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Courts Italy

Online processing of cases and e-communication with courts



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European Judicial Network
(in civil and commercial
matters)

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

Yes, it is available for civil proceedings before all courts and courts of appeal.

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

Pursuant to Article 196-bis of the Code of Civil Procedure (*Codice di Procedura Civile*), as amended by Article 4(12) of Legislative Decree No 149 of 10 October 2022 (*Decreto Legislativo 10 ottobre 2022, n. 149*), known as the 'Cartabia reform' (Implementation of Law No 206 of 26 November 2021), the **Public prosecutor** (*pubblico ministero*), the parties' lawyers and the persons appointed or delegated by the **judicial authorities** (*autorità giudiziaria*) may only submit procedural acts and documents, including the registration slip (*nota di iscrizione a ruolo*), in electronic format. The parties submit acts and documents from the persons appointed by them in the same way. The court may order paper **copies** of individual acts and documents to be submitted for specific reasons. The court's orders and the minutes of the hearing are submitted in electronic format.

Submission in electronic format is carried out in accordance with the rules, including regulations on the **signature**, transmission and receipt of electronic documents.

In the event that the judiciary's IT systems are not functioning and there is a matter of urgency, the President of the Court may authorise non-electronic submission, communicating this through the institutional website of the court's administration. The same method is used to communicate that the systems have been brought back online.

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 service for the electronic submission of documents is available round the clock.

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

Yes, the technical specifications to be complied with are set out in a measure dated 16 April 2014. They can be found at the following link:

<http://pst.giustizia.it/PST/resources/cms/documents/SpecificheTecnicheTestoCoordinatoArticolato.pdf>

5 How is transmission and storage of data secured?

The 'IT envelope' (busta telematica), containing the judicial document and any attachments, is encrypted, to ensure its contents can only be read by the receiving court.

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

An electronic signature is required; a record of the time is not necessary.

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

The single fee required by law (contributo unificato) may be paid electronically, via a dedicated online procedure requiring authentication by Italian smart card. The fee is the same as for non-electronic procedures.

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

Yes, by an electronic document equivalent to the paper one.

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?

With respect to the submission of an application, the defendant is free to act as they see fit; electronic submission is, however, mandatory during the course of proceedings before the courts and courts of appeal.

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

The same rules as for paper proceedings apply. The defendant may challenge the claim electronically only if the court is authorised to receive online submissions for the type of proceedings and document in question.

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

The same rules as for paper proceedings apply.

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 the replies to questions 1 and 2.

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

Communications and notices to the parties' lawyers are sent only via the internet (certified electronic mail (PEC) under the Italian rules).

14 Can judicial decisions be given electronically?

Yes. Injunctions (*decreti ingiuntivi*) are issued in electronic format only (from 30 June 2014).

Civil courts issue some 300 000 decisions in electronic format every month.

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

An appeal can be lodged via the internet. The decision on the appeal is notified only via the internet (certified electronic mail (PEC) under the Italian rules).

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

Yes.

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

Yes, by authenticating themselves (using an Italian smart card) at an authorised access point or on the online services portal of the Ministry of Justice (Ministero della Giustizia).

Related links

<https://pst.giustizia.it/PST/>

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