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UNIVERSITÀ DEGLI STUDI DI NAPOLI FEDERICO II

SCAN
SMALL CLAIMS ANALYSIS NET

Deliverable 5.8

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Online Platform 'European Small Claim Platform Network'

Working Package 5

Dissemination and communication activities

SCAN Project

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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
LUISS	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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Table of Contents

1. Online Platform 'European Small Claims Network".....5

2. Report on IT technology.....5

2.1. Graphic and contents Rules

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

2.2. System and Data Architecture

3. Attachments.....

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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:

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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

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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.

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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

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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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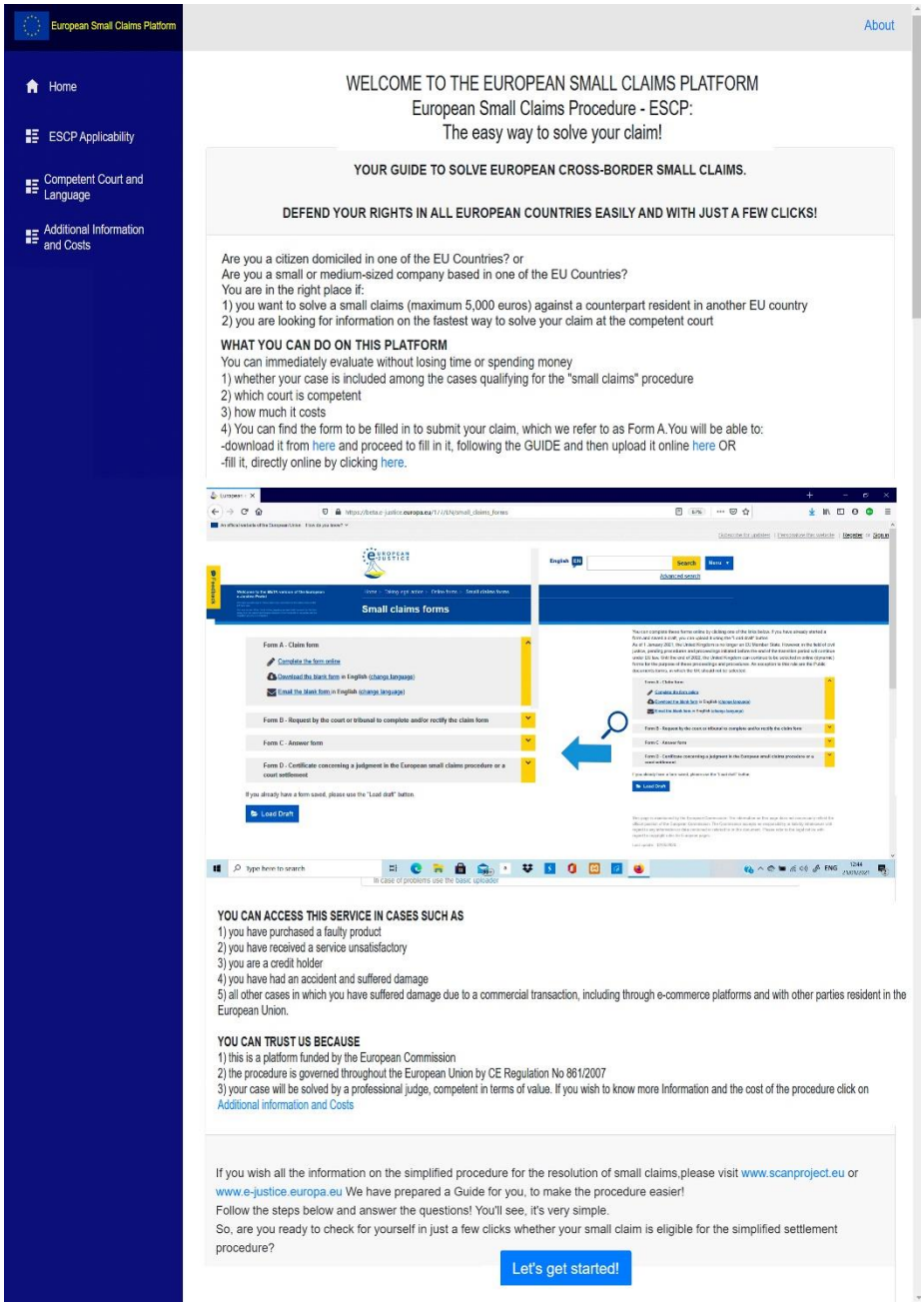

