



ARE YOU READY FOR ONLINE COURTS?



“

An online court is defined as a dispute resolution proceeding conducted through a court digital platform that, by default, allows parties to resolve their disputes directly and entirely online, from filing a claim to the delivery of a judgment.”



1



2

1
YULIA SHAPOVALOVA
PRINCIPAL COUNSEL,
EBRD
ShapovaY@ebrd.com

2
PATRICIA ZGHIBARTA
LEGAL CONSULTANT, EBRD
ZghibarP@ebrd.com



The idea of leveraging technology to streamline and improve the delivery of justice has been gaining traction. In the area of commercial justice, developing online courts can ease access to justice for SMEs and provide fast, cost-effective and efficient resolution of their cases in courts. The Legal Transition Programme has recently focused on promoting the development of online small claims courts in the EBRD regions, and in 2022-23 assessed the extent to which the regions are ready to introduce, or have already developed, online courts. This article presents the findings from 17 economies where the EBRD operates.¹



INTRODUCTION

Effective dispute resolution and a properly functioning judiciary are essential to a healthy business environment. The Covid-19 pandemic has greatly limited access to court services, especially for businesses, and strained the courts. The problems are well known: courts were largely non-functional, with a few exceptions, resulting in delays, heavier caseloads and backlogs, lengthy and complex proceedings, excessive reliance on the physical presence of parties at every stage of the process (including hearings) and the inability of the layperson to navigate court processes without the use of specialised and often expensive legal services.

While the use of AI in judicial systems has been discussed extensively, the pandemic has shown that most courts were not ready even for a quick transition to a simple remote/online mode of operation.² One of the main reasons was the lack of digitalisation of court procedures that would allow remote/online work without the need to file paper

During the pandemic, online courts demonstrated the ability to function effectively and ensure access to justice for litigants, as well as ease the burden of overloaded courts.

documents or the parties' personal presence at the hearing. Michael Strauss and Veronica Bradautanu reflected on the importance and impact of court digitalisation for businesses in a 2021 article,³ noting that countries such as Canada and the United Kingdom have introduced online courts to offer litigants a fully digital dispute resolution process.⁴ During the pandemic, these online courts demonstrated the ability to function effectively and ensure access to justice for litigants, as well as ease the burden of overloaded courts.

The EBRD decided to assess the degree to which its economies are ready to introduce, or have already developed, online courts. This would enable the Bank to support the development of online courts, with a focus on ensuring that SMEs had access to court services. This article provides an overview of the assessment methodology and results of the assessment of 17 EBRD economies.

¹ Special thanks to Dentons experts Svetozara Petkova, Jarosław Bełdowski and Vihar Georgiev, who led the assessment and drafted the assessment report that served as the primary source for this article, and to Illia Chemohorenko, Legal Consultant in the LTP, for his contribution to this article and the assessment of Ukraine.

² See <https://www.coe.int/en/web/cepej/tools-for-courts-and-judicial-professionals-for-the-practical-implementation-of-ai>, (last accessed on 19 September 2023).

³ M. Strauss and V. Bradautanu (2021), "Emerging Markets Embracing Online Courts – Commercial Courts for Small Value Claims", *Law in Transition* journal 2021. See <https://2021.lit-ebd.com/articles/#130-1>, (last accessed on 19 September 2023).

⁴ Civil Resolution Tribunal, British Columbia, Canada. See <https://civilresolutionbc.ca/>, (last accessed on 19 September 2023); Online Civil Money Claims, United Kingdom. See <https://www.gov.uk/make-court-claim-for-money>, (last accessed on 19 September 2023).

WHAT IS AN ONLINE COURT?

The terms **online court** and court-related **online dispute resolution (ODR)** are increasingly used in discussions about access to justice and effective resolution of disputes. An online court is defined as a dispute resolution proceeding conducted through a court digital platform that, by default, allows parties to resolve their disputes directly and entirely online, from filing a claim to the delivery of a judgment. It can be complemented by various services and tools to assist in dispute resolution, such as direct negotiations between parties, mediation services and filling out forms.

The benefits of ODR are clear; it is simply more cost-effective and convenient for litigants, especially SMEs. The cases of Amazon, eBay and PayPal underscored the potential of ODR to settle disputes arising from online, cross-border,

low-value transactions.⁵ The UNCITRAL and the EU also acknowledged this potential.⁶

The key features of online court or court-related ODR are as follows:

- It operates within the formal justice system.
- It is specifically designed to help parties resolve their dispute online without the need for them to be present in person; this is not an electronic case management system to support judicial or court staff decision-making.
- It is applied to certain categories of cases.
- It integrates and extends dispute resolution services offered by the judicial branch into the digital space to serve litigants efficiently, effectively, transparently and fairly.⁷



⁵ See https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3374465, p. 91, 101, (last accessed on 19 September 2023).

⁶ In 2013 the EU adopted its Regulation online dispute resolution for consumer disputes, (last accessed on 19 September 2023). In 2016 the UNCITRAL adopted its non-binding Technical Notes on Online Dispute Resolution, (last accessed on 19 September 2023).

⁷ See <https://www.ncsc.org/odr/guidance-and-tools#:~:text=Court%2Drelated%20Online%20Dispute%20Resolution,the%20program%20operates%20exclusively%20online>, (last accessed on 19 September 2023).

