



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR JUSTICE AND CONSUMERS

Directorate A: Civil and commercial justice
Unit A.2: Civil justice

MINUTES
FOURTH JOINT MEETING OF
THE TAKING OF EVIDENCE STEERING COMMITTEE
AND
THE SERVICE OF DOCUMENTS STEERING COMMITTEE

20 October 2025

I. WELCOME AND INTRODUCTORY REMARKS

The Commission welcomed everyone and introduced the Commission members joining this meeting. Also, the change in the project manager in the Commission was announced. The Commission presented the agenda, and the Committee adopted the agenda. The written statement from one absent Member State was presented.

II. MEMBER STATES' DEPLOYMENT AND GO-LIVE STATUS UPDATE

Each Member State provided an update on their deployment and go-live status, sharing the potential issues that they are facing.

Currently, 18 Member States are in production:

- 12 Member States have all authorities live
- 6 Member States have some authorities live
- 9 Member States don't have any authorities live
- 23 e-CODEX access points (maintained by eu-LISA).

Each of the present Member States provided an overview of their deployment status and shared information on any issues. The Commission congratulated the Member States that are live. The goal is that by the end of the year, more than 20 Member States will be live, which would be a huge step towards digitizing all judicial cooperation.

The Commission asked how the Member States' authorities, that are live, respond when they receive a request by other means than the decentralised IT system (e.g. by e-mail or post) while the requesting authority has also already gone live. Some of the Member States referred to exceptional case types (SODX and TOEX). One Member State answered that if the box

indicating that the request could not be sent through the IT system due to technical issues is marked, the practitioners can process it as before but if the box is not checked then the request is sent back to the requesting authority.

The Commission agreed that there is a specific point in SoD Form A (p. 9) or ToE Form A (p. 13) to mark the reason for not transmitting the request through the decentralised IT system. If the point is left empty and the authority should be live, communication should take place through the decentralised IT system. At the same time, it was emphasised that as this is the beginning of the use of the decentralised IT system, one could show some flexibility and try contacting the requesting authority by phone or e-mail to ask for them to send the request through the system or even on exceptional basis reply once by using the same method the request was received and emphasising that the next time a request sent by other means would be refused. It was highlighted that the Commission can only intervene if it finds that the authorities (one or more of them) of a Member State are systematically deciding not to use the decentralised IT system and as a result systematically breaching the Regulation(s).

III. PRESENTATION OF LUXEMBOURG REGARDING THE IMPLEMENTATION AND USE OF THE REFERENCE IMPLEMENTATION

A representative of Luxembourg presented how the reference implementation software (RI) was set up nationally, lessons learnt and possible future improvements.

As they had already set up the pilot for European Investigation Order (e-EDES) in the past, the technical infrastructure was in place and their team was familiar with the process of deployment. Some components were new to them and support from the Commission was important. There were some specific technical problems with the incompatibility of the new version of Keycloak resulting in incompatibility between the new Keycloak and the existing RI and with the transition from CDB TLS to CDB mTLS. But despite this they managed to go live on 1 May 2025.

They have two types of users: internal users (representatives of courts) and external users (bailiffs). It was mentioned that depending on the authority it was sometimes hard to identify the definitive list of final users for the system and the list of users changes daily or 2-3 bailiffs deciding to merge or split their offices.

Since bailiffs are outside of the justice administration, there was internal discussion on how to handle them. Ultimately, it was decided that they would be using the same system as the courts,

but this posed a security risk, as the application was opened to external users. In general users had to be reminded that using the system is mandatory.

The timeframe for tests was considered quite limited, and bugs resulted in delays, preventing tests from being completed on time. The high number of tests to run resulted in a long execution time, making it impossible to finalise all conformance tests before going live.

For most users, the Train the Trainer (TTT) sessions conducted by the Commission were perceived as the final user training. The participants were expected to train themselves and then share their acquired knowledge with others.

Planned improvements include: the delivery of Docker images, earlier delivery of test cases, and the nomination of Single Points of Contact (SPOCs) for each legal instrument. Defining a single contact point for each instrument could help manage the list of users and trainers. Additionally, they recommended to have an access point for each user group (e.g., bailiffs). An area for improvement is internal communication and internal training. The internal support team was mistakenly considered a full-support team for users.

