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## E-JUSTICE IN ROMANIA: CURRENT STATE AND PROSPECTS

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### ABSTRACT

**The relevance** of scientific research lies in the fact that the article considers the development of electronic justice in Romania as one of the key elements of the digital transformation of the judicial system. The regulatory framework, technological solutions and practical results of the introduction of electronic services into judicial practice are analyzed. Particular attention is paid to the problems and prospects for the further development of e-justice in Romania. The article examines the provisions of Law No. 135/2010 on the Civil Procedure Code of Romania governing the use of electronic means in legal proceedings. Key aspects of the introduction of digital technologies in civil proceedings, their impact on the effectiveness and accessibility of justice, as well as the challenges associated with their use are analyzed. Particular attention is paid to the practical results and prospects for the development of e-justice in Romania.

**The purpose of the article** is to study the concept, content, place and role of electronic justice in Romania, the author of the article is trying to answer questions how artificial intelligence (AI) used in legal proceedings and justice can increase the efficiency of legal proceedings and protect human rights and freedoms, how the active introduction of digital technologies in the judicial system of Romania will increase the availability of justice for citizens. The article examines the role of the National Digital Agenda Strategy for Romania (Strategia Națională privind Agenda Digitală pentru România) in modernizing the judicial system. Key areas of digitalization of justice are analyzed, including the introduction of electronic services, increasing the transparency and accessibility of trials, as well as strengthening citizens' confidence in the judicial system. Particular attention is paid to the practical results and prospects for the implementation of the strategy.

**Methods.** The leading method of studying the problem was the deductive method, which made it possible to study the legal and social nature of the processes of digitalization of justice in Romania in the aspect of transforming the forms and methods of interaction between the state represented by authorized state authorities and civil society institutions in Romania. The article uses inductive method, method of system scientific analysis, comparative legal and historical methods. The leading method

underlying the solution to the problem is the comparative legal study of the processes of digitalization of law and legal proceedings in Romania.

**Results.** The scientific article concluded that the National Digital Agenda Strategy for Romania (Strategia Națională privind Agenda Digitală pentru România) was an important step in the modernization of the judicial system. The introduction of electronic services, increased transparency and accessibility of lawsuits have already brought significant results. However, to fully realize the potential of digitalization, it is necessary to overcome existing challenges related to infrastructure, digital literacy and security. Successful resolution of these tasks will allow Romania to create a modern and effective judicial system that meets the standards of the European Union. The author also concluded that Law No. 135/2010 on the Civil Procedure Code of Romania laid the legal basis for the use of electronic means in judicial proceedings, which was an important step in the digitalization of the judicial system. The introduction of electronic services has already brought significant results, increasing the efficiency and accessibility of justice. However, to fully realize the potential of e-justice, existing challenges related to infrastructure, digital literacy and security must be overcome. Successful resolution of these tasks will allow Romania to create a modern and effective judicial system that meets the standards of the European Union.

**KEYWORDS:** RoLII, ReJust, eJustice, Romania, digitalization, transparency, accessibility, legal information, Portalul Justiției Electronice, Strategia Națională privind Agenda Digitală pentru România, Romanian Code of Civil Procedure, e-justice.

## INTRODUCTION

E-justice has become an integral part of modern legal systems, ensuring increased transparency, accessibility and efficiency of trials. Romania, as a member of the European Union, is actively introducing digital technologies into its judicial system, following pan-European trends.

The National Digital Agenda Strategy for Romania (Strategia Națională privind Agenda Digitală pentru România) was developed in 2014 in accordance with the goals of the European Digital Agenda (Digital Agenda for Europe) and was an important step in this direction. This article discusses the main aspects of the modernization of the judicial system within the framework of this strategy. The main goal of the strategy is to create a modern digital infrastructure that contributes to economic growth, improving the quality of life of citizens and the efficiency of public services. <sup>1</sup>In the context of the judicial system, the National Digital Agenda Strategy for Romania provides for:

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<sup>1</sup>Stanciu, R. (2019). The Impact of Electronic Means in Civil Proceedings: The Romanian Experience. Romanian Journal of Comparative Law, 10(3), 78-92.

