



REPUBLIC OF SLOVENIA
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IN COOPERATION WITH



FACULTY OF LAW,
ECONOMICS
AND FINANCE

EU Service of Documents and Taking of Evidence Judicial cooperation tools in the field civil law

Luxembourg, 12-13 June 2024

Seminar Venue: Salle B001 - Faculty of Law, Economics and Finance, University of Luxembourg, Weicker Building, 4 Rue Alphonse Weicker, 2721 Luxembourg – [Google Maps](#)

Organized by EIPA Luxembourg - European Centre for Judges and Lawyers

Grant Agreement 101089772 — UpJudCoop - Update on EU judicial cooperation instruments

Programme

Objectives: The key instruments facilitate the work of judicial authorities in cross-border litigation: the Service of documents Regulation and the Taking of Evidence Regulation. Service of documents on parties to litigation and ensuring that evidence from other countries is made available are both quintessential to cross border litigation. Ever since its adoption the principal objective of the Service of Documents Regulation has been to ensure that service and transmission of documents between Member States' judicial authorities shall be fast and secure. Today the new Regulation gears towards digital transmission of documents. In the same vein the Taking of Evidence Regulation established an EU-wide system of direct and rapid transmission and execution of requests for the performance of taking of evidence between courts and laying down precise criteria regarding the form and content of the request.

The objective of the seminar is to provide an update on the case law of the CJEU in relation to the **Services Regulation and the Taking of Evidence Regulation** being the most important vehicles of **EU judicial cooperation in civil matters**. The seminar will revisit the latest case law in relation to Services Regulation and will particularly discuss to the **receipt of the document initiating proceedings, service of that order on the person concerned solely by way of a person compulsorily appointed to accept service, private operator providing the service of formally serving court or administrative authority documents, failure to provide a translation of the document, and what to do if no indication of the address of the institution to which a notice may be addressed**.

The seminar will address issues in relation to cooperation between the courts of the Member States in the taking of evidence in civil and commercial matters. The seminar will specifically take into consideration that both the Service and Taking of evidence Regulations are fundamental to practical judicial cooperation and they both have been in place for two decades with a view the previous versions of the instruments before the current recast Regulations were adopted which are now applicable.



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Target group: The seminar is especially interesting for legal practitioners working in the field of civil law, dealing with cross-border civil litigation cases, but is also of relevance to those having a particular interest in the EU Area of Freedom Security and Justice, based on the principles of mutual recognition and mutual trust.

Participants will have a nuanced understanding of the practical insights about the working structures and functions of the EJN, e-justice portal and the work under the flagship of e-codex as well..

Seminar methodology: Short presentations complemented with practice-oriented discussions led by experts who have an in-depth understanding of cross border litigation in civil matters and the digitalisation of judicial work. Departing from the rich case law of the Court of Justice of the European Union, the seminar will focus on practical issues arising in the daily administration of the cross-border civil law cases.

The seminar also involves a visit to the CJUE and a background explanation on how national courts can refer interpretative requests to the CJEU in the context of the preliminary reference procedure

EIPA Luxembourg - European Centre for Judges and Lawyers

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WEDNESDAY 12 JUNE 2024

08.30 Registration of participants

09.00 Welcome of participants and introduction to the seminar programme

09.30 Service regulation – scope and applicability

Case C-73/19, Movic and others	Case C-25/19, Corporis
Case C-325/11, Alder	Case C-226/13, Fahnenbrock a.o
Case C-223/14, Tecom	Case C-292/10, De Visser
Case C-307/19, Obala i lučice d.o.o. v NLB Leasing d.o.o.,	

Cristina M. Mariottini

10.15 Q&A

10.30 Coffee break

11.00 Service Regulation – transmission, translation, and lack of domicile

Case C-307/19, Obala	Case C-354/15, Henderson
Case C-292/10, G v Cornelius de Visser	Case C-196/21, SR v EW
Case C-21/17, Catlin Europe SE	Case C-519/13, Alpha Bank Cyprus
Case C-7/21, LKW WALTER Internationale Transport Organisation AG	Case C-14/07 Weiss

Vincent Richard

11.45 Q&A

12.00 Taking of evidence regulation

Case C-283/09, Werynski, Case C-175/06, Tedesco, Case C-170/11, Lippens, Case C-332/11 ProRail, Case C-208/20, Toplofikatsia, Case C-163/21, A D and Others v PACCAR Inc

Carlos Santaló Goris

13.00 Q&A

13.15 Lunch break

15.00 Case study 1: Service of documents

Vincent Richard



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- 15.45 Coffee break
- 16.00 **Case study 2: Taking evidence in cross-border civil cases** (*Carlos Santaló Goris*)
Carlos Santaló Goris
- 16.45 **Evaluation**
- 17.00 End of Day 1

THURSDAY 13 JUNE 2024

- 08.00 **Visit to the Court of Justice of the European Union**
Arrival - security check
- 13.00 **END OF SEMINAR**



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