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# DIGITAL TRANSFORMATION IN COURT ADMINISTRATION AND JUDICIAL PROCEEDINGS: A COMPARATIVE ANALYSIS ACROSS EU MEMBER STATES

#### **Abstract:**

This article considers digital technologies' transformation of court administration and judicial proceedings across European Union member states, concentrating on recent technological and legislative developments. Regulation (EU) 2023/2844 and Directive (EU) 2023/2843 are key to this shift as they require parties to identify electronically within cross-border civil, commercial, and criminal proceedings, to use videoconferencing, and to communicate securely. These actions rely on the e-CODEX system permitting secure electronic document exchange as they match EU plans for digital resilience plus interoperability. From fully operational e-justice platforms toward partial pandemic-accelerated solutions including Estonia, Denmark, the Netherlands, Italy, and others, the study identifies varying levels of integration through a comparative analysis of selected member states. While digitalization makes things more efficient, transparent, as well as accessible for justice, infrastructure, legal interpretation, with procedural rules still create disparities that obstruct uniform implementation. The eIDAS Regulation runs into some difficulties in terms of harmonizing electronic identification. Digitally mediated proceedings also battle to admit electronic evidence with integrity and safeguard fundamental rights. The study does also consider the impact of COVID-19 upon accelerating remote hearings, and this in turn highlights both efficiency gains as well as concerns regarding procedural fairness. Best practices include the integrated digital case management, the secure authentication systems, and the user-oriented e-justice portals. Challenges such as IT systems, data incompatibility, also digital exclusion provide for a sharp difference. To ensure EU digital justice reforms are resilient inclusive as well as respectful of the right to a fair trial while advancing interoperability plus access to justice across the internal market, the analysis concludes sustained investment coordinated training of legal professionals also reinforced regulatory oversight are important.

#### **Keywords:**

Digitalization of justice, e-CODEX, eIDAS regulation, Cross-border judicial cooperation, Electronic evidence

#### 1. Introduction

Across the European Union, court systems are shifting significantly as digitalization increasingly permeates judicial cooperation and court administration. Recent legislative efforts—most notably Regulation (EU) 2023/2844 and Directive (EU) 2023/2843—aim to modernize the conduct of judicial proceedings by promoting the use of secure digital communication channels, videoconferencing, and electronic identification mechanisms. These developments are all embedded within a broader transformation strategy, which seeks to improve cross-border legal interoperability, expedite proceedings, and enhance access to justice within the internal market.

Yet, this transition to digital justice also complicates matters. Countries such as Estonia, the Netherlands, and Denmark have demonstrated relatively advanced integration of e-justice tools. However, other jurisdictions continue to struggle with infrastructural constraints, interpretive discrepancies in the application of the eIDAS Regulation, and divergences in evidentiary standards related to electronic data. These institutional and legal disparities risk weakening both the coherence of the Union's justice systems and their accessibility.

In the context of cross-border litigation, this article explores how digital reforms in judicial administration intersect with the principles of effective legal protection and the right to a fair trial.

- Section 2 provides an assessment of the main regulatory initiatives at the EU level, with a focus on recent legislative measures and the development of the e-CODEX system.
- Section 3 presents a comparative analysis of selected Member States' legal and institutional responses to judicial digitalization, identifying both best practices and ongoing challenges.
- Section 4 reflects on the broader implications of these changes for access to justice and the foundational values of the EU legal order.

The article concludes by highlighting key observations/findings and offering recommendations to ensure that digital justice reforms across Member States remain resilient, accountable, and inclusive.

The European Union is actively working to digitalize judicial cooperation and ensure access to justice across member states. Regulation (EU) 2023/2844 and Directive (EU) 2023/2843 were recently adopted as initiatives to promote digital communication channels between authorities

and to create a European electronic access point for litigants (Valkova, 2024; Gascón Inchausti, 2024).

The e-CODEX system is being implemented to facilitate the secure electronic exchange of documents in cross-border cases (Buono, 2024; Onţanu, 2023). With support from EU funding programs such as the Recovery and Resilience Facility (Miron et al., 2024), these efforts contribute to enhancing digital resilience and advancing the broader digital transition strategy.

The digitalization process includes various aspects, such as electronic case management, videoconferencing, and e-signatures (Anthimos, 2023; Najafli et al., 2024). While progress has been made, challenges remain. Kramer (2022) and Onţanu (2023) emphasize that although solutions are being implemented, significant obstacles still need to be addressed.

