

EUROPEAN COMMISSION

#### "THE CRYSTAL SCALES OF JUSTICE"

#### THE EUROPEAN PRIZE FOR GOOD PRACTICE IN Civil JUSTICE ORGANISATION AND PROCEDURE

Entry form (Please note that this file - without the appendices – once completed should not exceed 6 pages)

To be returned to the European Commission or Council of Europe by 31 August 2006

Unit C1 – Civil Justice – Crystal Scales of Justice Competition, European Commission, Rue de Luxembourg 46, B – 1049 BRUXELLES. E-mail: jls-ejn-civil@cec.eu.int

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1. Details of entrant (institution/organisation)

Name: Austrian Ministry of Justice

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2. Represented by

First name/Surname: Christian Gesek

Post held: Public prosecutor, at the Ministry of Justice, Dep. Pr 5

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E-mail: christian.gesek@bmj.gv.at

3. Scheme submitted

Title: Electronic notice board of the courts and experts lists ("COURTPUB")

Date of introduction: 1. 1. 2000, constantly adapted and extended

4. Items to be attached

Please attach in English or French:

a. A description of the scheme (maximum 1 page)

see "courtpub scheme.doc"

b. A description of the effects of the scheme on the workings of the court (maximum 1 page)

see "effects of courtpub.doc"

c. Any possible future additions which might improve the results of the scheme (maximum 1 page)

see "future developments.doc"

d. Any documents, press articles, evidence from members of the public, etc, relating to the scheme (accompanied by a brief summary of their content in English or French)

see "\_screenshot.complete.pdf"

5. Does the scheme have the support of the responsible public authorities in your country? If so, please give details.

Since it's introduction by the Ministry of Justice COURTPUB received strong support and almost exclusively positive feed-back both from users within the Austrian judicial system and Internet users.

6. Do you believe the scheme to be usable in other courts in European states? Give your reasons.

The necessity of addressing unidentified or unknown recipients by court publications may cause similar problems throughout most of the European judicial systems. Same goes for the need to access experts and interpreters in an unbureaucratic and time saving way.

The Austrian solution to those problems is based on Lotus Notes and web technology, thus providing high transferability.

I, Christian Gesek, representing the aforementioned institution/organisation, declare that I am aware of the rules of the competition, which I undertake to comply with.

Done at Vienna, on August 30st 2006

Signed Ch.L







# Electronic notice board of the courts and experts lists ("COURTPUB")

Originally the Edict File (<u>http://www.edikte.justiz.gv.at</u>) was designed for publications in insolvency cases, however other publications were added constantly.

As from 1.1.2000 insolvencies (bankruptcies, compositions with creditors, settlement of debts) have been published exclusively on the Internet with legally binding effect. The costs of publications could be reduced by 95 %. Every Internet user has access free of charge to the latest data. Data is copied automatically from the Insolvency Register within the Automation of Court Procedures to the Insolvency File at the "push of a button". Petitions in bankruptcy have legal effect the following day.

Since that time edicts of Commercial Courts are also available via Edict File.

Since the beginning of 2002 real property auction edicts and further publications of Commercial Courts can be retrieved.

By mid of 2002 the Edict File was extended by announcements of liquidators combined with the database of official receivers in bankruptcy.

At the beginning of 2003 the queries of auctions in execution proceedings against personal property, the search for owners in criminal proceedings and the search for curators were added.

### **Project Data:**

Search enquiries in 2005:

Search enquiries in March 2006:

- Enquiries in total:
- Court auctions:
- Insolvency register:
- List of court experts and interpreters:

Since 1.1.2005 all announcements provided for in court proceedings have been published exclusively in the Edict File.

VERNETZT

The Edict File won the Ökomanager Award 2000 of the Austrian Business Association (WKÖ), the Justitia 2000 award and the eGovernment label for good practice 2005.

The Official Receivers in Bankruptcy Database and the Expert and Interpreter Lists contain the individuals referred to above with their special qualifications. They are available to the courts and to the public for inquiries on the Internet.

As from the beginning of 2004 the Expert and Interpreter Lists have been available on the Administration of Justice Intranet and on the Internet at <u>http://www.sdgliste.justiz.gv.at</u>. Experts, interpreters and receivers in bankruptcy can maintain certain data on the lists (address, telephone number, e-mail etc) and provide addition information on their companies by using an appropriate certificate.