EBRD SUPPORT IN ONLINE SMALL CLAIMS COURT DEVELOPMENT FOR SMEs

SMEs, which make up almost 99% of the business communities in the EBRD economies, have been particularly vulnerable to the Covid-19 crisis, facing significant barriers to accessing courts and settling their disputes during and after the pandemic period.

To support SMEs with easy access to justice and fast, cost-effective and efficient resolution of their cases, the LTP has decided to focus on the development of **online courts for small claims (from €5,000 to €10,000)**. In small claims, the costs and time delays are often disproportionate compared with the value of the claim. This is the type of claim with which SMEs typically deal and the area where the benefits of digitalisation can be felt most. The solution was inspired by the above-mentioned jurisdictions in which successful online courts specialising in the resolution of civil and commercial matters were created.

“ The benefits of online dispute resolution are clear; it is simply more cost-effective and convenient for litigants, especially SMEs. ”

After a year of preparatory work, in 2021 the EBRD launched the project Regional Framework Project on Digital Transformation of Courts – Development of Online Courts for Small Claims. This project, which focuses on SMEs, aims to support the establishment of online small claims courts in the EBRD regions and thus improve small firms’ access to justice and reduce the workload of courts.

To identify the countries where the EBRD can help with the development of online small claims courts, the LTP first had to identify the preconditions and factors that would make this process possible. This also included assessing the needs of EBRD regions and the degree to which they are ready for such reforms. This is why, within the framework of this programme, the LTP initiated a **cross-regional court performance assessment** of 17 jurisdictions. We will discuss this study and its results in more detail below.

The assessment is designed to encourage countries within and beyond the EBRD’s reach to evaluate their own performance, align their practices and learn from the experiences of other jurisdictions how to innovate their dispute resolution processes.

THE CROSS-REGIONAL COURT PERFORMANCE ASSESSMENT

What is the purpose of the assessment?

The assessment evaluates the extent to which various EBRD economies are ready to introduce, or have already introduced, online courts. It does so by mapping out the performance of these jurisdictions in several dimensions, including the IT infrastructure and governance and the extent to which commercial dispute resolution processes and procedures, such as uncontested and small claims, are streamlined.

Besides providing a roadmap for the EBRD’s work in the area of digital transformation, the assessment is designed to encourage countries within and beyond the EBRD’s reach to evaluate their own performance, align their practices and learn from the experiences of other jurisdictions how to innovate their dispute resolution processes.

The assessment, however, should not be seen as a ranking system for EBRD economies. The scores received should not be viewed in isolation. The well-defined focus on online court development is the lens through which all the data and findings should be viewed.



Development of online small claims court concept in Ukraine

In 2021, in addition to the assessment, the LTP launched its first pilot project to develop a concept and roadmap for the implementation of an online court for small claims in Ukraine, funded by the **EBRD Ukraine Multi-Donor Account**. Initially launched as a response to Covid-19, this project seems even more necessary and timely due to the unprecedented full-scale Russian invasion of Ukraine in February 2022 and the damage to the country's judicial infrastructure, as well as the forced internal and external displacement of millions of Ukrainians along with small and medium-sized businesses.

As part of the project, a team of international and local experts, in close cooperation with key Ukrainian stakeholders and with the involvement of the International Advisory Panel, developed the concept of an online small claims court based on best practices, an implementation plan and terms of reference with technical specifications to set up an IT platform for a small claims court. The concept provides for the creation of an online platform integrated with the Unified Judicial Information and Telecommunication System of the State Court Administration of Ukraine to resolve small commercial claims between businesses, up to an amount equal to the monthly minimum living wage per person multiplied by 100, or UAH 210,200 (€5,150 of May 2023), under the “simplified proceedings” and the uncontested claims

proceeding, such as debt collection, provided for in the Code of Commercial Procedure of Ukraine. Such disputes constitute a major share of all disputes pending in commercial courts. The concept highlights the use of online negotiation and mediation and a user-friendly approach. Key Ukrainian stakeholders including the State Court Administration, the Ministry of Digital Transformation and the Supreme Court of Ukraine approved the concept, which was also discussed with representatives of Parliament, judges, mediators and business representatives.

The next phase of the project, which is expected to be implemented from the third quarter of 2023 to end-2024, is to develop the IT platform for a small claims court and pilot it. The Government of Ukraine defined further development and expansion of e-court functions as a priority for the justice sector in the draft plan for the post-war reconstruction of Ukraine (presented in Lugano in July 2022).⁸

The successful piloting of an online small claims court in Ukraine will serve as a model for replicating and rolling out this initiative in other EBRD economies.

⁸ See https://uploads-ssl.webflow.com/621f88db25fbf24758792dd8/62c1773aac8e862139acf978_Justice.pdf, (last accessed on 19 September 2023).



The well-defined focus on online court development is the lens through which all the data and findings should be viewed.

Which countries were covered by the assessment?

The assessment initially covered 17 EBRD economies in six regions.



Target jurisdictions were selected in the interest of achieving a relatively broad geographic distribution and diversity in terms of development level. Moving forward, the assessment will expand to other EBRD jurisdictions.