Recent research also highlights the extent to which justice systems across EU member states have undergone digital transformation. Denmark, the Netherlands, Estonia, and Sweden are among the countries that have made substantial progress in digitalizing judicial proceedings and public administration (Răzvan-Andrei Corboș et al., 2024). The EU has initiated efforts to digitalize judicial cooperation in civil and commercial cases and has proposed mandatory digital communication and videoconferencing (Anthimos, 2023; Kramer, 2022).

However, challenges persist, including data incompatibility and the complexity of legacy systems (Irani et al., 2022). The Netherlands, in particular, has faced difficulties in implementing e-justice initiatives (Kramer et al., 2018). Both Estonia and the Netherlands have encountered challenges in implementing the eIDAS Regulation for electronic identification, including issues of compliance and interpretative discrepancies (Lips et al., 2020).

EU member states generally align with the public sector values prescribed by the Sigma project (van der Wal et al., 2008). This alignment reflects a shared commitment to digital transformation in justice systems, despite the persistent challenges.

## 2. The EU legal framework for digital judicial cooperation

Recent EU legal initiatives have significantly advanced judicial digitalization, with a strong focus on improving access to justice and enhancing cross-border cooperation. A plan was proposed

by the European Commission in 2021 to digitalize judicial cooperation in civil, commercial, and criminal matters (Kramer, 2022). This culminated in December 2023 with the adoption of Regulation 2023/2844 and Directive 2023/2843, which mandate the use of digital communication channels by authorities and establish a European electronic access point (Gascón Inchausti, 2024; Valkova, 2024). These initiatives build on earlier efforts, such as the e-CODEX system and prior updates to EU regulations (Anthimos, 2023).

Digitalization efforts include a range of components—electronic case management, videoconferencing, electronic signatures, and electronic document use (Najafli et al., 2024). There is also a focus on training justice professionals to adapt to these digital changes. Additionally, the potential use of artificial intelligence in judicial proceedings is an emerging area of attention (Buono, 2024). Overall, these developments aim to make judicial procedures across the EU more efficient, transparent, and accessible (Székely, 2021).

The eIDAS Regulation has had a substantial impact on judicial procedures across EU member states by enabling the digital transformation of processes and allowing cross-border interoperability of electronic identification (eID) systems (Gregušová et al., 2022; Dumortier, 2016). While the electronic service of documents in civil proceedings has improved, implementation challenges persist (Tsai, 2020; Lips et al., 2020). In response to the COVID-19 pandemic, regulators accelerated court digitalization—especially since e-CODEX emerged as the primary infrastructure for judicial cooperation (Onţanu, 2023). However, some countries continue to face difficulties aligning their existing e-government systems with eIDAS requirements (Klimkó et al., 2018).

Expanding on eIDAS principles, the new EU regulation on digital judicial cooperation promotes electronic communication, videoconferencing, and digital payments during legal proceedings (Gascón Inchausti, 2024). eIDAS is seen as crucial for the development of a digital common market, helping to integrate digital migrants across the EU despite ongoing challenges (Aavik & Krimmer, 2016).

Judicial procedures in EU member states have become increasingly digital in recent years—a marked advancement. Electronic judicial processes are now regulated through legislation in several countries, such as Hungary (Mészáros, 2018) and Estonia (Mańko et al., 2022). The EU has adopted new regulations to support digital judicial cooperation (Valkova, 2024; Gascón Inchausti, 2024) as part of its broader e-government strategy (Mészáros, 2018). Regulation 2023/2844 and Directive 2023/2843 modernize cross-border civil, commercial, and criminal

proceedings (Valkova, 2024). To enable secure digital communication between courts and citizens, the e-CODEX system has now been firmly established (Mańko et al., 2022).

These advancements offer clear benefits, such as simplified and expedited cross-border proceedings (Tsai, 2020). However, challenges remain, including language barriers, access to accurate legal information, and the user-friendliness of digital systems (Kramer, 2016).

