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e-Justice – the development of tools for secure transmission of documents by electronic means

The e-SENS consortium working on e-Justice domain, with active contribution of the European Chamber of Bailiffs, the French National Chamber of Bailiffs, the representatives of the Ministries from France, Germany, Netherlands, Poland, is currently dealing with the development of tools for the secure transmission of documents by electronic means, under the UE Regulation 655/2014 creating a European Account Preservation Order and the EU Regulation 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility.

The new regulation on European Bank Account Preservation Order (EAPO) provides the transmission of forms and acts across border, within short notice, between creditors, courts, enforcement agents and financial institutions. The debtor is not aware previous preservation of his account(s). As a consequence, the efficiency of this Regulation 655/2014 relies on the fast transmission of the forms and acts provided by the text, which is possible only thanks to electronic secured communication.

The e-SENS consortium has already defined necessary processes and the national specifications that should be applied. Within the e-CODEX project, dedicated to building seamless e-Justice across Europe, the Member States have already developed applications that enable the secured electronic communication of acts between creditors and tribunals, in cases such as Small Claims and European Payment Orders. The national applications already in place will be adapted to serve the needs of new and more e-services.

Within the EPAO case, the electronic communications between enforcement agents and the other actors will be developed on the results of EJS project (e-Justice service of documents). The approach followed by e-SENS, in accordance with the 2014–2018 e-Justice Action Plan, is to re-use the existing electronic solutions to save time and money. The EJS solution (currently managed by the European Chamber of Bailiffs) for the secured exchange of acts between Bailiffs and the standards used for authentication, electronic signature are the same as the ones of e-CODEX. Thus, EJS and e-CODEX solutions are fully interoperable and set for the developments of e-SENS solutions.

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