Since 2005 the new expert and interpreter identity card is available which meets the standards of the citizen's card. Official receivers in bankruptcy can also use their identity card for publications concerning sales and leasings in bankruptcy proceedings.

Moreover mediators in civil matters can be retrieved at http://www.mediatorenliste.justiz.gv.at.

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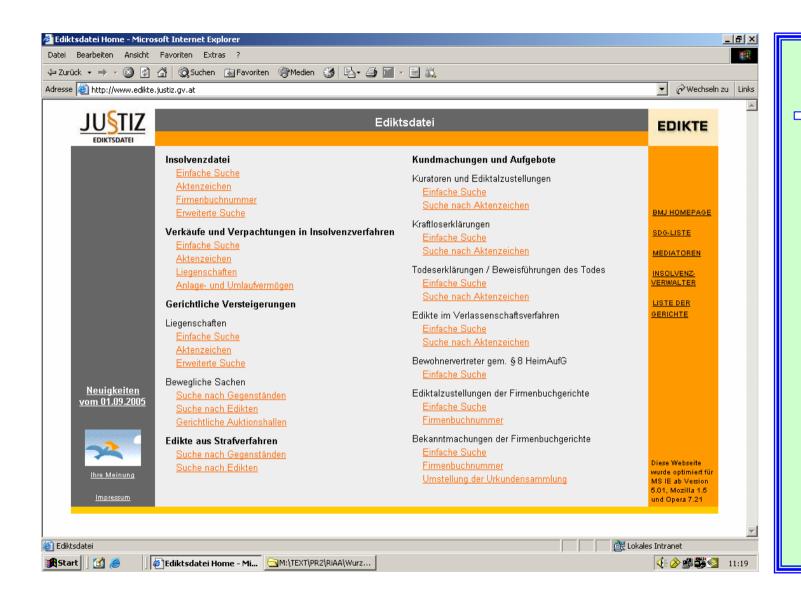
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## The effects of "COURTPUB"

- Since 1. 1. 2005 all announcements provided for in court proceedings have been published exclusively and legally binding in the Edict File.
- Court decisions are published the day following the decision day via the internet.
- Up to 95% savings of publication costs could be obtained. In a typical bankruptcy case the costs for traditional newspaper advertisements totals an average of EUR 1.090,- per case. These costs could be reduced to approximately EUR 58,- per case providing significant cost-savings for the affected parties.
- The efficiency of the court publications was increased by broadening the range of access from a few tens of thousands of individuals to several million (Internet penetration in Austria is approx. 66%).
- The increased publicity of the information led to a marked rise in the proceeds obtained at real property auctions, which is in the interest of all parties to the proceedings.
- The workflow for the courts was simplified: court decisions entered in the back-end court case management system are now automatically transferred for publication, if the decision requires a notice to the public.
- Two-way electronic interaction between the courts and external experts was established: experts and administrators provide data (e. g. expertise, photographs, building and site plans in the proceedings for real property auctions) for the application, secured by electronic signature.
- Increased efficiency and significant reduction of processing-time.
- Fewer telephone queries to be answered by the court personnel.
- The list of court experts and interpreters, had to be updated annually and made available as printed issues limited to one region. With the electronic version of that list the information is always up to date and available nationwide on the Internet.
- Over 1 million inquiries and more than 3 million pictures viewed per month underline the high acceptance by businesses and citizens.

## Future developments of "COURTPUB"

- Due to COURTPUB's success an increasing number of court publications as well as court related information (e. g. an updated status on which courts have already changed over their document archives to electronic storage) was added to this application. It is to be expected that the legislative bodies will continue to use COURTPUB as a portal for information and publications related to the Austrian system of justice.
- Since a growing number of private enterprises retrieves data from COURTPUB by means of automation support the Austrian ministry of justice plans to define a **standardized data interface**, thus providing a constant flow of information for the benefit of economy.