Digitalization in terms of judicial cooperation in cross-border proceedings has been actively pursued by the European Union in particular. Recent legislative developments, such as Regulation 2023/2844 and Directive 2023/2843, seek to modernize and strengthen judicial cooperation in civil, commercial, and criminal matters (Valkova, 2024; Gascón Inchausti, 2024). These efforts build upon earlier initiatives such as e-CODEX, which provides a technological backbone to enable secure digital communication between courts and citizens (Mańko et al., 2022). The new regulations promote electronic service of documents, videoconferencing, and electronic signatures, as noted by Tsai (2020) and Gascón Inchausti (2024). However, detailed national procedural rules create difficulties that affect the uniform application of EU-wide procedures (Velicogna et al., 2015, 2017). The digitalization process requires careful consideration of both technological and legal aspects to ensure a sustainable and accessible e-justice system (Onţanu, 2019). Despite progress, additional efforts are needed to fully integrate digital technologies into cross-border judicial proceedings (Kramer, 2022).

The eIDAS Regulation aims to harmonize electronic identification and trust services across the EU, enabling mutual recognition of eID schemes (Dumortier, 2016; Gregušová et al., 2022). It also establishes a common legal framework for web authentication, timestamps, electronic seals, and electronic signatures (Andrade, 2018). The regulation impacts national legislation, requiring amendments to unify e-signature laws (Gregušová et al., 2022). Existing public administration models must inform implementation (Klimkó et al., 2018), while notified eID schemes must also adapt to evolving technological trends (Sharif et al., 2022). Across EU countries, the eIDAS infrastructure authenticates users, although specific services may require additional attributes (Berbecaru et al., 2019; Flexner & Kerr, 2021). Supporting national egovernment goals and cross-border initiatives such as Estonia's e-residency project (Aavik & Krimmer, 2016), eIDAS creates obligations that contribute to the building of a dependable Digital Single Market within the EU (Andrade, 2018).

To improve cross-border cooperation and access to justice, the European Union has actively worked to ensure that digital judicial systems are interoperable. Regulations 2019/817 and 2019/818 establish a framework for interoperability between EU information systems in the Area

of Freedom, Security, and Justice (Au-Yong Oliveira, 2019). These efforts aim to enhance security and information-sharing, while safeguarding fundamental rights (Au-Yong Oliveira, 2019; Jánosi, 2021). As a reference point for e-Justice continues to develop, the EU implements administrative interoperability solutions (Covelo Abreu & Silveira, 2018). Legal instruments such as the European Payment Order and Small Claims Procedure promote interoperability among courts, citizens, and judicial actors (Mellone, 2014). Regulation 2023/2844 and Directive 2023/2843, recently adopted, further modernize judicial cooperation and ensure fair trials in cross-border cases (Valkova, 2024). However, challenges remain in balancing the benefits and costs of increased interoperability, suggesting a need for careful analysis of specific issues (Kerber & Schweitzer, 2017; Carullo, 2015).

National legislation has increasingly addressed the admissibility, collection, and management of electronic evidence in judicial proceedings. Due to updates in domestic laws, many countries now recognize electronic data as legal evidence (Guo, 2023; Anyebe, 2019). However, legal systems still struggle to consistently define and regulate electronic evidence (Akhtyrska, 2023; Sethia, 2016). Some countries have developed specific guidelines for the collection and examination of digital evidence (Guo, 2023), while others still lack clear regulations—especially in criminal proceedings (Fomina & Rachynskyi, 2023). Electronic evidence is generally admissible if it meets integrity and authenticity requirements (Leroux, 2004; Yoo & Shon, 2013). Courts in various jurisdictions continue to grapple with issues such as certification requirements, the distinction between primary and secondary evidence, and the admissibility of screenshots (Sethia, 2016; Akhtyrska, 2023). Despite these challenges, legal systems worldwide are increasingly recognizing and regulating electronic evidence (Rusakova & Falkina, 2024).

Remote court hearings have become increasingly prominent, especially during the COVID-19 pandemic, as they helped maintain judicial activity while improving efficiency (Inchausti, 2022; Koshman, 2024). However, remote hearings also pose challenges to procedural safeguards such as immediacy and publicity (Inchausti, 2022; Legg, 2021), even as they offer benefits like increased access to justice and reduced costs. Several countries have implemented legal frameworks to address these concerns. These frameworks aim to strike a balance between efficiency and fairness (Sanders, 2021; Biral, 2024). Italy, for example, has consistently allowed participants to appear via videoconference during proceedings (Biral, 2024). Nigeria is currently considering legal reforms to enable fair hearings during remote court sessions (Davies & Olugasa, 2022).

