



ILUSTRE COLEGIO DE ABOGADOS
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E-filing systems in Spain

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ABOGADO



E-filing systems in Spain

- ▶ Introduction
- ▶ **E-JUDICIARY SYSTEM IN SPAIN**
 - ▶ 1.-Electronic Judicial Office
 - ▶ 2.-State Technical Committee of the Electronic Judicial Administration (CTEAJE)
 - ▶ 3.- Judicial Interoperability and Safety Scheme (EJIS)
- ▶ **E-FILING SYSTEMS IN SPAIN**
 - ▶ 1.- LEXNET
 - ▶ 2.- JUSTIZIASIP
 - ▶ 3.- Other Autonomous Communities



Introduction

- ▶ In Spain, different platforms have been developed for the transmission of judicial documents, and the functionalities offered to us are different. It will depend on the territory on the country where you have to file the document.
- ▶ We have in the filing system platforms, from the ones of less complexity that would be with process initiation, followed with proceeding documents and to finish notification documents, and to complete it with the electronic judicial file.
- ▶ The ultimate objective of all platforms is to achieve all the formalities before the administration of justice in an electronic form and for this we start with the electronic judicial office, with which we can communicate with our electronic ID or cards with electronic signature duly accredited.



Introduction

E-FILE SYSTEM	AUTONOMOUS COMMUNITY
VEREDA	CANTABRIA
JUSTIZIASIP	BASQUE COUNTRY
ARCONTE	CATALUÑA
PSP	NAVARRA
XUSTIZA.GAL	GALICIA
ARCONTE	VALENCIA
ADRIANO	ANDALUCIA
LEXNET	REST OF SPAIN



Introduction

	Filing documents	Notifications	Substitutions	Judicial Digital file
VEREDA	YES	YES	YES	NO
JUSTIZIASIP	YES	YES	YES	NO
ARCONTE	YES	YES	NO	NO
PSP	YES	YES	YES	NO
XUSTIZA.GAL	YES	YES	NO	NO
ADRIANO	YES	YES	NO	NO
LEXNET	YES	YES	YES	NO

I.-Electronic Judicial Office

The Law 18/2011, of July 5th, regulating the use of information and communication technologies in the Administration of Justice, allowed establishing the bases for the judicial bodies to maintain the channels of communication with the citizens which were already widely used both in other public administrations and in civil society.

The Ministry of Justice approved the Order JUS / 1126/2015, dated 10 June, establishing the electronic judicial online site corresponding to the territorial scope of the Ministry of Justice.

With the implementation of the site online <https://sedejudicial.justicia.es/>, citizens, accessing can consult the status of their judicial records, as well as access to several. In order to guarantee the security and confidentiality of the information, the first access must always be made by electronic certificate.

The electronic judicial office will incorporate new functionalities for professionals and users (Mobile App, SMS messages for notifications of signatures, request for electronic copies of documentation of procedures ...).

In short term, all electronic judicial offices dependent on other public administrations will be accessible from the headquarters of the Ministry of Justice, through the General Access Point of the Administration of Justice.

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2.-State Technical Committee of the Electronic Judicial Administration (CTEAJE)

In the area of Justice, not all administrations use the same computer systems and applications.

To foster compatibility and ensure the interoperability of these applications, and to ensure cooperation among different public administrations, the Royal Decree 396/2013, of June 7th, regulates the State Technical Committee of the Electronic Judicial Administration.

In addition to being an advisory body and a driving force for cooperation in the area of e-Justice, its main mission is to establish the basis for the development of the interoperability and security of the legal framework, also a set of criteria and recommendations on security, standardization of the information, formats and applications that should be taken into account by the Public Administrations to take technological decisions that guarantee interoperability.

The General Council of the Judiciary, the State Prosecutor's Office, the Ministry of Justice and the Autonomous Communities with powers transferred in matters of justice participate in the CTEAJE. These institutions, which are sovereign in their field of competence, have led to the development of **proprietary computer systems** that make it difficult to exchange data and consolidate reliable information.



3.- Judicial Interoperability and Safety Scheme (EJIS)

- ▶ This body establishes a set of criteria and recommendations on security, conservation and standardization of information, formats and applications that should be taken into account by institutions developing computer systems in the judicial field.
- ▶ There are two fundamental pillars in the technological modernization of the justice system:
 - Interoperability, to guarantee the harmonious and cohesive operation of the different systems and computer applications, both among judicial bodies and those with other administrations.
 - Security, to ensure a reliable and consolidated data exchange among all of them.