- introduction of electronic services for filing documents, notifications and holding court hearings;
- creation of a single electronic platform for interaction between courts, participants in the process and other stakeholders;
- increasing the transparency of judicial processes through the publication of decisions and data on the progress of cases;
- strengthening citizens' confidence in the judicial system by increasing the availability and effectiveness of justice.

The development of e-justice in Romania is based on a number of legislative acts and strategic documents. The key normative act is Law No. 135/2010 on the Civil Procedure Code, which provides for the use of electronic means in litigation. In addition, Romania is guided by the directives and regulations of the European Union aimed at unifying and digitalizing the judicial systems of member countries. <sup>2</sup>In 2014, the National Digital Agenda Strategy for Romania (*Strategia Națională privind Agenda Digitală pentru România*) was adopted, <sup>3</sup>which includes a section on the modernization of the judicial system. One of the goals of the strategy is to introduce electronic services for filing documents, notifications and holding court hearings online. Romania is actively developing e-justice infrastructure, including the creation of specialized platforms and services. One of the key projects is the "*Portalul Justiției Electronice*" (Electronic Justice Portal) system, <sup>4</sup>which provides access to various online services such as: a) electronic court filing; b) online notifications of court hearings; c) access to court decisions and databases; d) the possibility of paying court fees via the Internet. In addition, Romania has introduced a video conferencing system for remote court hearings, which has become relevant in the context of the COVID-19 pandemic and remains relevant and in demand today. In 2004, the Romanian Institute of Legal Information (RoLII) was established in Romania as a specialized organization responsible for collecting, processing and disseminating legal information. The main mission of the institute is to provide access to legal resources for citizens, lawyers, judges, government agencies and other stakeholders. RoLII is the operator of several key electronic platforms, including: **Portal Legislativ** (a portal providing access to Romanian legislation); **Portal Jurisprudență** (platform for finding court decisions); and **Portal Contracte Publice** (a portal dedicated to public procurement and contracts).<sup>5</sup>

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<sup>2</sup>Popescu, A. (2021). Digital Transformation of the Judiciary in Romania: Challenges and Opportunities. *Journal of Legal Studies*, 15(2), 45-60.

<sup>3</sup><https://www.juridice.ro/wp-content/uploads/2014/12/Strategia-Nationala-AD.pdf>

<sup>4</sup>Portalul Justiției Electronice. [Electronic resource]. URL: <https://portal.just.ro>.

<sup>5</sup>Popescu, A. (2021). Digital Transformation of the Judiciary in Romania: Challenges and Opportunities. *Journal of Legal Studies*, 15(2), 45-60.

## 2. METHODOLOGICAL BASE.

The leading research method was the deductive method, which made it possible to study the legal and social nature of the processes of digitalization of justice in Romania in the aspect of transforming the forms and methods of interaction of the state represented by authorized state authorities with civil society institutions in Romania. E-justice in Romania is at an active stage of development, demonstrating significant successes in the digitalization of the judicial system. However, to fully realize the potential of e-justice, existing challenges related to infrastructure, digital literacy and security must be overcome. Successfully addressing these challenges will enable Romania to build a modern, efficient and accessible judicial system that meets European Union standards. The article uses inductive method, method of system scientific analysis, comparative legal and historical methods. The leading method underlying the solution to the problem is the comparative legal study of the processes of digitalization of law and legal proceedings in Romania.

