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Online Platform 'European Small Claim Platform Network'

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¹ **Types.** R: Document, report (excluding the periodic and final reports); DEM: Demonstrator, pilot, prototype, plan designs; DEC: Websites, patents filing, press & media actions, videos, etc.; OTHER: Software, technical diagram, etc.

² **Dissemination levels.** PU: Public, fully open, e.g. web; CO: Confidential, restricted under conditions set out in Model Grant Agreement; CI: Classified, information as referred to in Commission Decision 2001/844/EC.



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Acronyms and Abbreviations

Acronym/Abbreviation	Description
SCAN	Small Claims Analysis Net
ESCP	European Small Claims Procedure
VUB	Vrije Universiteit Brussel
HEC	Hautes Etudes Commerciales de Paris
UNINA	Università degli Studi di Napoli Federico II
LUIS	Libera Università Internazionale degli Studi Sociali Guido Carli
COA	Consiglio dell'ordine degli Avvocati Di Roma
UL	Univerza V Ljubljani
VU	Vilniaus Universitetas
UAE	Union des Avocats Europeens



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1. Online Platform ‘European Small Claims Network’

The SCAN project (Small Claims Analysis Net) was created in order to ensure the efficient implementation of the European Regulation (EC) No. 861/2007, as amended by the Regulation (EC) No. 2015/2421, introducing the European Small Claims Procedure (ESCP) framework.

In order to reach a larger number of stakeholders, the SCAN Project decided to set up a website and host an ESCP online platform to create a small claims network.

The technical, content and graphic architecture of the website and the platform have been built in two different moments: the website since the beginning of the Project SCAN, as a support to the research, study and dissemination activities on the ESCP issue; the platform has been structured to according to the need to enhance the website aim to spread the awareness of the procedure among citizens, consumers, small and medium-sized enterprise, legal practitioners too.

2. Report on IT technology.

2.1. Graphic and contents Rules

In September 2020 the website of SCAN Project was updated to enhance the aim of the project: to create a Network on small claims. Moreover, the online Platform was implemented too.

The website was updated by collaborator Cristina D’Onofrio as web project manager specialist while the online platform by collaborator Antonino Ferraro IT specialist. The platform and website have both been developed to make the small claims procedure easy to use. The content architecture and graphics too, had a human-centered approach: the people targeted are the citizens (consumers, small and medium-sized enterprises and legal practitioners), and the European procedure offers a simple solution to their problems, even without the assistance of a lawyer, quickly and at low cost.

The most appropriate way to enhance these aspects of the European procedure is through Legal Design, as it provides graphical content and text aimed at increasing the usefulness, usability and comprehensibility of the ESCP for both the user unfamiliar with the law and an experienced practitioner. Thus, the SCAN portal was built on two levels:



1. The website homepage should be dedicated to the SCAN project aim and all aspects related to the ESCP procedure;
2. The previous level should be completed with a web application, so-called European Small Claims Platform - EuSCPlatform, which is an interactive guide designed to provide support to the European citizen regarding the correct filling in of the claim form necessary to activate the European procedure.

The website updating aimed at generating innovative answers to concrete problems and needs of the user. It is important that the European citizen who in his or her different guises needs to be guided to a clear and useful understanding of the framework of the European Small Claims Procedure and the purpose of the SCAN Project, as a tool to help the concrete use of the ESCP.

At the graphic level, the new website interface was designed in terms of **graphics with a legal impact** i.e., *legal design* that allows the European citizen to immediately understand the aims of SCAN project and of ESCP too.

In terms of legal content and content architecture the web portal of SCAN enhanced:

1. the user experience (UX) by introducing in the home page Recent Posts related to the ESCP world in other EU Member States and related internal link;
2. interaction between ESCP and stakeholder with a “Contact Us” sidebar on the right;
3. the Online Platform ‘European Small Claims Procedure’ with dedicated pages “EuSCPlatform” and “The Game of ESCP” to introduce how the platform and the European procedure work.

Concerning communication towards the broader field of stakeholders the website is going to be multilanguage as well as the online platform.

With Regarding the second level, the SCAN project decided to develop an online platform called EuSCPlatform (European Small Claims Platform) structured to transpose the requirements of Regulation No. 861/2007 (as amended by Regulation No. 2421/2015) and Regulation No. 1215/2012 on jurisdiction. Finally, it was decided to supplement:

1. the rules for drafting the Claim form, which provides for ESCP;
2. Additional information and costs of the procedure.

The coding of EU regulations in the software, is the novelty of this application. Therefore, two tree diagrams were prepared, since which the structure of the application software of the online platform



was built. Thanks to the structure by roots, nodes and leaves (translation tools of the tree diagrams used to schematize the European procedure within the programming code of the web application) the user will be able to understand in a logical, clear and intuitive way what the European legislator prescribes regarding the concrete functioning of the ESCP.

