

**APPLICATION FORM FOR UNDP PUBLIC SERVICE AWARDS**

**CATEGORY 2**

Institution Name \*: Ministry of Justice of Turkey

Institution Acronym: MoJ

Institution Type\*: Government

Specific initiative \*: YES

Name of initiative (Initiative acronym): **INFORMATICS SYSTEM FOR USERS OF JUDICIAL SERVICES**

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## INFORMATICS SYSTEM FOR USERS OF JUDICIAL SERVICES

### What was the situation before the initiative? (the problem)

Describe in no more than 500 words, the problem to which the initiative was a solution, including major issues, trends and conditions, as well as which social groups were affected.

The Turkish jurisdiction provides service to Turkish citizens at more than 1200 locations and meets their expectations in terms of justice, with its ongoing case files of which the number exceeds 20 million, including the attorney general's investigations. Prior to the transfer to the electronic environment, all judicial work and procedures were totally being carried out manually on paper. Consequently, persons applying to the courts for justice were facing many difficulties in the past. In other words, concerning a suit citizens filed against somebody or a suit filed against them, they were required to be in physical and continuous contact with the judicial authorities and personally visit the judicial authorities in case of a need for any document or if the citizens needed to be informed about the content of a case file (due to the principal of confidentiality of personal information, only the lawyers of the citizens are granted the right to be informed about the content of a case file). In addition, citizens were required to make some extra effort to be able to continue the process properly since the judicial staff was so busy due to their workload. The situation was more difficult for the lawyers because there was no source in which all data related to all case files on which a lawyer was working across the country were gathered together. Lawyers needed to visit the judicial authorities personally when they wanted to be provided with sample documents from the case files, file a new suit or pay court costs, or in case of any change in the content of the case file (adding a new document, submitting an expert report, etc.). Following the dockets was difficult since they were at different locations. Especially when lawyers needed to review a case file which was dealt with in a law court that was not located in the same place where the lawyers were, lawyers had to go to that law court personally and ask for the permission of the relevant judge in order to review the file in question no matter how far away this law court was.

On the other hand, there was no platform which allowed corporations and companies to follow all case file information concerning their organizations. Since litigation procedures were performed by lawyers, corporations and companies needed to be contented with the representations of their lawyers and did not have the opportunity to access instant information concerning their lawsuits and to check the performance of their lawyers.

The situation was not different for the legal experts, as well, since they had to visit the law court personally in order to receive the file which was entrusted to them and submit their reports to the same law court manually. On the other hand, it was not possible to access data concerning the number of files each legal expert had, which legal experts were working on which files, the average time period for the legal experts to submit their reports, etc.

## What is the initiative about? (the solution)

In no more than 500 words, summarize the achievement(s) implemented; how the impact was measured, quantitatively and qualitatively, and who benefited from it. Please note that the summary should be in narrative, not point form.

The “informatics system for users of judicial services” comprises the whole range of systems which have been developed for citizens, lawyers, legal entities and expert witnesses in order to facilitate access to justice and ensure more effective use of judicial services. The systems targeting these different groups of users as parties of judicial proceedings allow electronic performance of all judicial procedures and transactions. Within this scope, there are four separate portals in Turkey for citizens, lawyers, institutions/companies and expert witnesses. The services are not limited specific regions or judicial activities. They cover the whole population of the country (i.e. more than 70 million inhabitants) and all judicial activities with more than 15 million ongoing cases and enforcement files/proceedings. The services are delivered in a holistic approach. Citizens, lawyers, legal entities and expert witnesses can perform all necessary judicial transactions electronically.

**Citizens** have online access to information on all cases and enforcement proceedings ongoing or resolved before all judicial units throughout the country. Moreover, they can file new cases, present evidence to ongoing cases, access contents of their case files and add documents in the files using online judicial services. Similarly, **lawyers** can access information on the cases and proceedings they represent throughout the country, obtain copies from the documents or content in the files, add all kinds of documents in the file including petitions of excuse, initiate new cases and enforcement proceedings and deposit judicial fees online. In addition, lawyers can use the system to personally examine the assets and property of the defendants and debtors in the cases and enforcement proceedings they represent and they can request distraint/seizure online. **Institutions and companies** can access online all information and documents concerning the cases and enforcement proceedings they and their branch offices are parties to and they can obtain reports of the procedures and transactions including performance reports of their lawyers. **Expert witnesses** who are appointed by judicial units to provide specialized information or expertise electronically receive the files which pertain to their tasks without having to go the judicial units and develop and submit their expert reports online. The impact of the individual systems can be measured and evaluated quantitatively using the statistics generated from the central database which stores all judicial data. Moreover, users send feedback by email or via various forums, which is then used for qualitative assessment.

