

FIND-A-LAWYER 2

Background

The Find-A-Lawyer (FAL) project created a European search engine of participating national bars' lawyer databases, allowing citizens of the European Union (EU) to access a lawyer in another Member State using their own language and through a single point of entry. Building on the success of FAL, which will soon go live on the European Commission's e-Justice portal, Find-A-Lawyer 2 (FAL 2) will go further and create a prototype for verifying lawyers' e-identity in cross-border legal transactions, using those same lawyer databases.

The Council of Bars and Law Societies of Europe (CCBE) represents the bars and law societies of 31 member countries and 11 further associate and observer countries, and through them more than 1 million European lawyers. The CCBE has always advocated the efficient use of IT tools in proceedings with cross-border connection and, to this end, has been actively involved in the implementation of the European Commission's e-Justice strategy. FAL 2 is another leading project within the framework of e-Justice, undertaken by the CCBE in order to simplify judicial procedures to the benefit of citizens, legal practitioners and the administration of justice.

The project

The main objective of FAL 2 is to build a prototype which will use the original FAL Search Engine to verify lawyers' identification in cross-border e-proceedings. FAL 2 will also be linked to the e-CODEX project, currently being implemented by the European Commission and many member States to interconnect national e-Justice systems and enable secure electronic communication and data exchange. Within the framework of e-CODEX, FAL 2 will provide the necessary solution to ensure that the person claiming to be a lawyer is indeed a qualified lawyer in his/her home jurisdiction and is, thus, able to fill in claims on behalf of the client through e-Justice procedures available, for instance, under e-CODEX.

The benefits

In the "physical world", proving the lawyer's identity can be an indispensable element in dealings with other actors involved in legal proceedings. With FAL 2, proving the lawyer's identity becomes also possible in the "digital world", in a cross-border context, adding reliability and legal certainty in electronic legal proceedings where lawyers are involved. FAL 2 is therefore a lawyers' own-initiative solution for real-time and trusted verification of lawyers' e-identity. It is also another major CCBE initiative which falls within the scope of the e-Justice action plan, with a view to promoting a European judicial area through better and easier access to justice for European citizens.

An example

An Austrian man bought a pair of branded sunglasses on-line from a retailer in Italy, and they proved to be fake. His lawyer in Salzburg wants to use e-CODEX in order to fill in a small claim against the Italian-based retailer from the comfort of her own laptop at home. All she needs to do is connect to the European e-Justice portal, fill in the available on-line form and sign it with her capacity as a lawyer. FAL 2 will then verify in real-time that this person is effectively a qualified lawyer in Austria and legally authorised to act on behalf of her client in cross-border e-proceedings. Provided that her identity is successfully verified through FAL 2, the lawyer from Salzburg will be able to send her small claim immediately and securely via internet to the relevant judicial authorities in Italy.

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