Whether remote justice is appropriate should be determined on a case-by-case basis, taking into account factors such as the complexity of the case and the parties' technical capabilities (Koshman, 2024). Efforts are ongoing to improve remote justice practices so that they meet the requirements of fairness, transparency, and accountability (Koshman, 2024; Bilevičiūtė, 2022).

Recent research highlights the ongoing digitalization of judicial processes in the European Union, driven by new regulations and directives aimed at modernizing cross-border judicial cooperation (Valkova, 2024; Kramer, 2022). Despite progress, significant challenges remain. These include disparities in national digital infrastructures, language barriers, and the need for systems to be user-friendly (Kramer, 2016; Tičić, 2022). The implementation of e-justice initiatives such as e-CODEX seeks to streamline electronic filing and communication between Member States (Velicogna et al., 2015; Onţanu, 2019).

Achieving a fully digitally harmonized justice system across the EU faces several obstacles. These stem from the complexity of integrating diverse national legal systems and technological frameworks (Najafli et al., 2024; Onţanu, 2023). While these challenges persist, the COVID-19 pandemic accelerated the adoption of digital tools in judicial processes. This may enhance access to justice, but it also demands careful consideration of legal and procedural implications (Onţanu, 2023; Kramer, 2016).

Below follows an analysis of the legal frameworks of selected jurisdictions. Studies indicate that digitalization in court administration has improved access to justice, enabled remote hearings, enhanced transparency and trust, increased user satisfaction, and facilitated better access for cross-border users. Despite these positive outcomes, the system continues to face multiple challenges, as outlined in the sections that follow.

## Models

Country	Legal Provisions	Digital Solutions	Integration Level
Germany	European Union and national laws on e-justice, European Order for Payment	e-CODEX, videoconferencing, European Case Law Identifier	Partial, with ongoing reforms
Netherlands	(EOP), European Arrest Warrant (EAW) National reforms (Quality and Innovation, KEI), European Union frameworks	(ECLI)  KEI, e-CODEX, ECLI, Online Dispute Resolution, digital case management	Advanced in civil, challenges in criminal

Country	Legal Provisions	Digital Solutions	Integration Level
Italy	National e-justice laws, European Union regulations	Trial OnLine, Telematic Civil Process (PCT), e-CODEX, e-Curia	Civil: fully integrated; Criminal: less developed
Switzerland	National e-justice strategy	Justitia 4.0	Ongoing, national portal
France	National digitalization laws, European Union frameworks	Digitalized civil proceedings, videoconferencing	Ongoing, partial integration
Estonia	National digitalization laws, European Union frameworks	Electronic registers, X-Road data exchange, electronic notariat	Fully integrated, model system
Poland	National reforms, European Union digitalization directives	Remote hearings, digital case files	Ongoing, pandemic-accelerated
Portugal	National electronic procedure law	Electronic administrative procedure	Advanced, with pandemic adaptations
Slovenia	National law on enforcement automation	Centralized automated enforcement (COVL)	Fully integrated
Lithuania	European Union Digitalisation Directive	Online company formation, Single Digital Gateway	Implemented post-Directive
Croatia	Emergency pandemic legislation	Remote hearings, electronic communication	Partial, emergency-driven
Austria, Denmark, England/Wales	National and European Union frameworks	Electronic File (E-File), Justiz 3.0, data tracking (datafølgesedlen)	Varies

Study	Improvements	Implementation challenges Success factors	
Rękawek- Pachwicewicz, 2021	50% savings in personnel/office costs; remote work	High initial investment, cybersecurity	Secure authentication, X-Road integration
Koliesnikov et al., 2024	500,000+ remote hearings; 13.5 million+ documents delivered	Digital exclusion, security	High lawyer adoption, e-service integration
Esposito et al., 2023	80% accuracy in predicting prolonged trials	Data quality, workflow complexity	Machine learning, expert validation
Oliveira et al., 2023	Case resolution rates greater than 100% during pandemic	Need for robust conceptual framework	One-Stop Counter, real-time connectivity
Sakowicz and Zieliński, 2024	Expedited proceedings, cost savings	Digital exclusion, confidentiality	Unified digital system, hybri translation
Advanced, with pandemic adaptations Fully integrated		Implemen ted post- Directive	Partial, emergency-driven
Austria, Denmark, England/Wales		National and European Union frameworks	Electronic File (E-File), Justiz 3.0, data tracking (datafølgesedlen)
Strojin, 2014		Decision times reduced from 6 months to 2 days; reduced staff and costs	Need for legislative, technological, organizational, and promotional alignment
Sousa et al., 2022		Case processing reduced from weeks to milliseconds; cost savings	Adaptation of work processes, digital skills
Rękawek- Pachwicewicz, 2021		Secure authentication, digital signatures	Cybersecurity threats