The web application has three steps preceded by a welcome page presenting the intent of the procedure and some preliminary information clarifying the object and nature of the ESCP procedure. The first step helps the user to understand if it will be possible to use the ESCP or not. Both the IT specialist and the working group developed an interactive questionnaire. After each question, the user will be informed if he/she can continue with the questions or if his/her dispute cannot be resolved through the ESCP.

The second step of the web application is designed to help the user define in which EU Member State the competent court to resolve the dispute is located and, therefore, in which language the procedure will be conducted. After finding out in which Member State the competent Court to decide the dispute is located, it is hyperlinked to the European e-justice portal, to the section dedicated to load or to fill online and send the draft of the Form A.

The third step of the online platform will be helpful to have Additional Information and the Costs of procedure too. This step helps to solve inquiry about:

1. what happens if the court dismissed the Claim Form;
2. what happens after the court issued the judgment;
3. what the party must do after to have filled the Claim Form
4. what happens if the judgment is in the party favor.
5. court fees by clicking on the Member State's flag the user is interested.

In each step described (homepage, applicability, competent court and language, additional information, and costs) there are links to the European e-Justice portal related to:

- The filling in forms, sending or uploading them;
- The Regulation 861/2007;
- The Regulation 1215/2012;
- Information for Region
- Court fees.



The Links about the ESCP related to European e-Justice portal are about the beta version but there is still the standard version running in parallel until the migration process will be completed.

To create a network on small claims, the online platform has an "About" section to redirect the user to the homepage of the SCAN project website, where the contact form and telephone number available for further information can be found.

To increase the level of inclusiveness for the users that should access to the procedure, the platform will be translate in all EU Languages. Thus, the translation assignment was entrusted to the company Effe Erre Congressi srl Unipersonale on 29/01/21, which will be published by the middle of February at least.

2.1.2. Critical issues concerning the actual operation of the online platform.

During the testing phase of the platform, some critical points concerning its actual operation were highlighted. In order to ensure consistency in the communication and development of the European procedure by means of applications, all the corresponding links of the European e-Justice portal have been included in the EuSCPlatform. However, the portal currently has a dual version: standard (alpha) and beta. The links included in the platform refer to the beta version and a warning has been included (as does the e-justice portal) that this is a version that still needs to be migrated. Thus, the beta version is added to the 'standard' version e-justice.europa.eu until the process has been completed. This is a critical point, because if the user is guided by the EuSCPlatform and understands how to start the ESCP, he/she must land on one up-to-date portal. The user must be provided with up-to-date information and directed towards a single path that does not create discontinuity in the process of completion, forwarding, finding additional information. About this point, an Advisor has identified a problem arising instead when it is necessary to identify the competent Court within the nation, which occurs by clicking on the link: "Find the competent court by clicking here and here" which directs to the site <https://beta.e-justice.europa.eu/> For example, in the event of a dispute to take root in Italy, the competent judge is correctly identified in the Justice of the Peace, but the portal is not updated. In fact, if the user types the city of Gragnano (NA), the portal identifies the competent forum in the "Giudice di Pace di Torre Annunziata", while competent is the same "Giudice di Pace di Gragnano". Furthermore, the address of the headquarters of the "Giudice di Pace di Torre Annunziata" is also incorrect. And again in the case of a dispute to be rooted in Belgium in the city of Brussels, a single forum is not identified but there are six different courts, This implies a break in the concrete operation



of the EuSCPlatform and the ESCP procedure itself, because the user can't understand the complete and right information about where to send the Claim Form and where is the competent court for his/her case. Thus, these two critical issues of European e-Justice Portal do not match the simplification and optimisation efforts of the platform to achieve the concrete and efficient implementation of ESCP at European level.

2.2. System and Data Architecture.

The Online Platform was developed by PhD student Antonino Ferraro, taking care and coordinating the activities concerning the Functional Analysis, the definition of the Software Requirements Specification (SRS), the definition of the System and Data Architecture, the software development phases and the testing and commissioning phases. The collaborator dealt with the study of the system domain, to arrive at the definition of a Requirements Specification document, which was used in the subsequent design and development phases. Starting from the SRS document, the collaborator, in agreement with the working group, took part in the activities of designing the application architecture of the system and defining the schema of the data to be made persistent. The design choices were adopted also in view of the non-functional requirements of scalability, confidentiality, availability, and portability.

The online platform uses Microsoft Blazor, Core.net web application with Azure cloud B1, 1.75 Gb RAM, 5 Gb Storage, 1 Instance.

The Web application is the best technology according to the aim of the platform because:

1. it is multi-platform operating on all browsers and devices;
2. it also has local data storage;
3. it can be found via a website;
4. it does not require installation;
5. updates are implemented by the service and are available without the user having to do anything;
6. it is only available via the internet.



