


[Home](#) > ... > [Court Procedures](#) > [Civil Cases](#) > [Online Processing of Cases and E-communication With Courts](#) Netherlands

# Online processing of cases and e-communication with courts

 Netherlands

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European Judicial Network  
(in civil and commercial matters)

## 1 Is it possible to initiate court proceedings via the internet?

Yes, you can start court proceedings via the secure web portal of the courts. The web portal can be accessed by members of the public, lawyers and other legal professionals, as well as by entrepreneurs, businesses and other organisations.

However, court proceedings cannot yet be initiated electronically in all court jurisdictions or for all types of proceedings.

Appeals on points of law (cassatiezaken) to the Supreme Court (Hoge Raad) can be brought electronically; this is mandatory for civil claims and (as of 1 January 2023) criminal claims.

## 2 If so, for what types of cases is it available? Are any proceedings available exclusively via the internet?

Civil claims:

- Lawyers can file applications for attachment electronically with any district court.
- Lawyers can file joint petitions for divorce electronically with the Central Netherlands district court (in Utrecht) and the Overijssel district court (in Almelo).
- Lawyers are obliged to file appeals on points of law electronically with the Supreme Court; see [Digitaal procederen bij de Hoge Raad - Hoge Raad](#).

Administrative claims:

- Lawyers must initiate proceedings electronically in asylum and detention cases.
- Lawyers can choose to file claims electronically in regular immigration cases.
- Members of the public, lawyers and other professionals can choose to file appeals electronically with any court of appeal in tax cases.
- Members of the public, lawyers and other professionals can choose to file an appeal on a point of law electronically with the Supreme Court.
- Members of the public, lawyers and other professionals can choose to initiate proceedings electronically at first instance or on appeal with the Council of State (Raad van State) (see [Digitaal procederen - Raad van State](#)).

An up-to-date overview of digitalisation at the district courts and courts of appeal in each jurisdiction can be found at [Digitalisering rechtspraak | Rechtspraak](#).

### 3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

You can bring a case or submit procedural documents to the various courts through a web portal. The web portal can be accessed at any time. System maintenance and failures are reported via the website of the court concerned. If you require assistance, you can in principle contact a help desk, such as the Judiciary's service centre (servicecentrum van de Rechtspraak), electronically or by phone from Monday to Friday during office hours and in the early evening.

### 4 Should the details of the claim be provided in any particular format?

Where you have the option of instigating specific proceedings electronically, further documents have to be filed via the web portal of the court concerned. As a rule, a digital questionnaire must be completed on the portal. Documents must be uploaded in PDF/A format; they cannot be bigger than 25 megabytes and they must meet Optical Character Recognition (OCR) requirements. Audio files must be in MP3 format, images in JPEG, and video files in Mp-4-h.264.

These specifications are set out in the courts' rules of procedure ([Procesreglementen | Rechtspraak](#)).

### 5 How is transmission and storage of data secured?

The Judiciary registers the (personal) data that are necessary for the proceedings to run smoothly. Such data are treated confidentially and securely in accordance with the General Data Protection Regulation (GDPR). The 'electronic folder' containing the court documents and attachments is encrypted in order to ensure that only the court to which the documents are addressed can read the contents.

Link to: [Digitalisering rechtspraak | Rechtspraak](#).

### 6 Is it necessary to use any kind of electronic signature and/or time record?

Yes, when you log in to a court's web portal you must provide a digital means of authentication. The corresponding rules of procedure specify which means of authentication are accepted ([wetten.nl - Regeling - Besluit elektronisch procederen - BWBR0044275 \(overheid.nl\)](#)). For lawyers, it is their lawyer's pass; for organisations, their e-ID (e-Herkenning); and for members of the public, their DigiD e-ID plus additional authentication by text message.

### 7 Are court fees payable? If so, how can they be paid and are they different to those for non-electronic procedures?

Yes, court fees are payable in all proceedings. There is no separate fee for electronic proceedings. In the case of electronic proceedings, court fees are paid online. In the absence of payment, no (further) progress can be made in initiating the proceedings. Legal firms can keep an account with the Judiciary.

### 8 Is it possible to withdraw a claim that has been initiated via the internet?

Yes, the rules of procedure of the relevant court stipulate how to withdraw the claim.

### 9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

No, unless it is mandatory to conduct the proceedings electronically, in which case the defendant must respond online. Where electronic filing is optional, and depending on what is stipulated in the rules of procedure, the defendant can file pleadings in writing and use the Judiciary's secure e-mail system (Veilig Mailen).

## 10 In terms of the electronic procedure what happens if the defendant responds to the claim?

Electronic proceedings are conducted entirely online. The defendant receives an e-mail notification of each new file lodged in the electronic case-file. Defendants can add their own documents and consult their case electronically. The court decision is made available online to the parties in the form of an electronic file.

## 11 In terms of the electronic procedure what happens if the defendant does not respond to a claim?

If the case has been served correctly on the other party, the case can be judged by default for failure to appear. The other party is informed of the procedural steps in writing.

## 12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

See answer to questions 1 and 2. Where electronic filing is not mandatory, documents can also be sent by post. It is not possible to send messages and documents by standard e-mail. Under the Order on Electronic Proceedings ([Besluit Elektronisch procederen](#)), the courts' rules of procedure specify which secure e-mail systems can be used.

## 13 Can judicial documents, and particularly judgments, be served via the internet?

No, as a general rule judicial documents, and particularly judgments, cannot be served or notified via the internet. See also the answer to question 10.

## 14 Can judicial decisions be given electronically?

Yes, but only judicial decisions in proceedings that have been conducted electronically, in which case the judicial decision is notified to the parties via the secure web portal.

## 15 Can an appeal be made and its decision served via the internet?

Yes, appeals can be brought online for a limited number of proceedings; see answer to question 2. Where proceedings have been conducted electronically at the appeal court, the judicial decision is also notified electronically to the parties. The decision cannot be served electronically.

## 16 Is it possible to initiate enforcement proceedings via the internet?

As a rule, enforcement proceedings cannot be brought online. However, lawyers can file applications for attachment online – see answer to question 2.

## 17 Can the parties or their legal representatives consult on-line cases? If so, how this can be done?

Yes, in proceedings brought electronically, parties and their legal representatives can consult the case-file online. To do so, they can log in to the court's web portal.

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■ Last update: 30/05/2025

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