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Online processing of cases and e-communication with courts

 Greece

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European Judicial Network
(in civil and commercial matters)

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

An application has been set up and is in operation for the electronic submission of legal documents to the Hellenic Council of State and the Athens Court of First Instance. The following are still provided: (a) monitoring information on legal documents submitted electronically and conventionally to the Athens Court of First Instance, (b) the option to monitor the progress of a legal document electronically, even if it is submitted using conventional methods, on the websites of the Piraeus and Thessaloniki Courts of First Instance. Moreover, an application has been set up for the electronic submission of legal documents to administrative courts (*dioikitika dikastiria*), and a similar application is about to be established for the Court of Audit (*Elenktiko Synedrio*).

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

Legal documents can be submitted electronically for cases relating to all civil procedures, which are progressively being included in the online function. The progress of the documents for all procedures can be monitored electronically. At present, there are no procedures which can be initiated solely via the internet.

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?

The progress of legal documents can be monitored electronically on a 24-hour basis. Legal documents can currently be submitted electronically to the Athens Court of First Instance during working days and hours, however, this option will soon be available 24/7.

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

To submit a legal document electronically, a system user (lawyer) completes an electronic form and submits it to the court along with the complete text of the claim in a WORD file. Upon completion of the submission procedure, it is sent back to the sender in the same, 'locked' format, marked 'submitted'.

5 How is transmission and storage of data secured?

Special passwords and electronic signatures are used to access to the system, both currently and when it will be fully operational.

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

The use of electronic signatures has been included in the system.

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

Court fees are normally paid electronically, which is a step included in the electronic legal document submission application. The fees are the same as those paid for conventional submission.

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

No. Withdrawal of a legal document is only possible in accordance with the provisions applicable to legal documents submitted conventionally, based on the rules of the Code of Civil Procedure.

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?

Presidential Decree 142/2013 has provided for the electronic submission of proposals and related documents before civil courts. This option is not yet technically available. A working party is currently working on setting up the appropriate technical framework. It is not mandatory for defendants to respond solely via the internet.

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

All legal and other documents of a case are made available to the court during the hearing.

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

Should the defendant fail to submit any proposals, in any way whatsoever, he is tried *in absentia*.

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?

Presidential Decree 142/2013 has provided (in addition to the electronic submission of proposals) for the electronic submission of related documents before civil courts.

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

Not yet. It is being looked into.

14 Can judicial decisions be given electronically?

Not yet. It is being looked into.

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

Not yet. It is being looked into.

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

No.

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

See the answer to question 1.

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