



Journée mondiale de l'huissier de justice 2020

World Day of the Judicial Officer 2020

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Covid-19 and Digitalization

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I

INTRODUCTION

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INTRODUCTION

- **Approach**
- **The power of digitalization**
- **The emergence of artificial intelligence**

COMPUTING DATA DIFFERENTLY

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II

ARTIFICIAL INTELLIGENCE IN THE CIVIL PROCEDURE

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INFLUENCE ON OUR PROFESSIONS

What about the taxi driver facing Uber?

This algorithmic revolution also applies to our legal professions?

Predictive justice

ODR

Legaltechs

Open data

END OF THE TRUSTED THIRD PARTY?



INFLUENCE ON OUR PROFESSIONS

Blockchain: tools at our disposal

Blockchain: part of the service available to the customer

Blockchain: allows the right profession to re-tighten

- Strengthening our skills
- Strengthen our resources
- Proposing comprehensive "end to end" solutions

WE MUST BE AN AGENT OF CHANGE, NOT AN OBSERVER



III

INFLUENCE OF THE COVID-19 CRISIS ON DIGITALIZATION

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Want to speed up the digitalization of justice

What about the human factor?

"e" – enforcement

National examples



E - enforcement

The status of e-enforcement

Mainly developed on a national level

Some eu-funded initiatives

Cross-Border Enforcement Proceeding Tool

FAB



E - enforcement

How do we consider e-enforcement?

Case Management System (CMS)

Access to information

Electronic meaning

Dematerialized seizures

Dematerialized real estate seizures

Online court sales

Bank account seizures



National examples

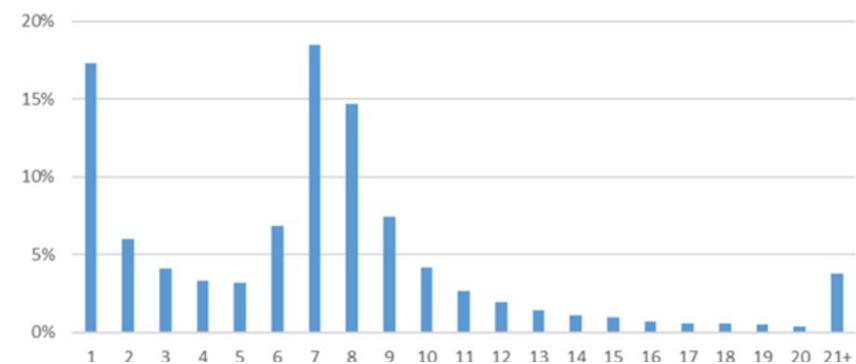
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Belgium

■ Uncontested Debt Recovery Procedure (RCCI)

Geopende dossiers van 2 juli 2016 t.e.m. 30 april 2020		
102.015 dossiers		
Afhandeling dossiers van 2 juli 2016 t.e.m. 15 maart 2020		
Geregeld op aanmaning	12.844	13%
Betwistingen	1.274	1,3%
Afbetalingsplan	1.232	1,2%
Geregeld na aanmaning	26.700	27%
Titel	56.965	57,5%
Totaal	99.015	100%



■ Electronic signature





FRANCE

- **Electronic service of documents**

Bienvenue sur la plateforme de signification des actes d'huissier de justice

SECURACT, troisième service judiciaire réalisé par l'ADEC. Il permet la signification des actes d'huissier de justice par le biais de signature électronique qualifiée et d'archivage électronique à valeur probante.

You are a Notary

You are the recipient of an act

- **Mediation platform**



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Belgium and France

Electronic Service of documents Belgium

Stage 1:

Notification to the electronic address or, failing such address to the address that has been chosen as the electronic address for service

Stage 2:

Receipt of the notification by email in 24 hours

Stage 3:

Receipt of the message that the message was read

Stage 3Bis:

No receipt of the message that the message was read: enforcement agent sends by ordinary letter the message to recipient to inform recipient on notification

Stage 2Bis:

No receipt of the notification by email in 24 hours: service to be effected "traditionally"



CANADA

- **March 26, 2020: First virtual court proceedings**



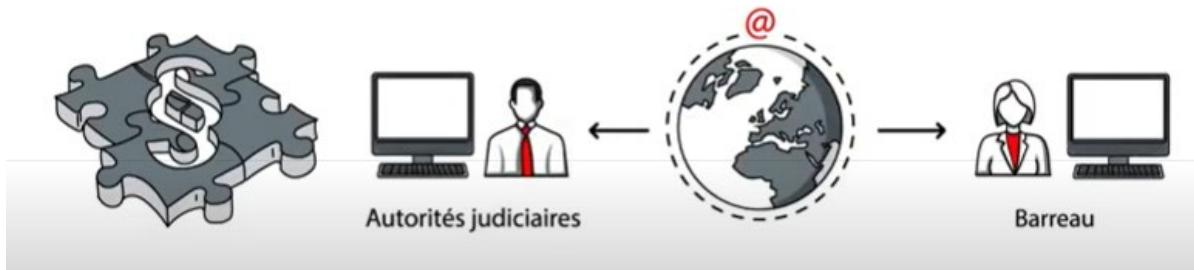
- **Electronic service of documents without court authorization**

