisation?

Yes No

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Promoting early settlements

- Incentives
 - Fees
 - Privacy
 - Opt-in/out model
 - Judge/case officer's recommendation
 - Specialised ADR
- Penalties
 - Strike out
 - Costs
 - Publicity



Opportunities in eJustice

- Tiered processes that explore settlement in advance of costly litigation
 - Referrals from courts to ADR, and vice-versa?
 - Use of incentives and penalties
 - Safeguards for LiP
- Online judges
 - From f2f to written processes and e-hearings
 - Centralised and specialised judges
 - Technology assisted decision making



Thank you

Professor Pablo Cortés
Chair in Civil Justice

Leicester School of Law
University of Leicester

t: +44 (0)116 252 5332

e: pablo.cortes@le.ac.uk