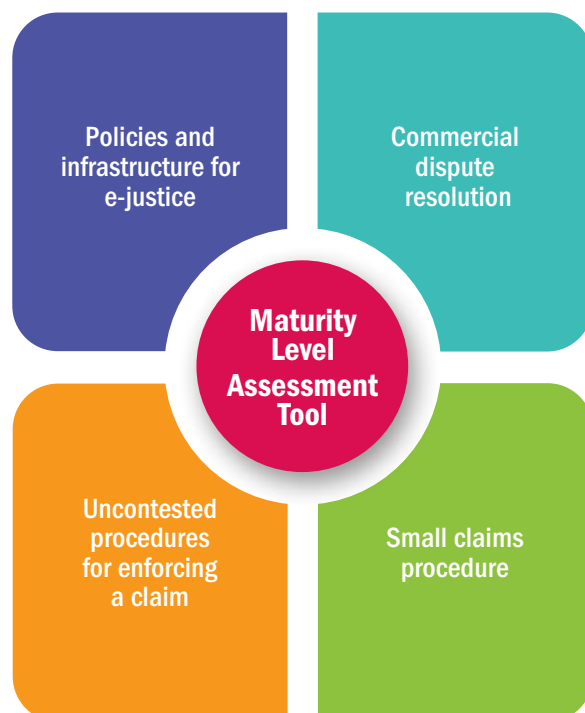
What methodology and tools were used?

The assessment used a Maturity Level Assessment Tool (MLAT) developed by the team specifically for this purpose.⁹ The MLAT covered **four key dimensions, divided into indicators and sub-indicators**, and scored from 1 (lowest) to 3 (highest). Importantly, the sub-indicators covered both qualitative and quantitative data.

The assessment focuses on the following dimensions, detailed on the next pages.



Chart 1. Assessment tool covered four key dimensions



“ Small claims is the type of claim with which SMEs typically deal and the area where the benefits of digitalisation can be felt most. ”

⁹ EBRD (2022), Assessment Methodology: Maturity Level Assessment Tool (MLAT) for Online Courts. Available at <https://www.ebrd.com/sites/Satellite?c=Content&cid=1395238675306&pagename=EBRD%2FContent%2FContentLayout> (last accessed on 18 September 2023).

Dimension 1: Policies and infrastructure for e-justice

This dimension offers insights into the basic IT-related prerequisites, such as internet connection, access to e-services and electronic identification, but also the often neglected electronic governance and strategic approach of governments when it comes to IT solutions in the justice sector. The development of an online court is contingent on the existence of good IT infrastructure and governance.

Dimension 1: Policies and infrastructure for e-justice

Indicator 1.1 Level of development of e-governance and e-infrastructure

- Level of broadband internet access
- Level of development of e-documents
- Level of development of e-signatures
- Level of development of national e-identification
- Level of internet penetration
- Level of online access to administrative services

Indicator 1.2 Level of development of justice system digitalisation

- Status of e-justice strategy
- Case management system deployment rate
- Level of integration of the case management system
- Official information about the justice system available over the internet
- Publication of court judgments and free online access to them

Indicator 1.3 Digitalisation of court processes

- Availability and use of e-filing
- Availability and use of electronic service of process (e-service)
- Possibility to check case files and track case progress remotely
- Possibility to hold online/videoconference hearings (for any type of case)
- Court fees
- Ability to initiate enforcement based on electronic enforceable titles

Indicator 1.4 Stakeholder engagement

- Existence of an obligation for professional court users to interact with the court only electronically
- Availability of monetary incentives for conducting certain court actions electronically
- Availability of user guides, help desk and guidance in the e-filing system
- Whether court user surveys are conducted by the courts/the judicial system on a regular basis

Dimension 2: Commercial dispute resolution

This dimension examined the extent to which dispute resolution processes, particularly commercial ones, are streamlined. Understanding how commercial dispute resolution, including alternative dispute resolution (ADR) mechanisms, work in a jurisdiction is vital to designing online courts. This is because online courts should not merely reflect existing processes in electronic form, but attempt to improve and transform these processes.

Dimension 2: Commercial dispute resolution

Indicator 2.1 Level of specialisation of commercial dispute resolution

- Availability of a specialised commercial court or specialised commercial divisions in courts
- Modifications of the general procedural rules in respect of commercial cases compared to general civil cases
- Inception training in commercial law for commercial judges
- Continuous (regular) commercial law training for commercial judges
- Capacity building for commercial judges' judicial assistants or for other types of specialised judicial clerks engaged in commercial justice

Indicator 2.2 Use of mediation/ADR tools

- Availability of mediation in civil/commercial disputes
- Availability of an official register of mediators accessible online
- Availability of incentives for mediation
- Enforceability of mediation settlement agreements
- Availability and use of online solutions for out-of-court settlement

Dimension 2: Commercial dispute resolution (continuation)

Indicator 2.3 Efficiency and effectiveness of commercial litigation

- Clearance rate of first instance commercial cases for the latest year for which statistics are available
- Disposition time of first instance commercial cases compared to the Council of Europe median for first instance civil/commercial cases
- Disposition time of commercial cases compared to that of general first instance civil cases in the latest year for which statistics are available
- Dynamic of commercial cases disposition time over a three-year period (the latest three years for which data are available)

Dimension 3: Uncontested procedures for enforcing a claim and Dimension 4: Small claims procedures

While not necessarily prerequisites for the introduction of online courts, these two dimensions are nevertheless important. All the existing online courts had, as a starting point, a simplified procedure which served as an environment for testing before scaling up to cover other types of claims and procedures. In the case of civil and commercial justice, simplified procedures such as uncontested or small claims were fit for this purpose.