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Switzerland

- Accelerating the digitalization of justice: "Justitia 4.0"



- Federal court creates the e-judge





GREECE

- **May 27, 2020 Act: Introducing Electronic Service of documents**

The notification of a document may also be carried out electronically to an individual or legal person through a judicial officer, appointed by the court, in the region where the judicial officer has his residence



Texas conducts first summary jury trial by Zoom

Reuters reported that lawyers in an insurance dispute in Collin County District Court on Monday picked a jury to hear the case by videoconference, in what officials believe is the first virtual jury trial to be held nationally amid the COVID-19 crisis. Watch how it worked on YouTube.

news • 18-5-2020 10:00





CHINA

Chinese judge talks about giving online hearings 'a sense of ritual'

Zhang Wen, president of the Beijing Internet Court, said the virtual court would have the same setting as a real courtroom with a gavel and the national emblem that can be seen by all parties. [thanks to Michael Fang]

news • 9-4-2020 00:00





BRAZIL

Brazil allows virtual conciliation in small claims

A law was enacted on 24th April authorizing virtual hearings to be held by Brazilian Small Claims Courts [the link is in Portuguese - thanks to Daniel Becker]

news • 24-4-2020 19:00





GERMANY

German courts announce some hearings can be conducted by video conference

On 31 March 2020, the District Court of Düsseldorf said that it intends to conduct oral hearings via video conference, though only one of the court rooms has a permanently installed video conference system.

news • 31-3-2020 14:00





AUSTRIA

Austria legislates for video hearings



First COVID-19 Act and Accompanying Legislation for Justice in force from 5 May until the end of the year [thanks to Maria Steiner]

news • 25-5-2020 10:00



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UNITED KINGDOM

Remote hearings: The new normal? A view from the UK Commercial Court

Leah Grolman recounts her experience of attending remote hearings and wonders whether this method of working could become a standard way of working.

stories • 11-5-2020 03:00





RUSSIA

Russian parliament prepares bill providing for video trials

Proposals made to allow participants to participate in court hearings remotely using personal video conferencing facilities, radically simplifying citizens' access to video justice [with thanks to Nikita Filippov]

news • 27-3-2020 13:00





EUROPEAN COMMISSION: 1393/2007

Dematerialized communication between the relevant authorities

Introduction of e-CODEX

- Guaranteeing the applicant's identity
- Guaranteeing the identity of the recipient
- Guaranteeing the form and document transmitted

FAB 3

Weaknesses in direct electronic notification (// postal system)