Varies

Centralized jurisdiction, modular development, open standards

Simultaneous access, mobile devices

X-Road data exchange, regular updates Recent EU-funded projects have had a significant impact on national legislative reforms, particularly in the area of judicial digitalization. e-CODEX has established infrastructure for cross-border e-justice services, including European Payment Orders and secure data exchange (Pangalos et al., 2014; Carboni & Velicogna, 2012). These initiatives aim to make justice more accessible, increase system efficiency, and enhance collaboration among national judicial systems (Lupo & Bailey, 2014).

In December 2023, the EU adopted a new Regulation on the digitalization of judicial cooperation, which promotes the use of digital communication channels and establishes a European electronic access point (Gascón Inchausti, 2024). However, technological, organizational, and normative factors present challenges for implementation, as discussed by Carboni and Velicogna (2012).

The e-Evidence Digital Exchange System (eEDES) facilitates streamlined data exchange in cross-border criminal cases (Buono, 2024). Despite its benefits—such as increased efficiency and reduced costs—concerns remain about potential risks and drawbacks, including data security and due process safeguards (Buono, 2024; Velicogna et al., 2018).

#### 3. National approaches to judicial digitalization: A comparative perspective

The EU continues to digitalize judicial cooperation to ensure that member states can access justice through a range of legal instruments and initiatives. In December 2023, a new regulation promoted digital communication channels for judicial cooperation, established an electronic access point for litigants, and generalized the use of electronic signatures and documents (Gascón Inchausti, 2024). The EU is also developing a Justice Digital Service Infrastructure to create an open area of justice (Velicogna et al., 2018). IT systems must be interoperable within legal services to foster innovation, and interoperability helps reduce barriers to entry (Carullo, 2015). However, linking databases raises concerns about fundamental rights, particularly in relation to data protection and non-discrimination (Casagran, 2021). The EU also regulates electronic evidence in criminal matters. According to Gál (2024), a series of regulations have been adopted to facilitate this exchange. These developments aim to enhance the resilience and efficiency of justice systems while promoting judicial cooperation, balancing adequate judicial protection with the effective application of EU law (Havu, 2016; Mohay & Szijártó, 2022).

The legal framework for electronic evidence in judicial proceedings has evolved significantly, addressing key challenges related to its admissibility, collection, and

management. To ensure the reliability of electronic records, courts increasingly rely on "dependable systems" (Piasecki, 2009). Because electronic evidence is volatile, specialized approaches are required to preserve its integrity (Koutsoupia, 2024). Practical challenges are managed through developed guidelines, which help ensure that legal principles are upheld (Jokubauskas & Świerczyński, 2020). The EU has introduced instruments like the European Production and Preservation Orders to facilitate cross-border gathering of electronic evidence (Kuczyńska, 2024). Nevertheless, difficulties remain in aligning electronic content data with traditional evidence frameworks, as highlighted by Kusak (2024). In 2022, Khamidov analyzed methodological rules for handling digital evidence, emphasizing collection, verification, and evaluation. The European Investigation Order allows a requesting state to apply its own national law when seeking evidence from another country (Jurka, 2019). Despite progress, challenges in evaluating evidence quality and maintaining evidential standards persist (Sommer, 1997).

The Netherlands has taken proactive steps to address electronic evidence in judicial proceedings through both legislation and practice. While criminal law and data protection law in the Netherlands are not fully integrated, Dutch criminal courts have developed frameworks for the admissibility of digital evidence (Custers & Stevens, 2021). For electronic records to be admissible in court, they must be truthful, often verified through personal testimony and the use of dependable systems (Piasecki, 2009). The volatile nature of electronic evidence poses ongoing challenges for collection and preservation, requiring specialized approaches to ensure integrity (Koutsoupia, 2024; Sommer, 1997). The Council of Europe has issued guidelines to address practical issues related to electronic evidence, aligning them with legal principles (Jokubauskas & Świerczyński, 2020). Dutch courts have also implemented e-justice tools—for example, videoconferencing, which requires inter-organizational coordination (Henning & Ng, 2009). The proper collection, extraction, and examination of electronic data remains critical for its use in criminal proceedings (Wang & Liu, 2019).