## **Who proposed the solution, who implemented it and who were the stakeholders?**

In no more than 500 words, specify who contributed to the design and/or implementation of the initiative, including relevant civil servants, public institutions, organizations, citizens, NGOs, private sector, etc.

Having regard to the need to use ICT in the delivery of justice services, the Ministry of Justice of Turkey decided to create an informatics system which would facilitate effective, efficient and integrated service delivery to citizens across the country. Following from this perspective, the National Judicial Informatics System (UYAP) was created based on the Wide Area Network (WAN) infrastructure which constantly improves and becomes more cost-effective. This online system has a fully central architecture. The system is supported by a full-fledged disaster recovery solution. UYAP project was completed in late 2007.

The UYAP system has transferred all the judicial activities to an electronic setting. However, citizens, lawyers and companies requested new capabilities in the system in order to access information on the cases they are parties to. Therefore, a series of analysis, design and technical preparations for the "Informatics System for Users of Judicial Services" were started. Consultation meetings and seminars were organized with judges, lawyers and other judicial staff. Working groups were set up and workshops were organized in cooperation with the judicial institutions and bar associations across the country. The outputs of this broad consultation process were used to determine the scope of the services which would be delivered by the system. The experience and opinions of users were important. Therefore, they were involved in the process from the stage of system development. In addition, different informatics systems in Turkey and abroad were examined and reviewed with a view to incorporating good practices in the system.

Starting in 2008, an innovative system was introduced gradually for citizens and lawyers in order to deliver judicial services online. It was rolled out to cover institutions-companies in 2009 and expert witnesses in 2011. All the individual systems were developed by the Ministry of Justice in cooperation with citizens as part of the civil society, lawyers and representatives of all relevant institutions. This cooperation approach has later contributed to the improvement of the private sector involvement in the development of public services.

## **Describe how and when the initiative was implemented by answering these questions**

***a. What were the strategies used to implement the initiative? In no more than 500 words, provide a summary of the main objectives and strategies of the initiative, how they were established and by whom***

The main objectives of the systems are to deliver high quality judicial services and enable all parties to electronically access data which concerns themselves without the restrictions of time and space and to perform all judicial transactions online. The systems have expedited the judicial process considerably. Lawyers can use the system to examine the assets and property of the defendants and debtors in

the cases and enforcement proceedings they represent. They can file cases and deposit court fees and judicial costs online outside of working hours. The system also allows electronic tax audits of lawyers and expert witnesses.

Citizens and lawyers do not need to go to the courts or other judicial units anymore. This reduces costs in general and creates a more enabling working environment in the judicial units. Company officials can access information about the whole process of judicial proceedings and obtain reports online. Lawyers can even access files of the cases and enforcement proceedings they do not represent in case their request to do so is approved by a judge in any part of the country.

Distance training modules have been developed to help citizens and lawyers to use the systems. The systems are accessible by using a mobile signature. All legislation instruments are available online for the parties. Citizens can use the online legal support for guidance in legal matters they are not informed about. They can calculate the estimated trial costs. Court and distraint announcements can be made online. Citizens can access certain statistics. It is possible to obtain reports on the procedures and transactions that took place between specific time intervals in the course of a case. Dates of court hearings can be queried. Disabled individuals can also use the system. Automating judicial transactions have reduced bureaucracy and stationery considerably. Moreover, individuals such as the elderly, women and disabled people who cannot go to courthouses for various reasons have effective, secure and easy access to justice. The portals have introduced online access to the courts and thus significantly expanded justice services in the community.

***b. What were the key development and implementation steps and the chronology? No more than 500 words***

The service was launched for citizens and lawyers first in 2008. The condition for access to the system was to have a legally valid e-signature so that e-signature holders would not need to go to the judicial units for information and documents they needed and they would be able to access all such information and documents online. However, the number of people who had e-signatures was very limited when the system was introduced. Therefore, temporary VPN certificates with a 1-year limit were generated for lawyers for free with a view to promoting the system. The certificates were not renewed after expiry and users were required to obtain e-signatures.