Dimension 3: Uncontested procedures for enforcing a claim

Indicator 3.1 Ease of filing

- Effective self-representation
- Availability and use of forms for filing the claim
- Availability and use of online filing
- Level of court fees for filing a claim
- Simplified rules on attachment of evidence to the claim

Indicator 3.2 Efficient processing

- Predictability of the timelines for pronouncement
- Length of the timelines for pronouncement
- Availability of options for service to the debtor without proof of receipt
- Ease of debtor's objection

Indicator 3.3 Effective linkages between the uncontested procedure and the procedure following a statement of opposition

- Consequence of debtor's lack of objection
- Launching the litigious stage of the procedure
- Link between the fees due in the uncontested claims procedure and in the litigious procedure
- Management of statements of opposition

Dimension 4: Small claims procedures (if available)

Indicator 4.1 Ease of filing

- Effective self-representation
- Existence of forms for filing the claim
- Availability and use of online filing
- Guidance to self-represented litigants

Indicator 4.2 Availability of meaningful procedural simplifications of the small claims procedure

- Statutory timelines in the small claims procedure
- Simplified evidentiary rules
- Simplified rules on hearings
- Special rules on encouraging conciliation or mediation
- Simplified content of the judgment
- Modifications to the rules on appealing the judgment in the small claims procedure

Who contributed to the assessment?

The EBRD LTP team working in dispute resolution and the key project consultant, represented by **Dentons Poland**, oversaw the assessment process. **One or more local evaluators** with a legal background and expertise in commercial and/or civil law and procedure, as well as knowledge of the local institutional and policy framework, conducted the assessment in each jurisdiction. To test the findings of the assessment and ensure a rigorous review, the project team set up an **External Advisory Panel (EAP)** consisting of prominent practitioners and experts in the area of court performance, commercial justice and court innovation. EAP members include representatives of the World Bank, the International Union of Judicial Officers, the World Justice Project, the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe and members of academia.

How were the data collected and evaluated?

In March-September 2022 local evaluators were required to fill out an extensive questionnaire focused on both the legal framework and the existing local practice. Where necessary, local experts also conducted interviews with legal

practitioners. In some cases, publicly available evaluations or indices, such as CEPEJ or the Speedtest Global Index, served as data sources. The evaluators also consulted strategic documents to provide the necessary information in areas relating to government policies.

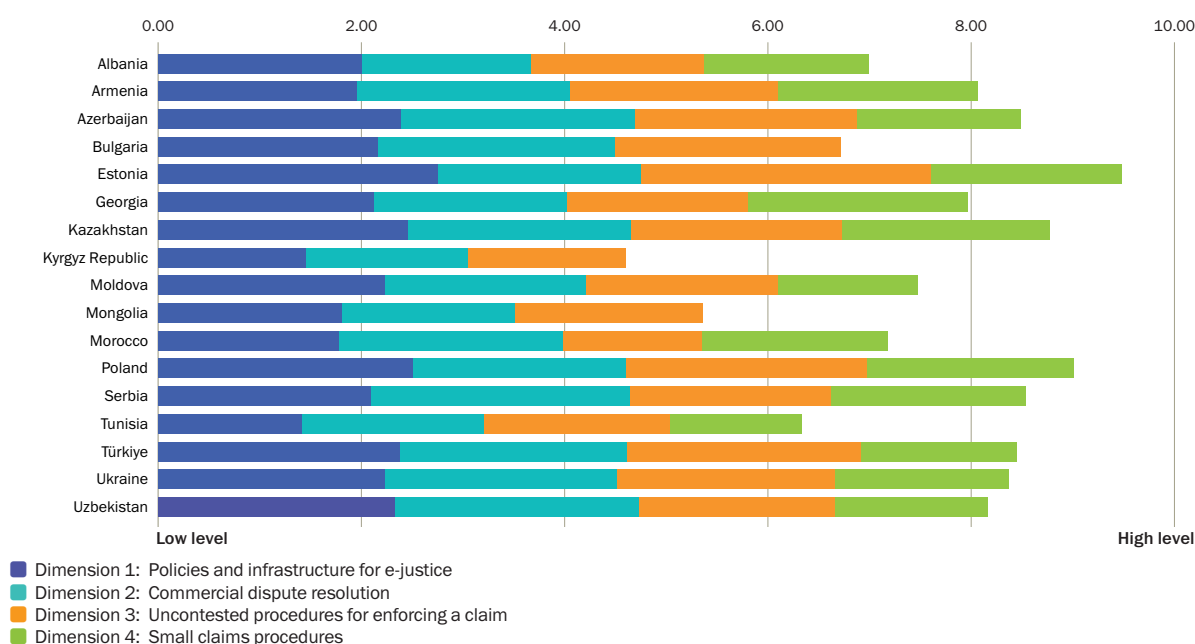
ASSESSMENT RESULTS

What are the main findings of the assessment?

The assessment reveals a rather nuanced landscape among EBRD regions and the jurisdictions in them.¹⁰ **Both the available IT infrastructure and the effectiveness of commercial dispute resolution processes vary across EBRD economies.** The results for central Europe and the Baltic states as well as Türkiye, for instance, indicate a suitable level of preparedness for the initiation of online court projects. South-eastern Europe and eastern Europe and the Caucasus show inconsistent results, with some jurisdictions exhibiting a larger degree of readiness than others. Finally, in some jurisdictions in Central Asia and the southern and eastern Mediterranean regions, significant changes are required before starting the development of online courts.