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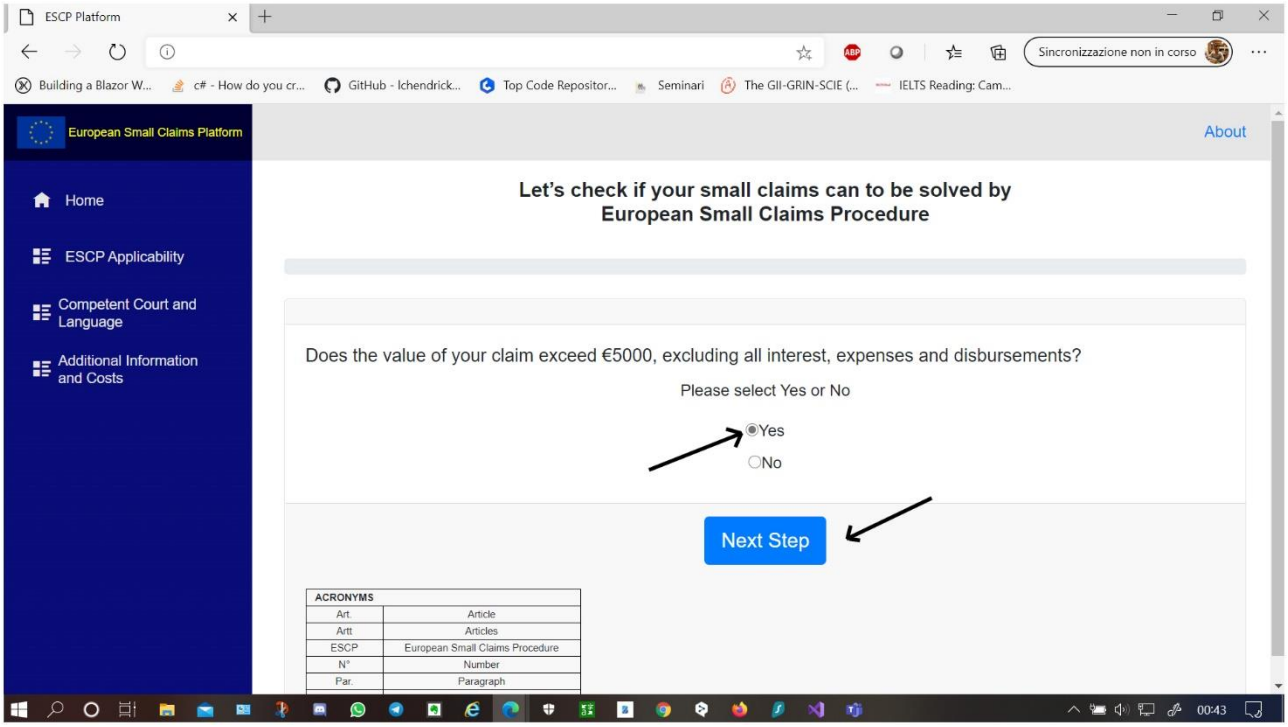