## 3. RESULTS.

The author of the article concluded that understanding the differences between RoLII and ReJust is key in deciding which platform best meets the needs of a particular user. Both platforms offer valuable tools and access to Romanian jurisprudence. As such, they promote judicial transparency and provide the necessary resources for lawyers and citizens seeking information about court decisions. As part of the implementation of the National Digital Agenda Strategy for Romania, the following steps have been taken to modernize the judicial system:

**1. Introduction of electronic services.** One of the key areas of modernization was the creation of the Portal of Electronic Justice (Portalul Justiției Electronice). This portal provides access to the following services: a) electronic filing: parties can file claims, petitions and other documents through the online platform; b) electronic notifications: courts send notifications of meetings, decisions and other procedural actions in electronic form; c) online payment of court fees: the system allows you to pay court fees via the Internet; d) video conferencing: courts can hold meetings with the participation of parties located in different geographical points.<sup>6</sup> The introduction of electronic services in the judicial system of Romania has already brought significant results: 1) reducing the time for consideration of cases by automating routine processes; 2) increasing the availability of justice for citizens and legal entities; 3) reducing the administrative burden on the courts and employees of the judicial system; 4) increasing the transparency of judicial processes through the publication of decisions and data on the progress of consideration of cases.<sup>7</sup>

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<sup>6</sup>Popescu, A. (2021). Digital Transformation of the Judiciary in Romania: Challenges and Opportunities. *Journal of Legal Studies*, 15(2), 45-60.

<sup>7</sup>Stanciu, R. (2019). The Impact of Electronic Means in Civil Proceedings: The Romanian Experience. *Romanian Journal of Comparative Law*, 10(3), 78-92.

**2. Increased transparency of trials.** The strategy provides for the publication of court decisions and data on the progress of cases on electronic platforms. This helps to increase the transparency of judicial processes and strengthen the confidence of citizens in the judicial system. In Romania, an important step in this direction was the creation of the ReJust portal, which provides public access to court decisions. This article discusses the main aspects of the functioning of the portal, its role in the judicial system and society, as well as the prospects for its development. The ReJust portal was an important step in increasing the transparency and accessibility of court decisions in Romania. It promotes citizens' trust in the judiciary, supports the legal community and provides valuable data for researchers.

ReJust offers a wide range of features aimed at making court decisions easier to access: (1) **finding solutions**: users can search for solutions by keywords, dates, case numbers, judge names, and other parameters; (2) **filtering results**: the portal allows you to filter search results by court type, case category and other criteria; (3) **access to the full texts of decisions** (users can read the full texts of court decisions, except in cases where this is contrary to legislation on the protection of personal data). ReJust provides data on the number of cases reviewed, average deadlines and other indicators, which allows you to analyze the work of the judicial system. The introduction of the ReJust portal is important both for the judicial system and for society as a whole. ReJust promotes transparency in litigation by providing access to court decisions. This allows citizens and organizations to better understand how the judicial system works and control its activities. The openness of court decisions strengthens citizens' confidence in justice. Citizens can make sure that decisions are made on the basis of law and justice.

**3. Building citizens' trust.** Digitalization of the judicial system is aimed at increasing the availability and effectiveness of justice. Simplifying procedures for filing documents and notifications, as well as the ability to participate in court hearings via videoconferencing, make justice more accessible to citizens. Law No. 135/2010 on the Civil Procedure Code of Romania laid the legal basis for the use of electronic means in judicial processes, which was an important step in the digitalization of the judicial system. The introduction of electronic services has already brought significant results, increasing the efficiency and accessibility of justice. However, to fully realize the potential of e-justice, existing challenges related to infrastructure, digital literacy and security must be overcome. Successful resolution of these tasks will allow Romania to create a modern and effective judicial system that meets the standards of the European Union. The Romanian Institute of Legal Information (RoLII) plays a key role in the development of e-justice in Romania. The activities of the institute contribute to increasing the transparency, accessibility and effectiveness of the legal system, strengthening citizens' confidence in justice. However, to fully realize the potential of RoLII, it is necessary to overcome the existing challenges associated with digital literacy, cybersecurity and technical limitations. Successful solution of these tasks will allow RoLII to become an even more effective tool in the digital transformation of justice in Romania.