¹⁰ EBRD (June 2023), Cross-regional court performance assessment project: Assessment report. Available at <https://www.ebrd.com/sites/Satellite?c=Content&cid=1395238675306&pagename=EBRD%2FContent%2FContentLayout>, (last accessed on 18 September 2023).

Chart 2. Overall countries' readiness for online courts



Note: The chart shows the overall performance of all 17 assessed EBRD economies across the four dimensions. The final score obtained by a jurisdiction for each dimension ranges from 1 (lowest) to 3 (highest) and is an average of the score results obtained for the indicators under the dimension. Where no data was available, no score was given (e.g. Dimension 4 in the case of Bulgaria, the Kyrgyz Republic and Mongolia).

Source: EBRD Cross-Regional Court Performance Assessment across 17 economies (2022)

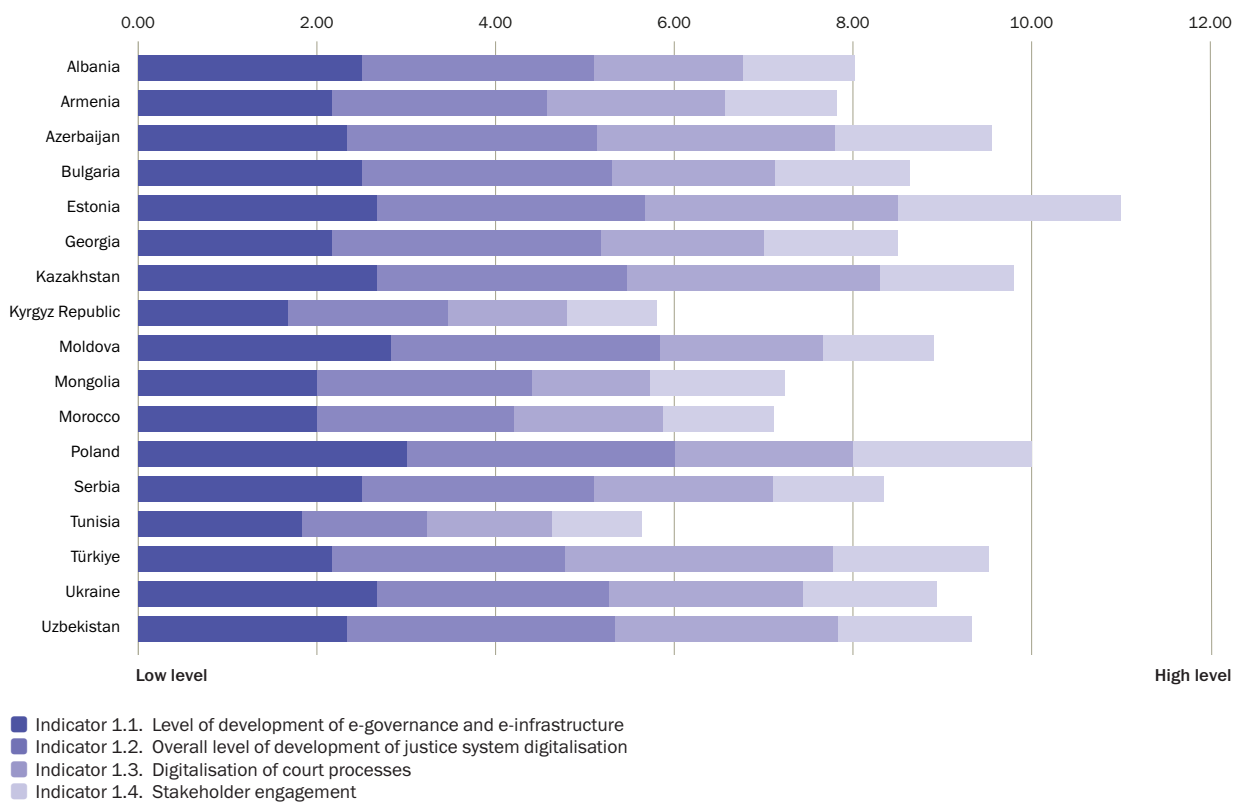
Dimension 1: Policies and infrastructure for e-justice

As highlighted above, the strategic development and appropriate infrastructure for e-justice are building blocks for an online court. The analysis of the assessment results under this dimension shows that most assessed jurisdictions are making major progress in digital transformation. This is true for both the broader public sector services and particularly for the justice sector. Interestingly, **the examined countries display the best performance in the overall level of development of justice system digitalisation. In contrast, countries – including those with excellent IT infrastructure – exhibit the poorest performance in stakeholder engagement.** The involvement of justice sector users in the digital transformation process is lagging behind and human-centred justice is only emerging in most examined EBRD

economies. There is a clear need to engage proactively with court users and other stakeholders, promote digital solutions and systems, and collect actionable feedback on their usability, functions and other relevant concerns. Similarly, there seems to be a strong need for education and training on the benefits and application of IT solutions in the justice sector.