Separate portals have been developed for citizens, lawyers, companies and expert witnesses to access the system. Lawyers, representatives of companies and expert witnesses need e-signatures to use the services. E-signature is not obligatory for citizens although services and information available without an e-signature are very limited. Citizens without an e-signature can use their TR ID Number and the serial number of their ID card to access the system. They can select the court of concern and access general information about their case. However, they cannot see the content of the case file. On the other hand, citizens, lawyers, representatives of companies/institutions and expert witnesses that use e-signatures can access all content in their case files without any restriction.

The portal dedicated to companies and institutions was piloted in 2009 and officially launched in October 2010. Currently, 119 companies and institutions use this service and they have performed ..... transactions so far. Some institutions have huge numbers of cases or enforcement proceedings (often hundreds of thousands or millions of files) to follow. In case they have the necessary organizational IT systems in place, they do not need to limit their system utilization to the system portal. Their IT systems can be integrated into the system and a specific web service can be created.

Judicial units often need expert witness examination in many matters. However, access to witness experts had its own limitations such as lack of experts in the area where the court served. Therefore, many units needed to send files to others to ask for examination. However, Turkey had the opportunity to incorporate the capability of online expert witness services now that the country already had a properly functioning online system which covered all the judicial units and all judicial transactions and procedures. As a result, a project for a new system was initiated in 2010 to efficiently solve the problems concerning expert witness examinations. Launched in 2011, the system is capable of assigning a case file to any expert in Turkey. The expert or experts, as the case may require, can examine the files online, develop and e-sign reports and electronically submit them to the relevant court.

***c. What were the main obstacles encountered? How were they overcome? No more than 500 words***

The main challenge in implementation has proven to be the low IT literacy and the resulting reluctance to use the services among the concerned parties. Furthermore, all the services were public in nature and thus could not be commercially advertised. Therefore, there have been some problems in communicating and promoting the services to the target groups.

An interactive distance education platform was developed for different target groups in order to raise the IT literacy level and inform about how to use the services. A series of symposia, seminars, workshops and meetings were organized in cooperation with the Union of Turkish Bar Associations in order to encourage lawyers to obtain e-signatures and to promote efficient use of these electronic services. The feedback of lawyers and representatives of other institutions was used to determine and improve the scope of services. At the pilot stage, VPN certificates were generated for lawyers who did not yet have e-signatures to start using the system.

The services were promoted on several TV and radio programs. In addition, producers of popular drama series were contacted and informative conversation pieces on electronic judicial services were included in some of those programs. GSM operators were requested to send informative and promotional messages on selected services to subscribers. All the operators agreed to this request. Informative brochures and posters were sent to all judicial units to inform visitors about the services.

***d. What resources were used for the initiative and what were its key benefits? In no more than 500 words, specify what were the financial, technical and human resources ↻ costs associated with this initiative. Describe how resources were mobilized.***

The foundation of these services is based on the UYAP System which is the common platform for the whole judicial organization and all judicial transactions and procedures. UYAP allows and stipulates performance of all judicial transactions and procedures electronically. The system associates all procedures and transactions which concern an individual with the unique TR ID Number of that individual. This capability allows all individuals to access all information and documents of interest easily.

In general, the technical infrastructure need to create and maintain the services is provided by the technical team which launched and still implements the UYAP system. The team consists of software specialists, web designers as well as other staff members coming from judicial background including judges and prosecutors. Members with judicial background serve an important function in developing the services now that they know the needs of the targeted users. Citizens, lawyers, institutions and expert witnesses have also contributed to the development and improvement of the services by taking an active role in the process. Satisfaction of the stakeholders has been and remains a key factor.

The systems and the services have been funded by the State Planning Organization (SPO) using Turkey's own resources. The SPO which is in charge of budget distribution in the country has facilitated the whole funding process for the benefit of the citizens. The reward has been imminent payoff thanks to the savings in time, labor, stationery and postal services. Besides, users do not need to go to courthouses unnecessarily. This reduces human circulation in the courthouses and helps judges, prosecutors and other judicial staff to focus better on their core tasks. This is particularly important for motivation and efficient use of resources. Judicial process has become more effective and smooth after the introduction of electronic practices.