## the edicts database

- ➡ electronic notice board of the courts including
  - ⇒all announcements in bankruptcy proceedings (insolvency file)
  - publications by the county courts in relation to judicial enforcement
     (real property auctions personal property auctions)
  - ⇒appointment of guardians
  - ⇒announcements and edict service by the company register courts
  - ⇒list of administrators in bankruptcy proceedings
  - ⇒list of certified experts
  - $\Rightarrow$  declarations of death

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3.	Handelsgericht Wien, 3		A.M. Baugesellschaft m.b.H. 1150 Wien		ightarrow information:
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	Handelsgericht Wien (007), Aktenzeichen 2 S 338/02x			
	Bekannt gemacht am 10. Juli 2002			
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	BALDEX" Baugesellschaft m.b.H. Fernkomgasse 35/5 I 100 Wien FN 184245 z			
	Pertl Franz MT und Stb: Münichreiterstraße 28 1130 Wien Fel. 876 50 46, Fax DW 33 E-MAIL: franz.pertl@aon.at			
	Eröffnung des Konkurses: 10.07.2002 Anmeldungsfrist: 27.08.2002			
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	Bekannt gemacht am 27. September 2002			
	Datum: 24.10.2002 Jm: 11:30 Uhr Drt: Zimmer 446 Fagsatzung aschträgliche Pröfungstagsstzung			

detailed information on specific proceeding: (eg.: HG Wien, 2 S 338/02x)

- ⇒ name, address and company register number of the insolvent enterprise
- ➡ name and address of the administrator
- ➡ opening date of bankruptcy
- time, date and place of court hearing

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		Aktuelle Anzeige: 1 - 14	
Nr.	Edikt und Datum	Adresse und Kategorie	
1.	Versteigerung (13.9.2005)	7343 Neutal Berggasse 6, Einfamilienhaus	
2.	Entfall des Versteigerungstermins (20.9.2005)	7350 Oberpullendorf Rosemarie Preh-Allee 33, Einfamilienhaus	
з.	Versteigerung (20.9.2005)	7453 Steinberg-Dörfl Rosengasse 28, Einfamilienhaus	
4.	Versteigerung (29.9.2005)	7540 Güssing Waldgasse 5, Einfamilienhaus	
5.	Versteigerung (29.9.2005)	7551 Stegersbach Neudauer Straße 60, Einfamilienhaus	
6.	Versteigerung (4.10.2005)	7311 Neckenmarkt Lange Zeile 110, Einfamilienhaus	
7.	Entfall des Versteigerungstermins (11.10.2005)	7223 Sieggraben Neugasse 24, Einfamilienhaus	
8.	Versteigerung (14.10.2005)	7411 Buchschachen Buchschachen 171, Einfamilienhaus	
9.	<u>Versteigerung (14.10.2005)</u>	7501 Rotenturm an der Pinka Hauptstraße 55, Einfamilienhaus	
10.	Versteigerung (17.10.2005)	7035 Steinbrunn Obere Hauptstraße 65, Einfamilienhaus	
	Versteigerung (20.10.2005)	7151 Wallern Rosengasse 61, Einfamilienhaus	
11.			
11. 12.	Versteigerung (25.10.2005)	7522 Reinersdorf Reinersdorf 117, Einfamilienhaus	

simple search  $\Rightarrow$  for example: search for a one-family house in the province of Burgenland  $\Rightarrow$  result: 14 cases  $\Rightarrow$  information:  $\Rightarrow$  address of the real property  $\Rightarrow$  date of auction

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	BG Oberpullendorf, 330 5 E 3335/03k	
	Bekannt gemacht am 02.08.2005	
	Versteigerung zu Objekt 01	
Gericht:	BG Oberpullendorf	
Aktenzeichen:	330 5 E 3335/03k	
wegen:	Zwangsversteigerung einer Liegenschaft	
Versteigerungsdatum und -zeit:	20.9.2005 um 13:45 Uhr	
Versteigerungsort:	1. Stock, Zimmer Nr. 123	
Telefonkontakt:	02612/42502-36	
Grundbuch:	33004 Dörfl	1
EZ:	978	
Grundstücksnr.:	840/259	
BLNr:	1,2	
Adresse:	Rosengasse 28	
PLZ/Ort:	7453 Steinberg-Dörfl	
Beschreibung (WE):	Lage: Das Grundstück mit dem darauf befindlichen Wohnhaus liegt am Ortsrand von Dörfl, südse 550, bereits im Bereich Steinberg befindlich, im Nahbereich des Möbelhauses Putz, direkt Rosengasse. Die Lage des Grundstückes ist eben. Die Grundrissform ist rechteckig. Wohngebäude:	

# detailed information

- $\Rightarrow$  file number of auction
- $\Rightarrow$  time and place of auction
- ➡ description, expertise and representation (plan and photo) of the real property
- property ⇒ estimated value, lowest bid and amount payable before auction

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