“ The examined countries display the best performance in the overall level of development of justice system digitalisation. ”

Chart 3. Level of justice system digitalisation



Note: The chart shows the performance of all 17 assessed EBRD economies for Dimension 1 – Policies and infrastructure for e-justice. Compared to the other dimensions, the examined economies show the best performance here. The performance of a jurisdiction for this dimension is represented by the aggregated scores obtained for each of the four indicators that form this dimension. In turn, the score for each indicator is calculated based on an average ranging from 1 (lowest) to 3 (highest). However, the overwhelming majority of the assessed EBRD economies have a low level of stakeholder engagement in e-justice, including those with excellent IT infrastructure.

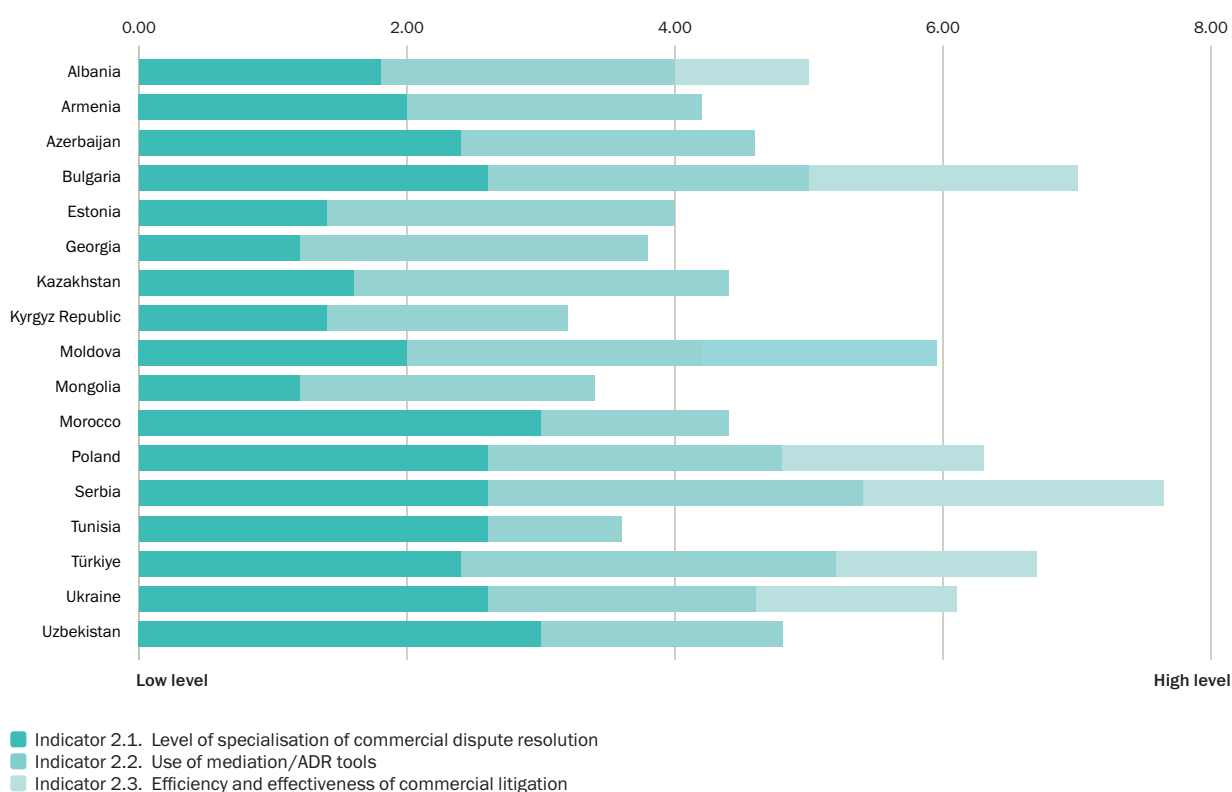
Source: EBRD Cross-Regional Court Performance Assessment across 17 economies (2022)

Dimension 2: Commercial dispute resolution

Streamlined dispute resolution processes are essential for effective justice and court user satisfaction. They are also an important element in designing online courts. The assessment was based on the assumption that specialised commercial courts and/or procedures usually result in better and more uniform commercial contract enforcement. The assessment of this dimension indicates **varied levels of specialisation and development of commercial litigation in targeted jurisdictions**. Importantly, the assessment revealed that in 10 countries, no statistical data are available to compare the efficiency of civil and commercial litigation. While in some cases the reason may be the lack of

disaggregation between civil and commercial litigation (e.g., in Estonia), other times the court-related statistics in the respective country may not be sufficiently granular, or the authorities may not make the collected data publicly available for research and analysis. At the same time, a **positive finding of the assessment is that most countries have a robust framework and use mediation and other ADR mechanisms**. ADR has proven to be a cornerstone of existing online courts as it may decrease the court backlog while offering more autonomy to the disputing parties to settle their dispute and preserve their business relationships.

Chart 4. Level of commercial dispute resolution development



Note: The chart shows the performance of all 17 assessed EBRD economies for Dimension 2 – Commercial dispute resolution. The performance of a jurisdiction for this dimension is represented by the aggregated scores obtained for each of the three indicators that form this dimension. In turn, the score for each indicator is calculated based on an average ranging from 1 (lowest) to 3 (highest). Where no data was available, no score was given (e.g., Indicator 2.3 in the case of Armenia, Azerbaijan, Estonia, Georgia, Kazakhstan, the Kyrgyz Republic, Mongolia, Morocco, Tunisia and Uzbekistan). The chart reflects the fact that most countries have a robust framework, and use mediation and other ADR mechanisms. However, more than half of the assessed EBRD economies do not have disaggregated data on the efficiency and effectiveness of commercial litigation.