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3. Attachments

European Small Claims Platform

About

Home

ESCP Applicability

Competent Court and Language

Additional Information and Costs

WELCOME TO THE EUROPEAN SMALL CLAIMS PLATFORM

European Small Claims Procedure - ESCP:

The easy way to solve your claim!

YOUR GUIDE TO SOLVE EUROPEAN CROSS-BORDER SMALL CLAIMS.

DEFEND YOUR RIGHTS IN ALL EUROPEAN COUNTRIES EASILY AND WITH JUST A FEW CLICKS!

Are you a citizen domiciled in one of the EU Countries? or

Are you a small or medium-sized company based in one of the EU Countries?

You are in the right place if:

1) you want to solve a small claims (maximum 5,000 euros) against a counterpart resident in another EU country

2) you are looking for information on the fastest way to solve your claim at the competent court

WHAT YOU CAN DO ON THIS PLATFORM

You can immediately evaluate without losing time or spending money

1) whether your case is included among the cases qualifying for the "small claims" procedure

2) which court is competent

3) how much it costs

4) You can find the form to be filled in to submit your claim, which we refer to as Form A. You will be able to:

-download it from [here](#) and proceed to fill in it, following the GUIDE and then upload it online [here](#) OR

-fill it, directly online by clicking [here](#).

Small claims forms

Form A - Claim form

Form B - Request by the court or tribunal to complete and/or rectify the claim form

Form C - Answer form

Form D - Certificate concerning a judgment in the European small claims procedure or a court settlement

Load Draft

YOU CAN ACCESS THIS SERVICE IN CASES SUCH AS

1) you have purchased a faulty product

2) you have received a service unsatisfactory

3) you are a credit holder

4) you have had an accident and suffered damage

5) all other cases in which you have suffered damage due to a commercial transaction, including through e-commerce platforms and with other parties resident in the European Union.

YOU CAN TRUST US BECAUSE

1) this is a platform funded by the European Commission

2) the procedure is governed throughout the European Union by CE Regulation No 861/2007

3) your case will be solved by a professional judge, competent in terms of value. If you wish to know more information and the cost of the procedure click on [Additional information and Costs](#)

If you wish all the information on the simplified procedure for the resolution of small claims, please visit [www.scanproject.eu](#) or [www.e-justice.europa.eu](#) We have prepared a Guide for you, to make the procedure easier!

Follow the steps below and answer the questions! You'll see, it's very simple.

So, are you ready to check for yourself in just a few clicks whether your small claim is eligible for the simplified settlement procedure?

Let's get started!



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ESCP Platform

Building a Blazor W...c# - How do you cr...GitHub - Ichendrick...Top Code Repositor...SeminariThe GII-GRIN-SCIE (...IELTS Reading: Cam...

European Small Claims Platform

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Let's check if your small claims can to be solved by European Small Claims Procedure

Does the value of your claim exceed €5000, excluding all interest, expenses and disbursements?
Please select Yes or No
☒ Yes
☐ No
Next Step

ACRONYMS	
Art.	Article
Artt	Articles
ESCP	European Small Claims Procedure
N°	Number
Par.	Paragraph

European Small Claims Platform

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Let's check if your small claims can to be solved by European Small Claims Procedure

Your claim can be solved through the **European Small Claims Procedure!**
Now, let's see in which Member State is based the competent authority according to Regulation 1215/2012 or jurisdiction and recognition and enforcement of judgementsin civil and commercial matters.
Click on **COMPETENT COURT AND LANGUAGE** to know in **which Member State is based the competent authority** according to **Regulation 1215/2012** on jurisdiction and recognition and enforcement of judgements in civil and commercial matters.
Try Again

ACRONYMS	
Art.	Article
Artt	Articles
ESCP	European Small Claims Procedure
N°	Number
Par.	Paragraph
Reg.	Regulation



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European Small Claims Platform

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Competent Court and Language

Additional Information and Costs

Welcome to the section dedicated to the Competent Court and the language in which the "FORM A" is to be filled in!

Step by step, here you can find everything you need to know about using the European Small Claims Procedure.

Before you answer the questionnaire which will enable you to determine the Competent Court in your case, I would like to explain some general rules, about how the Competent Court is determined, according to [EU Regulation N° 1215/2012](#). The general provision* provides that, *in a cross-border dispute, the competent authority is that of the domicile of the defendant* (the party you believe has harmed you or from whom you believe you have been injured).

If you are a **CONSUMER**, the **competent court** to decide on your claim is the court **of the country in which you are resident or domiciled**.

If you are a **SMALL or MEDIUM-SIZED ENTERPRISE**, please find out which court is competent choosing your case by answering the questionnaire. Sometimes you can choose. There are some cases in which it is possible to choose a competent court other than the one in which the defendant is domiciled. Sometimes this is required by law. In other cases, however, the competent court is established by law and it is not possible to change it. Below you can find these different possibilities. Now answer the questions to find out which court is competent to hear your claim.