After the presentation, one Committee member inquired about the system used for user management in Luxembourg. The response was that Luxembourg utilizes an internal system with Keycloak layered on top of it. The Member State that posed the question shared the concern that using a proprietary system in conjunction with Keycloak may duplicate efforts and might not be a best practice. It was also noted that the national case management system and JUDEX are not yet connected via APIs, which could be considered for future implementation.

The Commission commented that the performance implementation can be utilized separately for each system. When users are created, they are linked to a specific competent authority. Additionally, it was remarked that bailiffs, unlike court users, often change offices or have their office addresses modified frequently, which is an important detail to track.

Luxembourg asked a question about whether the Commission had tested the RI for statistics report generation. Commission answered that the report generation functionality had been thoroughly tested. There are many variables that influence the report generation, e.g. the time at which report generation is triggered. It was noted that since the reports need to be submitted by the Member States for all their installations, it was decided to have a single page for choosing dates, for the sake of simplicity.

IV. PRESENTATION OF THE NETHERLANDS REGARDING THE IMPLEMENTATION OF A NATIONAL SYSTEM

A representative of the Netherlands shared their views and experience about building two National Implementations (NI) that are connected to the decentralised IT system. They decided to implement their own systems to align with other national systems in a highly digitized environment. The NIs will be the basis for implementing the legal solution. The Ministry of Justice and Security is responsible for the overall system. There is no federal division; the structure is centralized.

The main objectives were implementation before 1 May 2025 and learning with a view to implementing the Digitalisation Regulation ((EU) 2023/2844). It is important that the Commission continues to orchestrate collaboration between the Member States also with a view to ensuring continuity after go-live.

The Ministry of Justice is responsible for the legal system, organizing, facilitating, and financing the central program. They have calculated that using NIs would cost approximately 35% less in the long run than deploying the RI. Therefore, SoD and ToE are the first NIs of many to be used in the future.

Their implementation started in 2021 and they wanted to reuse as much as possible (in area of processes and finances), the intention was to start IT development as soon as possible; a long-term perspective relating to digital regulation was missing at the time. The comprehensive long-term approach was to focus on cost-effectiveness, meaning a short implementation time for other instruments. A short video was presented, highlighting that it is essential to use the opportunity before it is too late to integrate with national processes and digitalisation, align with the needs of the business, and decide on the best solution. It was highlighted that it would have been more effective if they had organized their involvement earlier during the comitology process of SoD and ToE. Bilateral sessions with the SoD&ToE Support Team were found very helpful. The Netherlands went live with SoD on 2 September and with ToE on the 9 September.

It was highlighted that there is a need for the Commission to facilitate strong communication between the Member States, not only to achieve go-live but also to continue after the go-live phase. During the preparations phase, the Netherlands submitted numerous letters to the Commission outlining what they needed. There is a need to continue applying the TestBed or similar testing solutions. The joint effort with EXISTA was also helpful, although the European proposal was not realized.

Member States should collaborate on tasks, in addition to the more formal comitology process. Informal channels for communicating about the tasks that need to be done would be useful.

At the end of the presentation, the Netherlands summarized that there was an intention to move faster in the future. Defining clear national objectives and roles/responsibilities at the beginning would be helpful. At the Commission level, there is a need for clear objectives that can be fulfilled by a proactive system in the NIs. More detailed technical descriptions would be helpful.

The Commission appreciated the letters from the Netherlands, which included a list of problems they were facing, and considered this a good practice as it allowed to go through all of the issues one by one. They encouraged other Member States to do the same and be as concrete as possible in sharing their views and needs. It was highlighted that understanding the national environment of the Member States, especially when they have their NI, is essential for the Commission.

One Committee member commented that collaboration is very important and that there is a strong need to share knowledge with others, both now and in the future. They also added that interoperability is crucial.

V. EXCHANGE OF VIEWS AND BEST PRACTICES

In this part, the Committee member were encouraged to share their opinions, experiences and ask questions.

One Committee member asked whether all authorities must be live for a Member State to be considered live in the light of the Regulations. The Commission answered that letters had been sent to the Member States that are not yet live. To consider a Member State live and not breaching the Regulations, there is a condition that all authorities must be live.

Another Committee member asked whether the Commission could assess the step-by-step approach of the courts to determine if they are in line with the Regulation. The Commission answered that all relevant authorities must be live. When a Member State is making significant progress, the Commission is willing to wait a reasonable amount of time before taking further steps to initiate infringement proceedings. It is essential that the Member States respect the timeline outlined in their replies.