Source: EBRD Cross-Regional Court Performance Assessment across 17 economies (2022)

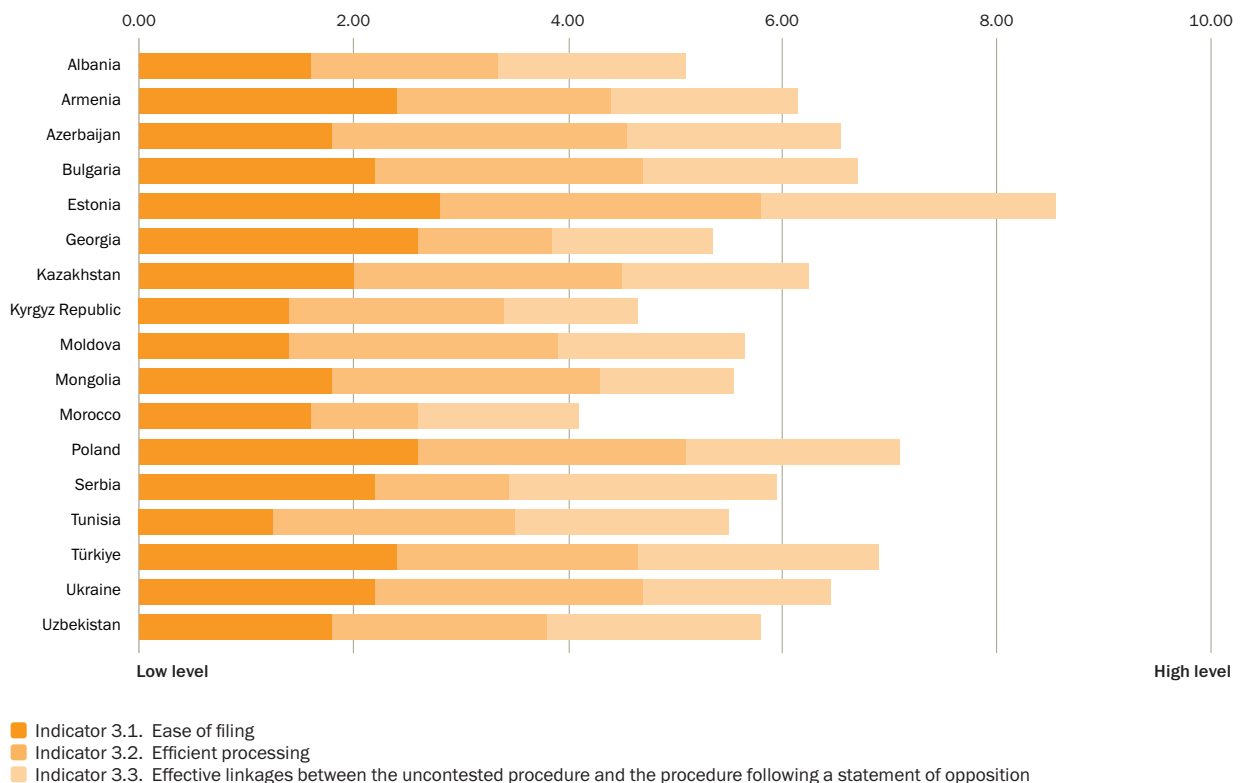
Dimension 3: Uncontested procedures for enforcing a claim

Uncontested procedures may serve as a good starting point for developing and piloting an online court as they can be conducted asynchronously in a structured and clear manner even for self-represented litigants. **The performance of countries within this dimension varies greatly.** The clear leader is Estonia: it has fully digitalised its order for payment procedure, which has been centralised under a single court department responsible for the entire country. The other targeted jurisdictions display quite inconsistent performance and show that uncontested procedures, contrary to the initial hypothesis, may not be an appropriate ground for online court

development. More broadly, this may show that simplified procedures are becoming unfit for purpose and should be redesigned.

“Uncontested procedures may serve as a good starting point for developing and piloting an online court.”

Chart 5. Level of effectiveness of uncontested procedures



Note: The chart shows the performance of all 17 assessed EBRD economies for Dimension 3 – Uncontested procedures for enforcing a claim. The performance of a jurisdiction for this dimension is represented by the aggregated scores obtained for each of the three indicators that form this dimension. In turn, the score for each indicator is calculated based on an average ranging from 1 (lowest) to 3 (highest). The chart reflects the fact that the level of effectiveness of uncontested procedures for enforcing a claim varies considerably across the 17 EBRD economies, with Estonia performing the best.

