



CONCEPT, GENESIS AND SIGNIFICANCE OF DIGITIZATION OF CIVIL LITIGATION

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Abstract

Today, the judicial system of the developed countries of the world is abandoning paper-based procedural actions. As a result of the development of digital technologies and their penetration into all spheres of social life, digital technologies contribute to the more efficient and fair operation of the justice system and economic efficiency for the parties.

The President of the Republic of Uzbekistan, Sh. Mirziyoyev, expressed the following thoughts about digitalization: digital technologies are rapidly entering the lives of people and industries all over the world. The countries that entered this direction on time are developing, on the contrary, those that worked in the old way are lagging behind.

In the Resolution of the President of the Republic of Uzbekistan dated July 3, 2018 "On measures to develop the digital economy in the Republic of Uzbekistan" o. PQ-3832, the 36 most important tasks for the further development of the digital economy were defined. It can be seen that digitization is one of the most important tasks in the economic and social life of our country.

The term "digitization" was first used in the world in 1995 by Joseph Bauer and Clayton Christensen. Legal scholar Richard Susskind was the first to use the term digitization in the legal field 37. In his book *Online Courts and the Future of Justice*, Professor Richard Susskind discusses the digitization of court proceedings and analyzes the digitization of court proceedings in two ways. The first is "online decision-making" (online judging), i.e. not robot-judges based on artificial intelligence, but a judge evaluates the evidence presented by the parties via the Internet, considers cases. This is an asynchronous hearing where the parties send information and evidence to the judge remotely. The second type, called "court services" (extended courts), will have the opportunity to use programs that help the parties understand their procedural rights and obligations. On the theoretical-doctoral basis of "online judging" and "extended courts"

introduced by Professor Richard Susskind, research work on digitization and virtualization of civil court cases is being carried out today. While the issues of organizing online court hearings and abandoning the video conference mode are





being raised based on the "Online Judging" scientific doctorate, the creation of court platforms and mobile court applications based on the concept of "extended courts", the widespread introduction of artificial intelligence to the conduct of civil court cases, ideas such as bringing the concept of judicial services into science by creating court platforms and mobile court applications are being promoted.

Placing more integrated circuits on transistors is making it possible to store large amounts of data in a small amount. This creates the ground for digital technologies to enter many areas of social life.

According to Villu Kove, President of the Supreme Court of Estonia, court proceedings will become paperless in the coming years, but the user-friendliness of information systems today is still lacking. We need smarter solutions when it comes to digitally processing complex court cases. We can also benefit from solutions that give judges an overview of the current status of the cases they are handling. When a judge is dealing with a hundred issues, it is very difficult to study them all. Information technology and artificial intelligence can help parties if they are intelligently designed to work for users based on the internal logic of court processes.

Artificial intelligence could reduce the workload of judges as a robot-judge, an electronic assistant judge in civil court proceedings, and allow some types of civil court proceedings to be resolved more quickly and easily.

Legal scientist M. Mamasiddikov emphasizes the following: the use of modern information and communication technologies accelerates the circulation of electronic documents in the activity of civil courts, ensures the collection, processing, systematization and storage of relevant information. At the same time, it allows to notify the participants of the court proceedings electronically through the information system and send them court documents and other correspondence.

If the civil case is formed in electronic form, the persons participating in the case and other participants in civil court proceedings have the right to submit documents to the court in electronic form. The written documents submitted to the court by the persons participating in the case and other participants in civil court proceedings are attached to the case in electronic form, after which the written documents are returned to the persons who submitted them.

If the civil case is formed in electronic form, the court documents are confirmed with the digital signature of the judge (judges), and the minutes of court sessions and procedural actions are confirmed with the digital signature of the presiding judge and the secretary of the court session.

It is stipulated that the transfer of a civil case formed in electronic form to another court or other body shall be carried out through the information system.





In order to digitize civil court cases in the Republic of Uzbekistan, it is necessary to carry out the following actions:

- transfer of civil courts to electronic order, i.e. placing civil court cases on a popular platform;
- connecting virtual courts to popular social networks in our country;
- Improvement of the electronic court system in the Republic of Uzbekistan, i.e. electronic court hearings, rapid introduction of artificial intelligence;
- improvement of execution of decisions of electronic courts;

Although court sessions in civil courts are held in the video conference mode, our citizens cannot use the video conference mode while sitting at home.

Telegram and Instagram are popular social networks in the Republic of Uzbekistan. Connecting electronic platforms of civil courts to social networks serves to increase their effectiveness. If we look at the Chinese experience, we can see that WeChat is connected to the platforms of civil courts in the social network.

Today, our youth spend most of their lives in social networks, and many problems of society are solved through social networks. Court platforms on social media make them popular.

In order to introduce artificial intelligence in civil courts, we should assume that electronic scoreboards will be introduced first, then robots will be introduced, and judges-robots will be implemented in the future.

It is desirable to directly connect the electronic platforms of civil courts with the bodies that execute court decisions (MIB, IIB, etc.).

It is recommended that all civil court cases should not be conducted through online platform and only cases requiring less evidence and less mechanical nature should be conducted through online platforms. Thus, civil court cases can be held in virtual courts depending on their nature and necessity for resolution.

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