

## Civil Justice Small Claims

If you are having difficulty getting payment for a cross-border claim it may be necessary to take legal action in another country. This can be a long and cumbersome process. The European Small Claims Procedure simplifies and speeds up European litigation. The procedure has been established by the Regulation (EC) No 861/2007 of the European Parliament and the Council of 11 July 2007 as an alternative to those existing under the laws of the Member States. It can be used for most cross-border claims of civil and commercial nature with a value up to €2000.

e-CODEX's Small Claims pilot gives you an easier and faster way to put in a claim. By using national portals based on the e-CODEX solutions, you can take a claim to court in another Member State online. On the one hand you save time and money by dealing with the claim from your own computer. On the other hand, the transmission of sensitive data

happens in a more secure way. Beyond this the standardised forms can be displayed in any EU language helping to reduce errors.

In cooperation with the e-Justice Portal, e-CODEX is developing a one-stop-shop for electronic Small Claims procedures.

### **The Small Claims procedure can be applied to monetary and non-monetary claims:**

- payment of money
- damages arising from an accident
- delivery of goods or other moveable property
- requiring someone to perform a contract
- stopping or seeking to prevent an illegal act



## **The Small Claims procedure can be applied to many everyday situations such as:**

“Leon orders a camera on an Austrian website and pays €1,800 in advance via bank transfer. The trader never delivers the camera and does not reimburse the purchase price. After some attempts to resolve a complaint in an out-of-court manner, Leon finally decides to start a European Small Claims Procedure. To file the claim electronically to the Austrian court he can use the e-CODEX system or a national portal if available!”

### **You can submit the electronic form for a Small Claims procedure, when**

- one of the parties is not based in the same Member State as the court dealing with the claim
- the value of the claim is no more than €2000
- you are a European resident from a Member State taking part in the e-CODEX pilot
- you have an electronic signature issued by a recognised authority in a European Member State

### **What data do you need to file a Small Claim electronically?**

- The names and the address of the parties
- The jurisdiction and name of the court to which the application is made
- The amount of the claim
- Reasons of claim
- A description of evidence

So far the service is offered in Poland to submit electronic forms to a competent court in Austria. In most of the cases that will be the district court of the area in which the defendant resides.

If you would like to get more information or want to contact us,  
please visit our website <http://www.e-codex.eu>  
or send an email to [info@lists.e-codex.eu](mailto:info@lists.e-codex.eu)