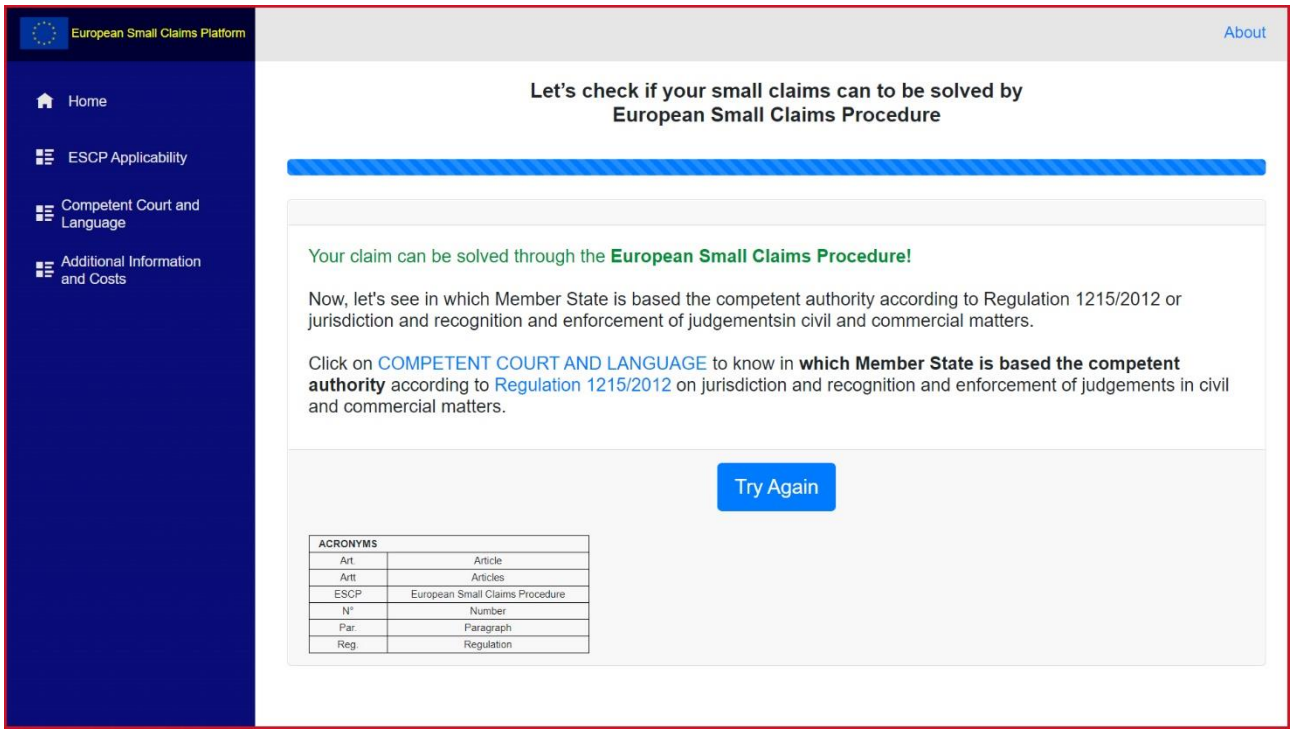