⚠

You will see that several small claims hypotheses are indicated: choose carefully the hypothesis that is closest to your case.

In any case, remember that the scheme proposed cannot be 100% comprehensive (I would have to know your specific case). If you have any doubts, please read the [European Small Claims Regulation](#) and the [EU Regulation N° 1215/2012](#).

If you already know the competent court for your small claims but would like to have additional information for your Member State and the costs of the procedure click [here](#).

*[EU Regulation N° 1215/2012](#) of 12 December 2012 establishes the criteria for identifying the competent court for deciding all judgments in civil and commercial matters, including those explained in these pages. Please note that according to Article 6 of Regulation 1215/2012, if the defendant is not domiciled in a Member State, the jurisdiction of the court of each Member State shall be determined by the law of that Member State.

Let's get started!



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Welcome to the section dedicated to the Competent Court where you should submit the "Form A" and the language in which to feel it! is to be filled in!

Step by step, here you can find everything you need to know about using the European Small Claims Procedure.

☐ You are a Consumer and it means that you are acting for a purpose which can be regarded as being outside your trade or profession

☐ You are acting for a purpose which can be regarded as including your trade or your profession and the defendant is a consumer

☐ You and the other party have agreed that a court or the courts of a Member State are to have jurisdiction to settle any dispute which have arise in connection with a particular legal relationship*

☐ Your claim is based on a contract between you and the defendant

☐ Your claim concerns a matter relating to tort, delict or quasi-delict

☐ Your claim regards a civil claim for damages or restitution which is based on an act giving rise to criminal proceedings

☐ Your claim regards a dispute brought against a settlor, trustee or beneficiary of a trust created by the operation of a statute, or by a written instrument or created orally ad evidenced in writing

☐ Your claim regards a dispute concerning the payment of remuneration claimed in respect of the salvage of a cargo or freight and it is claimed that the defendant has an interest in the cargo or freight or had such an interest at the time of salvage

☐ Your claim is directed against more than one defendant

☐ Your claim concerns matters relating to insurance

☐ Your claim has as its object in rem in immovable property or tenancies of immovable property* Please, consider that the ESCP shall not apply to matters concerning tenancies of immovable property, with the exception of actions on monetary claims

☐ Your claim concerns the registration or validity of patents, trade marks, design, or other similar rights required to be deposited or registered, irrespective of whether the issue is raised by way of an action or as a defence

☐ Your claim regards a dispute arising out of the operations of a branch, agency or other establishment

Next Step

ACRONYMS	
Art.	Article
Artl.	Articles
ESCP	European Small Claims Procedure
N°	Number
Par.	Paragraph
Reg.	Regulation

European Small Claims Platform

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Welcome to the section dedicated to Additional information and Costs of the European Small Claims Procedure.

Let's check Additional Information about the European Small Claims Procedure.

How can I submit Form A? (Remember? This is your application form. You can find it by clicking [here](#)

You can use the search "function" related to the Country of the Competent Court for your claims, available on the European e-Justice Portal to find detailed information (address, telephone number; etc.) on the competent court for each Member State.

*This link is related to Italy as an example. Please, select the Country's flag of the Competent Court to find detailed information.

What can I do if the claim, after the transmission to the court, is dismissed? You can submit the application again taking into account the reason for dismissal. Indeed, the dismissal, at this stage, is based on a procedural matter and is not related to the substance of the claim.

How will I be informed on the judgement? The court MUST notify the judgement to the parties once it is issued. In the event of delay, it is advisable to contact the court to receive information about the timeline of its issuing and notification.

What should I do once the judgement is issued? If the judgement is in your favour, you can proceed to have it enforced. You can do it by obtaining from the court a copy of the judgment and a specific certificate, the Form D, filed in by the Judge into the language of the country where the judgment should be enforced. If the judgment is not in your favour and you want to appeal it, check the appealing procedures established by each Member State.

Let's check the Costs of European Small Claims Procedure.

In most EU Member States, it will be necessary to pay a fee to the court for starting the ESCP. The amount of the court fee varies depending on the country. However, you might incur other expenses such as the travel ones if the court decides to hold an oral hearing. Usually, the party losing the claim is asked to refund the costs of the proceedings to the other party.

Please click on the Country's Flag of the Competent Court, to know how much the small claims procedure costs.

Belgium

Bulgaria

Czech Republic

Germany

Estonia

Ireland

Greece

Spain

France

Croatia

Italy

Cyprus

Latvia

Lithuania

Luxembourg

Hungary

Malta

Netherlands

Austria

Poland

Portugal

Romania

Slovenia

Slovakia

Finland

Sweden