#### 4. DISCUSSIONS.

Modern technologies are actively transforming judicial systems, making them more transparent, accessible and effective. Romania, as a member of the European Union, seeks to meet pan-European standards in the field of digitalization of justice. Law No. 135/2010 on the Civil Procedure Code <sup>8</sup>(*hereinafter referred to as the Code of Civil Procedure of Romania*) <sup>9</sup>was an important step in this direction, consolidating the legal basis for the use of electronic means in legal proceedings. This article discusses the key provisions of the law, their practical implementation and impact on the judicial system. <sup>10</sup>According to article 151 of the Romanian Code of Civil Procedure, parties to the process can use electronic means to file documents, notifications and other procedural actions. The law also provides for the creation of a single electronic platform for interaction between courts, participants in the process and other stakeholders. The introduction of electronic means in civil proceedings in Romania is carried out through the Portal of Electronic Justice (Portalul Justiției Electronice). <sup>11</sup>This portal provides access to the following services:

- **Electronic filing:** Parties can file claims, motions and other documents through an online platform, significantly reducing the time and cost of delivering them.
- **Electronic notifications:** courts send notifications of meetings, decisions and other procedural actions in electronic form, which accelerates communication between participants in the process.
- **Online payment of court fees:** the system allows you to pay court fees via the Internet, which simplifies financial transactions.
- **Videoconferencing:** courts can hold sessions with the participation of parties located in different geographical points.

#### 5. CONCLUSION.

The article examines the role of the ReJust portal in increasing the transparency and accessibility of court decisions in Romania. The key functions of the portal, its significance for the judicial system and society, as well as the challenges associated with its use are analyzed. Particular attention is paid to the impact of ReJust on strengthening citizens' confidence in the judicial system and ensuring the openness of justice. The article examines the role of the Romanian Institute of Legal Information

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<sup>8</sup>Legea nr. 135/2010 privind Codul de procedură civilă.

<sup>9</sup>Law No. 135/2010 on the Civil Procedure Code of Romania entered into force on February 1, 2013 and replaced the previous Code of Civil Procedure of 1865, significantly modernizing the procedural norms and adapting them to modern realities. One of the key innovations of the law was the introduction of electronic means in civil proceedings.

<sup>10</sup>Popescu, A. (2021). Digital Transformation of the Judiciary in Romania: Challenges and Opportunities. *Journal of Legal Studies*, 15(2), 45-60.

<sup>11</sup>Portalul Justiției Electronice. [Electronic resource]. URL: <https://portal.just.ro>.

(RoLII) in the development of e-justice in Romania. Key activities of the institute are analyzed, including the creation and support of electronic legal databases, the promotion of open access to legal information and the promotion of the digitalization of the judicial system. Particular attention is paid to the contribution of RoLII to increasing the transparency, accessibility and efficiency of justice in Romania.<sup>12</sup>

RoLII's main activities in the context of e-justice include:

**1. Creation and maintenance of electronic legal databases.** RoLII develops and maintains electronic databases containing legislation, court decisions, and other legal resources. These databases provide quick and easy access to legal information, which contributes to improving the efficiency of judges, lawyers and other participants in the legal system.

**2. Promoting open access to legal information.** One of the key objectives of RoLII is to provide open access to legal information. The Institute publishes the texts of laws, court decisions and other legal acts in the public domain, which contributes to increasing the transparency of the legal system and strengthening the confidence of citizens.

**3. Promoting the digitalization of the judicial system.** RoLII actively collaborates with the judiciary and other government agencies to implement electronic services in litigation. This includes the development of electronic platforms for online filing, notification and trial. The activities of RoLII are important for increasing the transparency and accessibility of justice in Romania: a) **transparency**: the publication of court decisions and legislative acts in the public domain allows citizens and organizations to monitor the activities of the judicial system; b) **accessibility**: RoLII electronic legal resources provide quick and easy access to legal information for all stakeholders; c) **efficiency**: the use of electronic services reduces the time and cost of obtaining legal information and participating in litigation.