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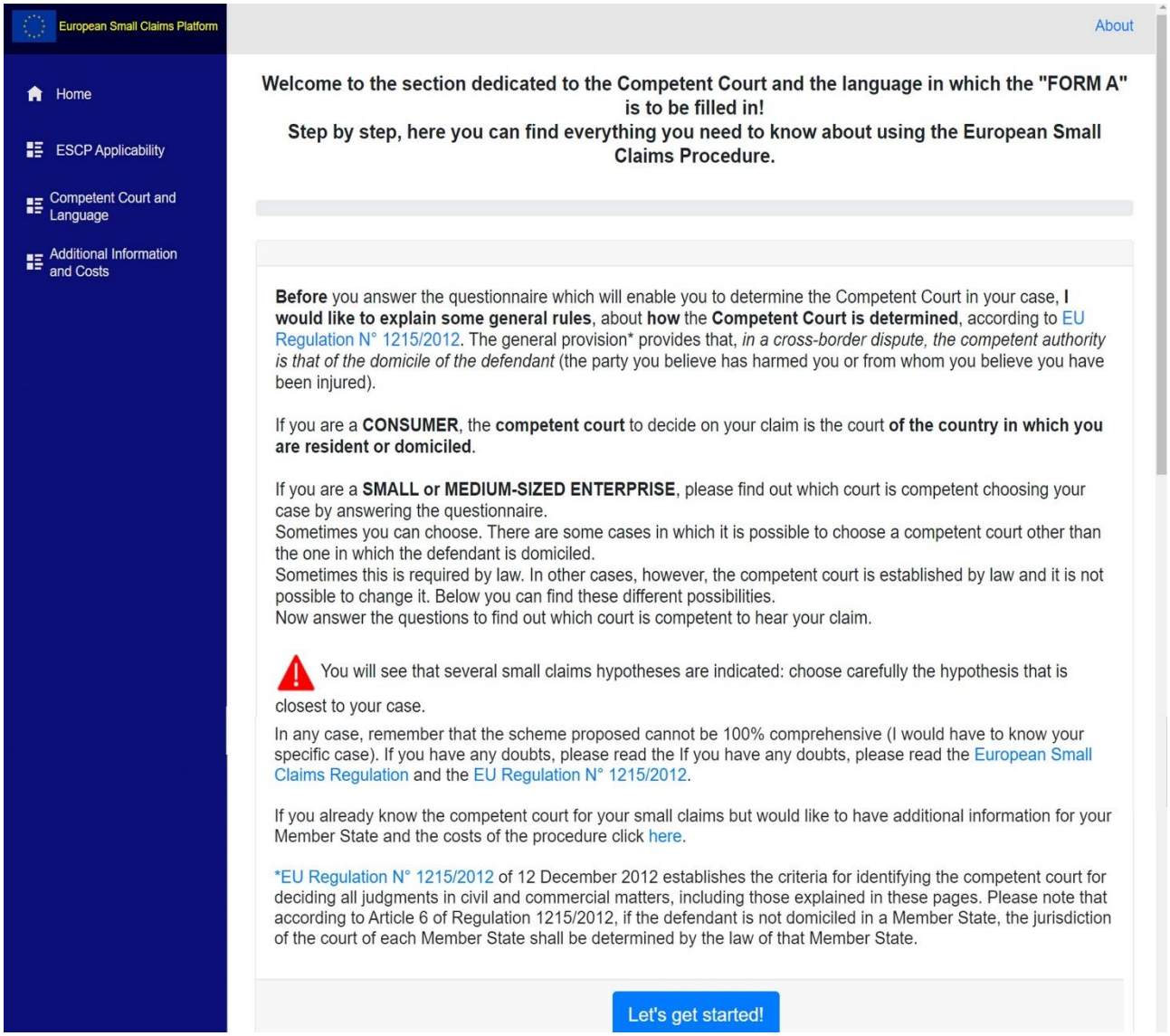

