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A Brief Description Of The Digitalization Of Civil Cases

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ABSTRACT

This article deals with the introduction of digital technologies in civil litigation, the role of artificial intelligence in civil litigation, the introduction of robotic judges in civil cases on certain categories of claims.

KEYWORDS

Blockchain, online, digital court, artificial intelligence, Internet.

INTRODUCTION

Today, the judicial system of the developed countries of the world is abandoning old information technologies and paper-based actions. Digital technologies are the main guarantor of judicial activity in a pandemic. Digital technologies are expected to make the justice system more efficient, fair and cost-effective for the parties.

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DISCUSSION AND ANALYSIS

The first step in the digitization of civil cases should be the transfer of civil proceedings to an online system. Online courts should operate on the same platform as other Internet organizations platforms (social networks and e-commerce websites). This gives everyone access to online courts. This allows users of these platforms to make better use of the existing functions of the online civil court, i.e. to conduct civil cases online, check the evidence in the case, send court orders, and so on.

It is advisable for online courts to open their pages on social networks or interact with popular Internet sites to reach a wide range of people and for the convenience of the parties. The platform of the online civil court should allow the parties to form a statement of claim, application, counterclaim, objections. Formed lawsuit, petition, counterclaim, objections should be automatically submitted to the court.

When digitizing civil cases, it will be necessary to use a speech recognition system to create an automatic record.

The speech recognition system can significantly reduce the workload of judges by converting audio files during interrogation into text during court hearings.

It is advisable to allow online civil courts to use blockchain technology.

The judiciary of advanced foreign countries is turning to digital justice in addressing a number of issues facing it. The most serious of these problems include:

a) limited resources. In our country, there are mainly inter-district courts on citizenship, and the country has not managed to establish civil courts in every district or city. This will lead to an increase in the workload of FIB inter-district judges, and court staff. Excessive workload leads to untimely submission of decisions or the practice of superficial consideration of civil cases;
b) excessive use of paper. The majority of procedural actions of inter-district (district, city) civil courts operating in our country are still based on paper.
There are huge costs and inefficiencies in the production, transportation and storage of large volumes of paper. It takes a lot of staff time to compile a set of draft documents and then prepare the originals. It is also difficult to move pages and add new material if additional evidence emerges in a civil case.
In addition, reliance on paper can hinder the administration of justice. For example, court documents have to be reprinted several times, resulting in hundreds of pages;
c) transparency. Paper-based civil litigation creates opportunities for corruption;
d) inconvenient situations. During the pandemic, not only in the Republic of Uzbekistan, but also in foreign countries, the courts were temporarily closed. Digital technology-based courts provide the foundation to operate in any situation.

It is no exaggeration to say that a digital justice system will determine our future.

Using digital technology, lawyers and judges can access information remotely, including online legal documents, civil litigation case packages, evidence verification, as well as real-time communication and collaboration. This

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type of distance work between judges and lawyers is practiced in China and India.

Digital technology allows civil courts to work remotely and collaborate in real time.

Digital technology allows courts to distribute cases fairly among judges.

In addition, digital technology courts allow government agencies to send subpoenas to the prosecutor's office, justice departments, notaries, civil registry offices, and executive bodies, and to obtain evidence from them quickly. This means a reduction in court breaks. Digital technology-based courts can use special software to record decisions quickly.

The digitization of court cases should be done gradually.

The first stage is to achieve the acceptance of court documents issued in electronic form;

The second step is to replace paper court transcripts with audio transcripts;

The third is to establish a smooth system of document flow between the courts and the parties to the case.

The fourth step is to create a stable and affordable videoconferencing system in the courts.

The final, fifth step is to monitor the delay in the judge's procedural actions and decisions. We can do the above through a special program with fast navigation and a high-quality interface.

The introduction of artificial intelligence in civil litigation will contribute to the development of the judicial system.

First, the development of a system of "artificial intelligence" in judicial practice, which allows to find judicial documents on a particular event or topic.

Second, it eliminates inconsistencies in judicial practice in order to enable the court to make a decision on certain categories of cases using artificial intelligence;

Third, it provides citizens with access to e-judicial services;

Fourth, it develops effective requirements for the protection of information related to litigation;

Develops the capacity to introduce e-justice in civil cases;

Simplifies the formation of a database of civil cases and access to them in electronic format; special services will be created that will allow court hearings to be conducted "online".

The introduction of artificial intelligence in civil litigation is one of the important steps on the path to large-scale digitization. The application of artificial intelligence in civil litigation is to achieve full e-governance and to facilitate judicial functions and create convenience for the parties.

Digital courts can have different appearances and they can be organized at different levels. Our current legislation gives the parties the right to submit their documents in electronic form in civil proceedings. In our view, civil courts will need to offer an electronic platform that allows them to communicate with litigants.

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The introduction of artificial intelligence in the field of law is carried out in many developed countries around the world.

Estonia is expanding the use of artificial intelligence systems in the performance of public services by the Ministry of Justice.

Also, artificial intelligence has already been introduced in Estonian civil courts. In Estonian civil courts, a robotic judge can preside over claims worth less than 7,000 euros. In Estonia, the project is still ongoing, with both sides uploading all the necessary data (evidence) to the software database for the robotic judge to see the civil case, and the artificial intelligence program analyzing them to make a decision based on pre-programmed algorithms and previous court decisions.

The decision of the program is based on the current legislation and is mandatory, but the parties who are dissatisfied with the decision can appeal to the judge. The Ministry of Economy is considering improving the legislation on artificial intelligence and robot judges, as well as giving them legal status[2].
On January 11, 2010, the first online private court in the Netherlands was fully digitized, but its decisions were the product of human thought. In 2011, the Electronic Judicial System was launched and this court considered cases related to debt collection.

The e-court is fully digitized, and e-court software engineers have found a way to model the case by identifying key parameters that are evaluated in decision-making when collecting debts.

In determining these parameters, work was carried out in three different areas: claim (amount of claim, claim period, penalty, proportionality of penalty on the amount of claim, personal data of the parties), debt collection costs (postage, state duty, attorney's fees) and the course of the proceedings (procedural and substantive law)[3].

The role of artificial intelligence in the digitization of civil cases is invaluable. In our view, it would be expedient to introduce artificial intelligence into our civil procedural legislation as in the developed countries of the world.

CONCLUSION

It would be expedient to make the following changes and additions to Article 5 Of the Code of Civil Procedure of the Republic of Uzbekistan

A civil case shall be formed by the court on the basis of documents and court documents submitted to the court by the persons involved in the case, other participants in the civil proceedings, or requested by the court.

A civil case can be filed electronically.
An electronic form of a civil case may be a hard copy.

In the case of a civil case in electronic form, the persons involved in the case and other participants in the civil proceedings have the right to submit documents to the court in electronic form. The written documents submitted to the court by the persons involved in the case and other participants in the civil proceedings shall be attached to the case in electronic form, after which the written documents shall be returned to the persons who submitted them.

The parties may apply to robotic judges for claims up to 50 times the base calculation

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amount. Decisions made by a robot judge are binding. However, the parties may appeal the decision of the robot judge to the chairman of the court and the case may be reconsidered in the court of first instance.

The introduction of artificial intelligence in civil litigation would have served to reduce and facilitate the workload of judges.

In general, the future of the judiciary cannot be imagined without digitalization.

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