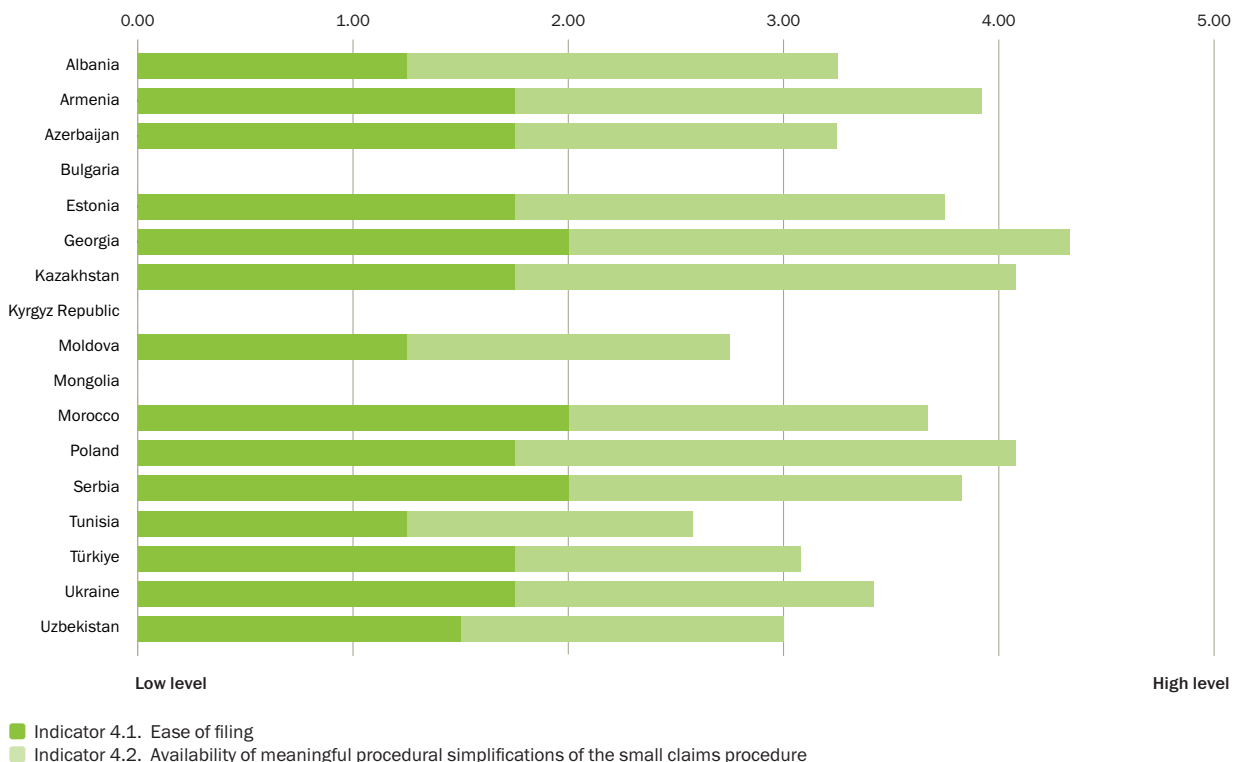
Source: EBRD Cross-Regional Court Performance Assessment across 17 economies (2022)

Dimension 4: Small claims procedures

Like uncontested procedures, small claims seemed to be an appropriate starting point for online courts. However, **this is the area where jurisdictions display the poorest performance in the entire assessment.** There are a few exceptions, such as Georgia, but many jurisdictions display consistently low scores under both indicators included in this dimension. In essence, this means the level of development of small claims procedures in the examined countries is low and not suitable for online court development. More generally, it seems that small claims procedures – presumed to be extensively used by SMEs, which formed the biggest market in EBRD economies – are generally unable to ensure the swift and inexpensive justice they were designed to dispense.

“ Small claims procedures is the area where jurisdictions display the poorest performance in the entire assessment. ”

Chart 6. Small claims procedures



Note: The chart shows the performance of all 17 assessed EBRD economies for Dimension 4 – Small claims procedures. The performance of a jurisdiction for this dimension is represented by the aggregated scores obtained for each of the two indicators that form this dimension. In turn, the score for each indicator is calculated based on an average ranging from 1 (lowest) to 3 (highest). Jurisdictions that do not have a small claims procedure, such as Bulgaria, the Kyrgyz Republic and Mongolia) were not scored.

Source: EBRD Cross-Regional Court Performance Assessment across 17 economies (2022)

CONCLUSION

The assessment examined the degree to which EBRD jurisdictions are prepared to transition to fully digital dispute resolution processes. It also looked at the types of court procedures presumed to be most suitable for testing online courts.

The MLAT used to carry out this assessment sees digital transformation as an evolutionary process. In this process, online courts are an additional avenue for dispute resolution with numerous advantages. They can be developed, however, only after certain prerequisites have been met.

The assessment shows that the level of EBRD regions' preparedness varies considerably. In line with technological advancement, they seem to perform well in terms of IT infrastructure. However, they have focused less on rethinking and improving existing commercial dispute resolution processes. This shows that, in paving the way to introduce online courts, more efforts should be directed towards streamlining and improving processes and ensuring that the focus on accessible and effective dispute resolution is not lost in the chase for mere digitisation. This is one of the key takeaways highlighted in the guide that the project team developed based on the assessment to help the jurisdictions interested in developing online courts.¹¹ As the EBRD become an increasingly important actor in the area of digital transformation, the assessment is only the starting point in the LTP team's mission to expand that digital transformation to speedy and efficient dispute resolution services for businesses across all economies where we operate.

“ In paving the way to introduce online courts, more efforts should be directed towards streamlining and improving processes and ensuring that the focus on accessible and effective dispute resolution is not lost in the chase for mere digitisation. ”

¹¹ EBRD (June 2023), *Are you ready for online courts? Guide on readiness for the introduction of online courts*, forthcoming.