Like other EU member states, the Netherlands is adapting to the challenges posed by electronic evidence in court proceedings. As of August 2026, new EU regulations on European Production and Preservation Orders will take effect, aiming to streamline the collection and transmission of electronic evidence across borders (Kuczyńska, 2024; Gál, 2024). These regulations address key issues of admissibility and evidence management (Jurka, 2019). However, challenges persist in securely transmitting and properly evaluating e-evidence (Gál, 2024; Sommer, 1997). Courts must continue to develop methods to assess the authenticity and reliability of digital evidence, particularly when it originates in other countries (Cole & Quintel, 2018). Moreover, court management systems face mounting difficulties due to the increasing volume of digital evidence (Dillon & Beresford, 2014). For effective implementation of EU-wide e-evidence regulations,

harmonization of national laws and practices is essential as the legal framework continues to evolve (Khamidov, 2022).

Belgium has undergone significant changes in its approach to electronic evidence in judicial proceedings. Initially, the country applied a strict exclusionary rule for any illegally obtained evidence. However, around 2003, this approach became more permissive, and the revised principles were later incorporated into statutory law (Verbruggen & Conings, 2021). As the EU moved from the Evidence Arrest Act to the European Investigation Order (Jurka, 2019), it developed more effective mechanisms to facilitate the transmission of evidence between member states. The recent Regulation 2023/1543 on European Production and Preservation Orders for electronic evidence, which will take effect in 2026, is part of this evolution (Kuczyńska, 2024; Gál, 2024). The regulation aims to streamline the cross-border gathering and exchange of electronic evidence. Nevertheless, ensuring admissibility, authenticity, and proper handling of digital evidence remains a challenge (Sommer, 1997; Khamidov, 2022; Kerr et al., 2004). Moussa (2021) emphasizes that secure data transmission methods are essential and that international cooperation is crucial for preserving evidence integrity.

Recent research underscores that the legislation of many EU member states still lacks fully digitized judicial processes. While progress has been made in areas such as e-justice portals, videoconferencing, and electronic signatures (van den Hoogen, 2008), standardizing cross-border digital communication and evidence exchange remains problematic (Gascón Inchausti, 2024; Gál, 2024). The new EU Regulation on digitalizing judicial cooperation promotes tools such as e-CODEX and establishes a European electronic access point to address these challenges (Gascón Inchausti, 2024). However, concerns persist, particularly regarding the effectiveness of courts in protecting personal data during information-sharing activities (Eliantonio, 2016) and in reviewing compliance with EU harmonized standards (Eliantonio, 2017). Member states also differ significantly in their pace and model of digital transformation, which impacts both public administration and access to digital justice services (Profiroiu et al., 2023). As a result, current efforts focus on improving digital infrastructure and training justice professionals (Buono, 2024). In parallel, secure platforms for evidence exchange are being developed (Velicogna et al., 2018; Gál, 2024).

Recent research further highlights how judicial processes are being digitalized across the European Union. For instance, Estonia has introduced major reforms to allow remote notarial transactions and online annual meetings (Härmand, 2021). Several other countries have adopted electronic communication and filing systems. In Germany, legal reforms now include provisions for virtual annual general meetings (Härmand, 2021). The new EU regulation promotes digital channels for judicial cooperation, including the creation of a European electronic access point and a framework for videoconferencing in

judicial proceedings (Gascón Inchausti, 2024). Notable e-justice platforms include e-Curia for the EU Court of Justice, Italy's Civil Trial Online, and the Netherlands' KEI system (Reiling & Contini, 2022). These initiatives aim to enhance efficiency, transparency, and access to justice for all (Naichenko, 2021). Nevertheless, significant challenges remain—particularly the need for comprehensive regulations and stronger information protection systems (Klich, 2021; Naichenko, 2021).

Electronic judicial procedures have been shaped by several landmark rulings from the Court of Justice of the European Union (CJEU), which apply across EU member states. These include decisions on national judicial independence (Ovádek, 2022), data retention and privacy (Maxwell & Tomlinson, 2021; Granger & Irion, 2014), and the preliminary ruling procedure (Kustra, 2015; Mohay & Szijártó, 2022). The CJEU has also clarified rules concerning posted workers (van der Mei, 2018) and emphasized the importance of both open justice and e-justice infrastructure in cross-border litigation (Velicogna et al., 2018). Moreover, the Court has established strict scrutiny standards for EU legislative acts that interfere with fundamental rights (Granger & Irion, 2014). It has also confirmed that EU law interacts with national procedural rules (Havu, 2016). Collectively, these rulings have had a significant impact on the EU legal framework by strengthening judicial protection, data privacy, and ensuring the uniform interpretation of EU law across member states.