I.- LEXNET

- ▶ Regulated by Royal Decree 1065/2015, of 27 November, on electronic communications in the Administration of Justice in the territorial area of the Ministry of Justice.
- ▶ LexNet, as its name suggests is the (Law on the Internet), it is a platform for the secure exchange of information among judicial bodies and a wide range of legal operators who need to exchange judicial documents (notifications, writs and demands) in their daily work, it has become a safe working tool so common in the field of judicial communications, such as telephone, fax or email.
- ▶ The system, which began operating in 2004:
 - It has more than 250.000 users.
 - It is used in more than 3.500 judicial bodies.
 - And it has allowed to exchange more than 160.000.000 communications.
 - From January 1st. 2016 to March 15th 2017, 86,5 million electronic communications have been made through LexNET



E-FILING SYSTEMS IN SPAIN

- ▶ LexNet, aims to extend much of the services offered by the Administration of Justice through the Internet, making them accessible from anywhere and at any time. At present the system allows:
 - Safe exchange of information.
 - The use of a recognized electronic signature.
 - Web access.
 - 24x7 operation.
 - Paper saving
 - Immediacy in communications.
- ▶ As for the **users** who are currently using the system are:
 - Judicial Bodies and Registration and Repartition Offices (Judicial Clerks).
 - Prosecutors and the College of Prosecutors.
 - State Advocacy.
 - Advocates dependent on the State Attorney's Office (FOGASA, Labour Agency, Tax Agency and Compensation Insurance Consortium).
 - Community Advocacy.
 - SJSS Advocacy.
 - Prosecutors.
 - Lawyers and Bar Associations.
 - Social Graduates.
 - Legal Aid Commissions.

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The Ministry of justice, when defining the requirements to digitize LexNET, established a series of mandatory and other recommended criteria, despite being enforced, today, the Ministry's platform is not yet controlling if the documentation presents the format required by the Law.

COMPULSORY:

- 1.- 15 MB limit (Controlled)
- 2.- PDF / A (Not controlled)
- 3.- Digital signature (There is no control of all signatures)
- 4.- OCR (Not controlled)

RECOMMENDED REQUIREMENTS:

- 5.- Black and White / Resolution 200dpi
- 6.- Numeration of pages



E-FILING SYSTEMS IN SPAIN

Access to LexNET

One of the services offered in the electronic judicial online site is the possibility to electronically file documents.

It can be accessed in the following site <https://lexnet.justicia.es>, but you need to be properly identified by your certificate introduced in the card reader. , the user must have a recognized personal certificate, issued by Certifying entities recognized by the Ministry of Justice

Always bearing in mind that to sign you will be asked to enter a certificate, which will identify, on physical medium (cryptographic card AC).

Then you must type in your browser the LexNET website and enter your card PIN when the system requires it.

<http://lexnetjusticia.gob.es/web/guest/inicio>, gives the resources to all operators and supports the e-filing system.



E-FILING SYSTEMS IN SPAIN

2.- JUSTIZIASIP

It is the e-filing platform used in the Basque Country implemented by the Basque Government and since January 1, 2016, became mandatory to use for electronic communications among legal professionals and judicial offices.

<https://justiziaprofesionales.justizia.net/>

The final objective of the various projects carried out by the Basque Government in the area of the modernization of justice is to ensure that the judicial process is entirely electronic.

The application is designed for the communication and telematic processing of judicial procedures by external users to the Basque Government's Justice Administration (lawyers, prosecutors, social graduates) used in their daily work, and need to exchange judicial documents (notifications, writs and demands).

JustiziaSip has about 6,500 users, it is used in all judicial offices of all judicial parties in the Community and General Prosecutors' Offices except Juvenile Court, Juvenile Prosecutor's Office and Penitentiary Surveillance Court and it has processed more than 500,000 communications exchanged during the first half of 2016.



E-FILING SYSTEMS IN SPAIN

3.- Other Autonomous Communities

The Judicial Office for the Autonomous Communities with Justice transferred

- ▶ Article 438.3 of the LOPJ attributes to the Autonomous Communities with competences transferred competence for the design, creation and organization of the common judicial services of the Judicial Office in their respective territories.
- ▶ The Ministry of Justice and the Autonomous Communities with transferred powers are joining efforts to define coordination mechanisms in the process of implementation of the Judicial Office. At this moment, each competent Administration has already begun, with different level of development, the process of deployment of the new model in its respective territory.



E-FILING SYSTEMS IN SPAIN

► <http://lexnetjusticia.gob.es/mapacomunicaciones>

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[Principado de Asturias](#)

[Islas Baleares](#)

[Islas Canarias](#)

[Cantabria](#)

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