The system has been developed and is maintained by the software developers in the Department of Information Technologies (IT Department) of the Ministry of Justice. IN addition, the IT Department has a 7/24 Helpdesk which provides solutions to the problems citizens, lawyers, institutions and expert witnesses face when using the services.

On the other hand, users can communicate their complaints and recommendations about the services by email or using the websites of the services. These inputs and feedback are used to improve the services constantly. The system is focused on the interests of users in the delivery of public services.

## **Is the initiative sustainable and transferable?**

In no more than 500 words, describe how the initiative is being sustained (for example in terms of financial, social and economic, cultural, environmental, institutional and regulatory sustainability). Describe whether the initiative is being replicated or disseminated throughout the public service at the national and/or international levels and/or how it could be replicated

These innovative services bring the courts and other judicial units to the individuals or organizations. People can now instantly and electronically perform judicial transactions and procedures which used to take hours, days and even weeks in the past.

Lawyers and companies are required to provide a small amount of copayment for selected services in order to support the improvement of services and funding of software and hardware required for the systems. This approach helps to maintain service quality, to expand the scope of services and to ensure the sustainability of the system.

Services are based on a similar infrastructure. The services which had initially been launched for citizens and lawyers were later rolled out to institutions-companies and expert witnesses. This is particularly useful for sustainability and adaptation to the needs of different target groups. It is already planned to provide similar services to security forces, universities and other target groups.

Moreover, discussions have been held with other countries for the adaptation of the system to their context. Technical support has been provided to establish a similar system in Bosnia-Herzegovina. Discussions with Syria, Ghana, Kosovo, Macedonia, Brazil, Nigeria and Turkic and Arab republics are underway for the same purpose.

Several countries and international organizations have already included online justice services in their strategic plans as this is a prerequisite of the modern age. In our consideration, these systems are sustainable socioeconomically, culturally and financially since they have been built on the existing UYAP infrastructure and allow users to save considerable time, effort and money. Users now need to spend hardly a few minutes at home or in the office to access information or to submit a petition to the court without having to visit a court or other judicial units.

## **What are the impact of your initiative and the lessons learned?**

**In no more than 500 words, describe the key elements that made your initiative a success.**

The online judicial service approach in Turkey represents a unique and groundbreaking concept in public justice services now that all judicial services are available electronically regardless of time and space.

The services have expedited the business processes in the judicial process and facilitated the supervision and thus transparency of judicial proceedings by the parties. A computer with internet connection is sufficient to initiate a case or enforcement proceeding, to access content of the files of cases and proceedings and perform all judicial transactions online with the only exception of the obligation to appear to before a court. All these procedures and transactions can be performed every hour of the day and each day of the week. These services have enabled easy access to justice and improved the efficiency and effectiveness of justice services.

The systems have considerably reduced the need to travel and paper consumption, which, in our consideration, is a valuable contribution to the efforts to counter global warming. An academic study suggests that these systems save tens of thousands of mature pine trees every year.

Users can access the system from any place which has an internet access and they are not bound by working hours. They also have access to all judicial data they need on a 7/24 basis as all judicial transactions and proceedings are instantly incorporated in the system. This is particularly important for reduced bureaucracy and well as the transparency and availability of judicial transactions and proceedings. An outstanding transformation has been implemented in the judiciary by creating paperless offices.

The workload of judicial units is reduced as lawyers can also query external institutions about the course and progress of the cases they represent and they can pay court fees and judicial costs online on a 7/24 basis. Lawyers and expert witnesses carry out all judicial transactions and procedures and make payments online. This has facilitated effective, transparent, accurate and easy implementation of tax audits.

The system is web-based, does not require any software installation and provides uninterrupted access to information. This ease of use is particularly important in serving the target groups. Users from all segments of the society can download the mobile applications of the system and use the system easily.

Users and citizens contribute their ideas to help improve the quality and expand the scope of services. The experience in Turkey clearly suggests that ICT can be used to solve many chronic problems in the judicial systems of different countries, prevent potential problems in the future, deliver justice smoothly and easily and minimize physical requirements of the judiciary by eliminating the need to go the courts and to use the time of judicial staff. The e-transformation of the Turkish judiciary and the resulting improvement in the quality of services can serve as a model for other countries and organizations.