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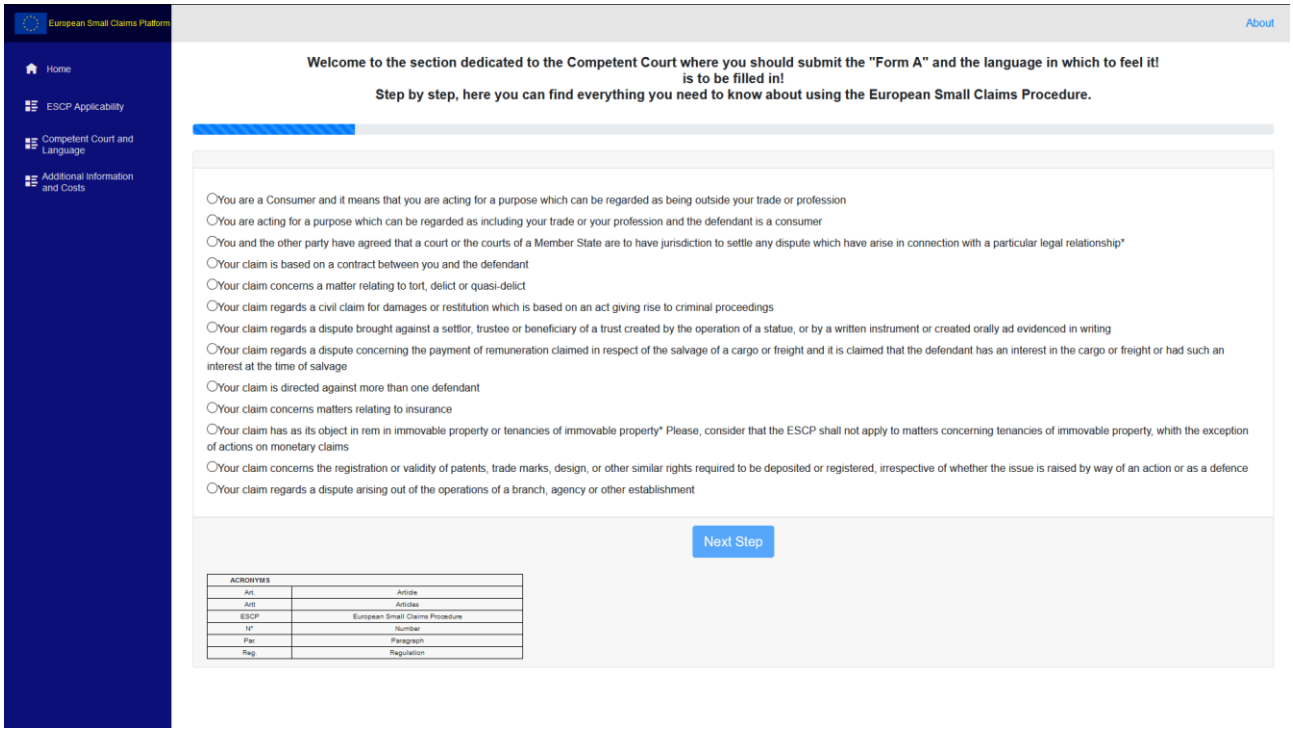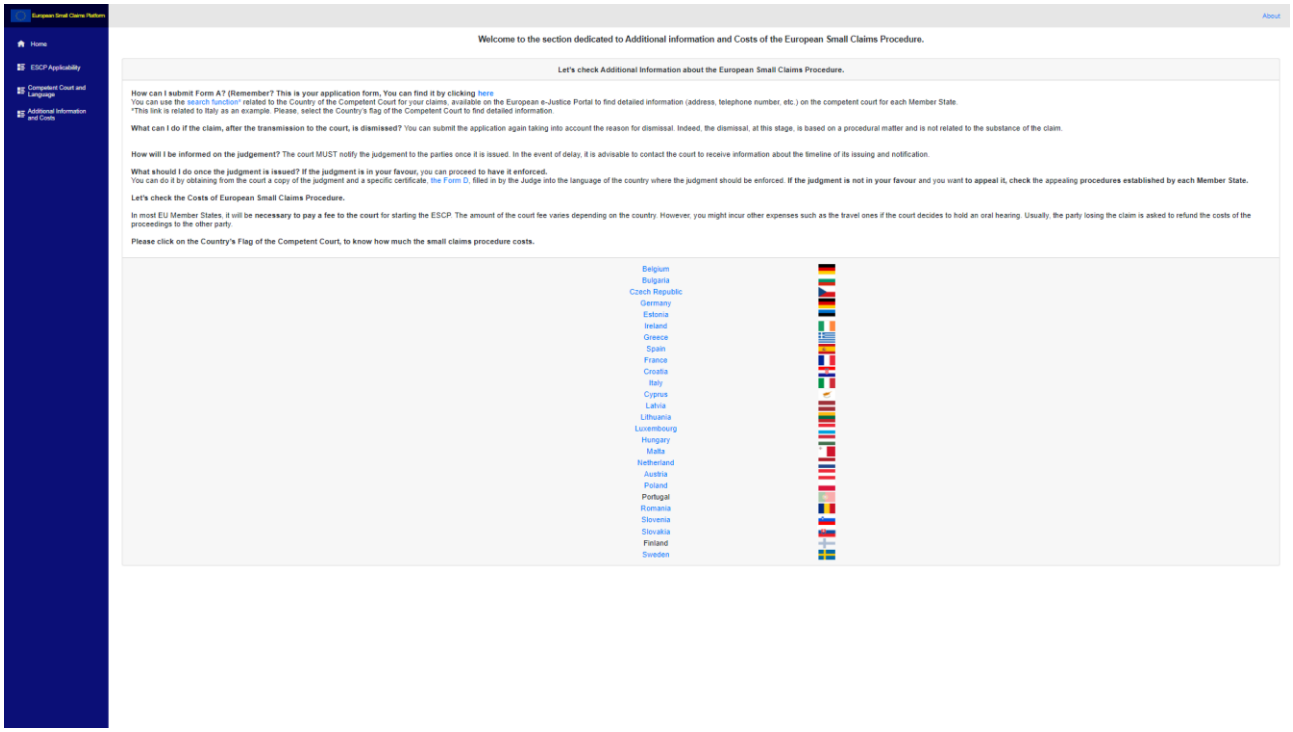
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