ReJust (*Registrul Electronic al Judecăților și Sentințelor*) is an electronic registry of court decisions created under the National Digital Agenda Strategy for Romania (Strategia Națională privind Agenda Digitală pentru România). The portal was launched in 2019 and has become an important tool for increasing the transparency of the judicial system. The portal is a valuable tool for lawyers who can use it to search for precedents, analyze judicial practice and prepare for cases.

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<sup>12</sup>Stanciu, R. (2019). The Impact of Electronic Means in Civil Proceedings: The Romanian Experience. Romanian Journal of Comparative Law, 10(3), 78-92.

	<b><i>RoLII (Romanian Institute of Legal Information)</i></b>	<b><i>ReJust (Judgment Public Information Portal)</i></b>
1.	RoLII was launched in 2015 as a joint project of all legal professions in Romania with the aim of providing access to anonymized Romanian judicial practice.	ReJust was introduced in 2020 by the Supreme Council of Magistracy (CSM), providing free personalized access to national court decisions.
2.	The platform's database includes nearly 15 million judgments since its inception.	The platform says it has more than 35 million judgments and opinions in its database.
3.	Since its inception, RoLII has a more extensive database of anonymous judgments than ReJust. RoLII does not verify the identity of users.	ReJust provides free, personalized access to national court decisions pertaining to users' cases or questions.
4.	The RoLII interface is user-friendly, allowing you to search for court decisions by various criteria, including court name, judge names, case number, decision date, and keywords. The platform allows users to filter search results by several criteria, including title or court level, procedure type, and publication date.	The main goal of ReJust is to provide citizens with free access to court decisions related to their case or issue. Users must complete a basic personal data form before they can be granted access to the platform's database. After registration, users receive a personal account that allows them to track the status of their business.
5.	The importance of these platforms can hardly be overstated as they promote judicial transparency and help users understand how court decisions are made.	
6.	Comparing platforms can help users determine which best fits their needs.	
7.	Both platforms, RoLII and ReJust, are useful tools, each with their own unique features and benefits.	

## 6. RECOMMENDATIONS.

To further develop e-justice in Romania, it is necessary to solve a number of problems: a) improving digital infrastructure, especially in rural and remote areas; b) increasing the level of digital literacy among participants in lawsuits; c) development and implementation of new technologies, such as artificial intelligence for analyzing court decisions and predicting the outcome of cases; d) strengthening cybersecurity measures to protect confidential information. Romania should also continue to cooperate with other European Union countries to share experiences and best practices in the field of e-justice.

For the further successful functioning of the ReJust portal, it is necessary: a) to improve the mechanisms for checking and processing data before publishing them; b) provide training to users, including lawyers and citizens, to increase their digital literacy; c) develop the functionality of the portal, including the introduction of tools for data analysis and visualization of statistics; d) strengthen cybersecurity measures to protect confidential information. However, in order to fully realize the potential of the portal, it is necessary to overcome the existing challenges associated with the protection of personal data, information quality and digital literacy of users. Successful resolution of these tasks will allow ReJust to become an even more effective tool in ensuring the openness of justice. Despite significant advantages, the use of the ReJust portal faces a number of problems, among the most important are: **protection of personal data** (the publication of court decisions must be carried out taking into account the legislation on the protection of personal data, which requires a thorough verification of documents before their publication); **Data quality** (in some cases, decision texts may contain errors or be incomplete, making them difficult to use) **digital literacy** (not all users have sufficient skills to use the portal effectively).

It should also be noted that the introduction of electronic services in the Romanian judicial system has brought significant results. The simplification of filing and notification procedures has reduced case time and the administrative burden on the courts. In addition, the transparency of trials has increased, which helps to strengthen citizens' confidence in the judicial system. However, certain problems remain, which are discussed in this article. These include insufficient digital literacy among judges and lawyers, as well as uneven infrastructure development in various regions of the country. In addition, issues of personal data protection and cybersecurity require constant attention.

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