National courts in Germany, Estonia, and Denmark have adopted varying approaches to the validity and admissibility of electronic signatures in judicial documents. Germany amended its legislation to allow virtual annual general meetings (Härmand, 2021), while Estonia enacted new laws enabling remote notarial transactions and online meetings (Härmand, 2021). Denmark has historically been more cautious in adopting global and European legal standards, including those related to electronic signatures (Rytter & Wind, 2011). Legal experts have described the liability landscape for misuse of electronic IDs as complex—particularly in Estonia, where such systems are widely used (Astrup Hjort et al., 2025). Under Article 267 TFEU, the CJEU has increasingly scrutinized questions referred by national courts, focusing now also on their admissibility (Wahl & Prete, 2018). In general, national interpretations and implementations of electronic signatures reflect each country's legal culture and institutional framework (Lentner & Parycek, 2016), with Estonia typically embracing digital technologies more progressively than Germany or Denmark.

National jurisprudence regarding digital interoperability standards within judicial administration has also been significantly influenced by recent EU case law. The CJEU has extended its jurisdiction over harmonized standards, fostering closer integration between the European judiciary and technical standardization regimes (Cuccuru, 2018). This has led to what some describe as a "juridification" of standard-setting, as harmonized

standards fall within the scope of EU law (Tovo, 2018). The Court has challenged the historically closed nature—or "club mentality"—of standards-making bodies, opening them to judicial review (Gestel & Micklitz, 2013). Furthermore, it has increasingly shaped national procedural mechanisms by imposing positive obligations on Member States (Cleynenbreugel, 2012). Judges thus influence the practical application of EU law at the bureaucratic frontline, where domestic legal signals often shape outcomes despite overarching EU complexity (Martinsen et al., 2019). These developments underscore the growing importance of EU law in promoting e-Justice and interoperability across the internal market (Carullo, 2015).

National courts have adopted electronic procedures within judicial processes as justice systems increasingly embrace digitalization. This shift has led to more efficient and accessible legal proceedings (van den Hoogen, 2008; Setiawan et al., 2024). However, the implementation of e-justice platforms also raises concerns about fair procedures and judicial governance, as highlighted by Reiling and Contini (2022). The COVID-19 pandemic accelerated the use of electronic delivery for legal notices, challenging the traditional reliance on physical delivery requirements (Singh, 2024). While digitalization offers clear benefits, it can also open new avenues for procedural abuse (Melnikova, 2023). Courts are adapting accordingly, with judicial decisions increasingly shaping procedural rules in some jurisdictions (Torres, 2017; Cleynenbreugel, 2012). As electronic litigation becomes more widespread—particularly in international contexts—courts are applying stricter scrutiny to procedural requirements (Wahl & Prete, 2018). This evolving landscape compels a reassessment of how to balance technological innovation with legal safeguards and procedural justice.

#### 4. Conclusions

The digital transformation of judicial administration and cross-border cooperation across the EU represents a significant advancement in justice access, justice delivery, and the justice experience. Legislative instruments such as Regulation 2023/2844 and Directive 2023/2843, along with infrastructural innovations like e-CODEX, reflect a coordinated effort to reconfigure justice systems in line with technological capabilities and normative imperatives within a digital society.

However, the effectiveness of these measures remains unevenly distributed among Member States. This unevenness reveals substantial disparities in implementation, interpretation, and infrastructural readiness. Factors such as legal heritage, governmental

resources, and specific features of procedural law continue to influence how digital tools are adopted and applied. These divergences call for a context-sensitive approach, balancing the pursuit of interoperability with the preservation of procedural fairness and the right to a fair trial.

Our analysis demonstrates that, while digitalization offers clear opportunities to enhance transparency, efficiency, and access to justice, it also raises complex legal challenges concerning data protection, evidentiary standards, and judicial accountability. To address these challenges, technological investment must be coupled with sustained regulatory oversight, coordinated training for legal professionals, and a reaffirmation of fundamental rights within digitally mediated judicial environments.

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