III

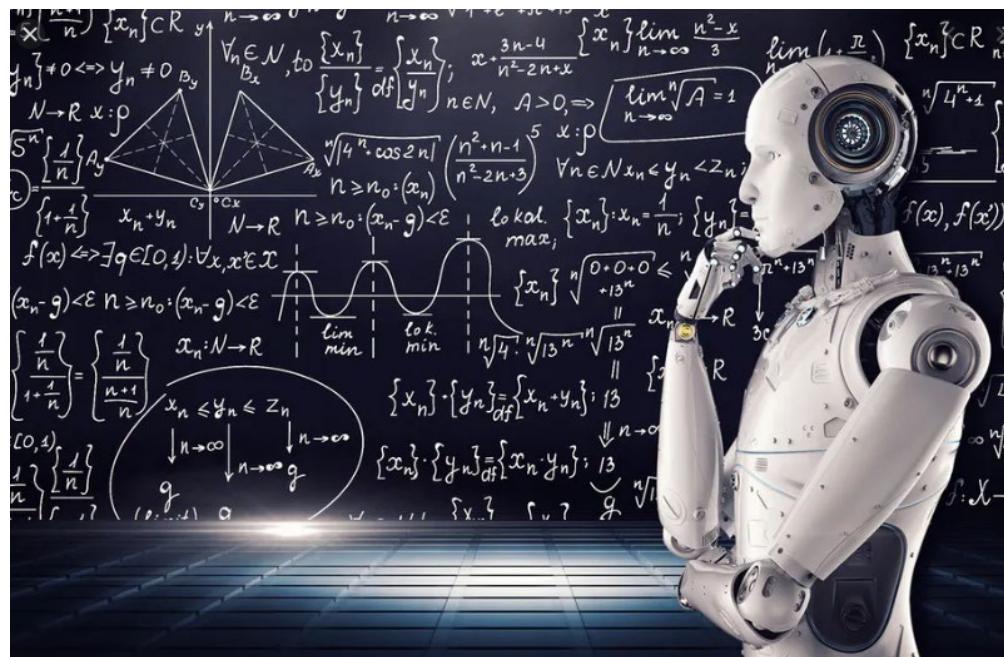
RISK: LOSS OF INDEPENDENCE AND DEHUMANIZATION OF CIVIL PROCEDURES

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RISKS

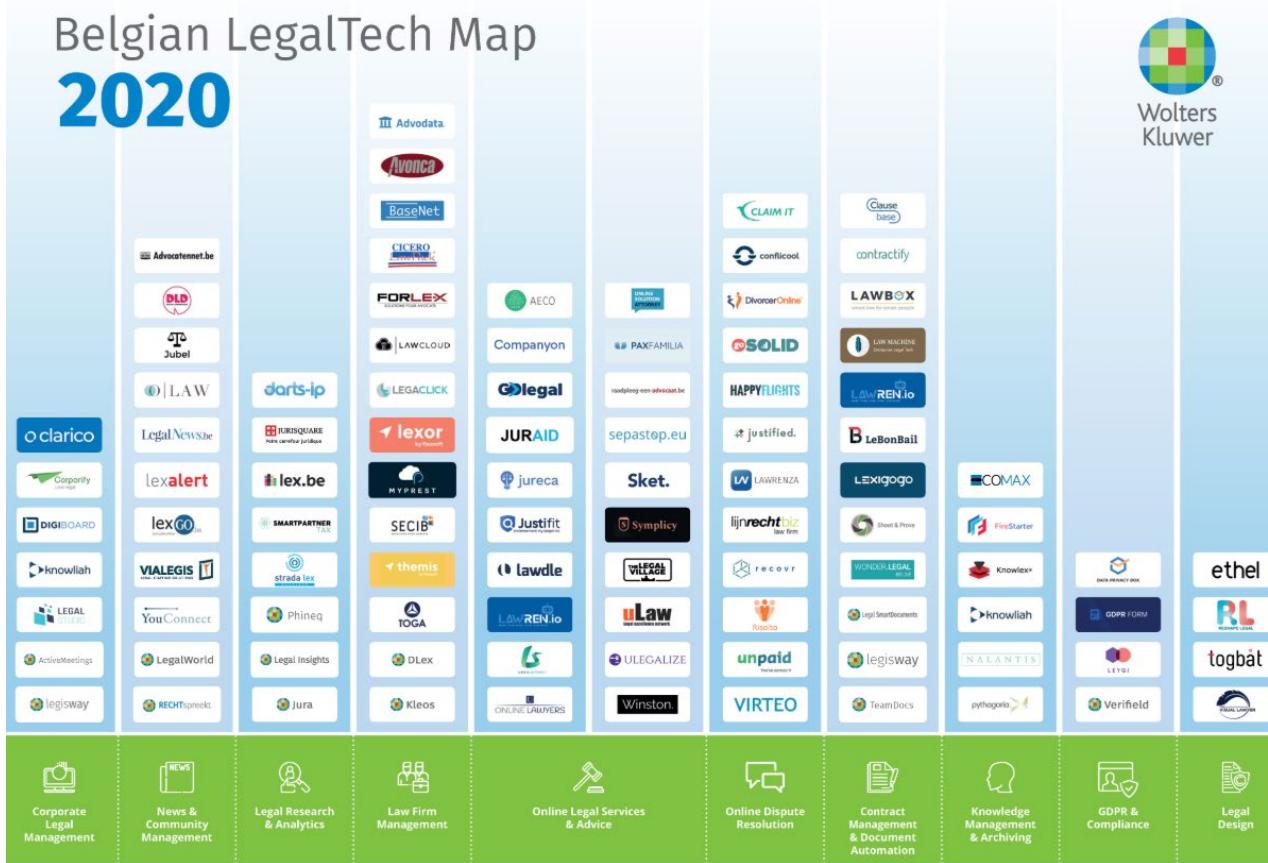
- Artificial intelligence in the field of enforcement





RISKS

■ Emergence of legatechs



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IV

POSSIBLE BENEFITS: NEW OPPORTUNITIES FOR THE JUDICIAL OFFICER



Opportunities

- **Smart-contracts secured by the judicial officer**
 - The judicial officer as a trusted third party
 - Challenge for the future
- **The judicial officer to guarantee the blockchain**
 - Blockchain is blind



V
CONCLUSION

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