



Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union i.n.p.a.

Association des Conseils d'Etat et des Juridictions administratives suprêmes de l'Union européenne a.i.s.b.l.

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NACZELNY SĄD ADMINISTRACYJNY

With the collaboration of the Supreme Administrative Court of Poland

And the support of the task group "Access to national Case law" of the Council of the European Union

European Case Law Identifier (ECLI) and meta-data: harmonisation of case law identification in the European Union

Questionnaire

Warsaw

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(Simultaneous interpretation English/French/Polish)

Conference organised with the support of the European Commission



Member State: Poland.

Court: Supreme Administrative Court

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1. Are you aware of the ECLI system? If yes, how did you hear about it?

I've heard on the ECLI first time about a year ago during some presentation of the e-Justice portal. Then it was mentioned as one of portal's future developments planned.

The real awareness of the project I've got from the correspondence concerning this seminar, spring this year.

2. After reading the text of the [Council conclusions](#), are there items you do not understand or on which you would like further information? If so, please specify.

In my opinion the document is clear enough. Only the §2 of the Annex concerning metadata needs more specialised knowledge but it's addressed to the specialists.

By the way the Polish version of the document has several language flaws in technical terminology – seems the translation services were not prepared enough to deal with such matter.

3. Are there any barriers to the implementation of such a system in your court (or the courts of your Member State)?

Technical? Other? Please specify.

Technically speaking there are no obstacles in implementation ECLI in Polish administrative courts. All the necessary adaptations are possible given the decision on the implementation will be made. However some requirements concerning metadata can be difficult to meet because of related workload – that is the case mainly of decisions abstracts (dcterms:abstract). In Poland they are prepared for publication purposes only, not for each decision in the caselaw database.

4. What adaptations are needed in your court (or the courts of your Member State) to implement the ECLI system requirements?

There are two types of adaptations needed.

First one are regulatory ones: internal regulations of the administrative jurisdiction (and of general jurisdiction courts accordingly) concerning gathering and publication of caselaw need to be amended.

Second one are technical adaptations of the existing information systems of the courts to enable handling of ECLI and xml format metadata.

5. What meta-data (a) required or b) optional) for ECLI are already in place in your court (or the courts of your Member State)?

Following metadata are available now in the caselaw database of Polish administrative jurisdiction:

dcterms:identifier; dcterms:creator; dcterms:coverage; dcterms:date; dcterms:accessRights; dcterms:type; dcterms:title; dcterms:description; dcterms:contributor; dcterms:references

As regards dcterms:subject clarification is needed as this metadata requires identification of field of law. In our database a detailed classification of categories of cases is available – it's a large catalogue of numerical symbols with description of each of them. It is generally fulfilling the requirement of identification of field of law. If that would suit ECLI system also this metadata is available.

Abovementioned metadata are currently not available in xml format but they can be implemented in this format.

6. Are there any obstacles for your court (or the courts of your Member State) to extend the available metadata?

This is technically possible given the decision on the implementation will be made.

7. Is there a national coordinating authority in your Member State? If yes, please provide coordinating entity's name and contact details.

If not, which organisation do you think should play this role?

There is no coordinating authority on ECLI in Poland. There is a Department of Computerisation and Court Registers in the Ministry of Justice dealing with such issues but they are not aware of the ECLI project. As Polish administrative jurisdiction is a completely autonomous structure also in the terms of court administration and technical support, decisions concerning our databases will be made in the Supreme Administrative Court.

8. Do judicial institutions in your Member State cooperate on implementation of ECLI standard metadata? Please specify, especially if you have examples of good practice.

No such cooperation exists – the ECLI is generally an unknown subject.

9. Are there interoperability problems between ECLI and standard metadata on the one hand and European or national semantic web initiatives on the other hand?

We are not aware of any of such problems at this stage.

10. In your Member State, are there already plans to implement ECLI? Please tick the relevant box.

- Implementation already underway (see next questions)
- Implementation to start in the short-term (within 1 year)
- Implementation to start in the medium-term (2-5 years)
- Implementation to start in the long-term (> 5 years)
- No specific plan

Additional comments:

ECLI is generally a new subject here so any decisions are to be made in future.

11. Are you planning to apply ECLI to all case law, retroactive / legacy, or will you limit its use to the new case law?

As above: ECLI is generally a new subject here so any decisions are to be made in future.

12. In case your court (or the courts of your Member State) is already implementing ECLI, to share information on best practices, please provide additional information on:

Preparations undertaken:

None for now

Timetable:

None for now

Financial costs:

None for now

Other resources:

None for now

Difficulties encountered:

None for now

Other information:

None for now