Another question from that Committee member was about the possibility of rejecting an application for a request if it has been sent by post or email because an authority is not using the system. The Commission referred to previous discussions on this. Both forms A of SoD and ToE have dedicated points that allow indicating that the reason the request was sent by post or e-mail was due to a technical issue – this is in line with the Regulations as this can be considered to fall under the exceptions. It was highlighted that the exception has to exist for each individual communication – when a request is initiated by other means due to exceptional circumstances, it does not mean that the exception exists for follow-up communication. When there is no indication of an exception applying for sending the request via other means, there is a possibility for the receiving authority to refuse to execute a request. If both authorities are live, SODX/TOEX can be used to send the acknowledgement of receipt and other follow-up communications (in a free text message). The requesting authority can also be contacted via other means (e.g. phone or e-mail) to inform them that the request will not be processed unless it is sent through the system.

Another Committee member commented that there is no sanction in the Regulations for such practices, and some authorities will continue to send requests via other means – in that case, judges will decide if a sanction is due, and that Member State will continue to accept such requests. The Commission noted that indeed whether refusal is the best decision should be made on a case-by-case basis. It also once again highlighted that if there are authorities that do not use the IT system on a systematic and persisting manner, an infringement proceeding may be initiated against that Member State.

Another Committee member asked whether they could deny processing of requests received via other means and ask that they be sent using the e-CODEX infrastructure starting in early 2026, when the infrastructure of all Member States is expected to be ready. The Commission answered that such a decision is possible even now, since every authority is obliged to use the e-CODEX for case exchange; however, cases could be assessed individually.

VI. CHANGE REQUEST PROCESS

Definitions for the following terms have been provided:

- Change management
- Request for change
- RfC ticket.

The overview of the change management process was presented, from initial proposition to final implementation. The Member States and the Steering Committees are part of the system, not external to it.

The input is divided into the following categories: requests from a Member State, new features, improvements, and legislative changes. In the input phase, it should be described as thoroughly as possible, as national specificity will make it easier to pursue. Then, the acceptance and implementation phases take place. The Member States will be part of the decision-making phase. The details will be stored and held for analysis of the request.

Collaboration in the phase of demanding features is very important. The representatives of Member States with the relevant access rights are kindly requested to provide a detailed description of a new demand, operational context, and national perspectives. It is recommended that the request should be also agreed upon internally within the Member State raising it. A request from a Member State will help other Member States understand what each other is asking for and prepare a technical solution. The cadence of deciding on / ranking improvements is assumed to be every three months. Full traceability from request to result will be provided.

For the EUSurvey circulated to the Steering Committees, the Member States are requested to respond in a timely manner so that the Commission can respond more promptly. The whole process will take steps in the traceability of the development stage – the engagement of the Member States in this part is key, as the Commission will be able to understand the priority of these demands and make decisions upon approval.

One Committee member commented that when deciding on improvements to the RI, the NIs should also be taken into consideration. The change assessment and agreement phase should be conducted before implementation. The Commission confirmed that it is aware of the needs of NIs and will try to analyse those requests to make them as clear as possible.

Another Committee member commented that when a decision is made in the process – whether the request for change is approved or not – this decision should be communicated. When a request for change is delivered and a ticket is registered, an impact assessment should be conducted to determine the impact of the change on the national system. Major changes should be taken into consideration before minor changes. The Commission answered that it understands that change requests need to be assessed from the perspective of potential impact on the NIs by changing data schemas and encouraged the Member States to make other suggestions to make the process more pragmatic.

Another Committee member commented that they were missing the (technical) consultation process with the Member States / Steering Committees, which would be beneficial to improve

the quality of the change management process. The Commission answered that this is the purpose of the Technical Sub-Committee's weekly meetings, which is a regular part of the agenda of those meetings, providing a possibility to raise important topics and discuss issues. The Commission plans to consult the Committee to understand how the change(s) should be implemented before proceeding.

Another Committee member asked about the relation of the decisions made by these Steering Committees with the decisions of other committees such as the Digitalisation of judicial cooperation Committee and how those are managed. The Commission answered that there is a will to have a central view. When the release planning is to be released, it will contain information on all digitalised instruments. Horizontal analysis requires a lot of coordination among all stakeholders, and the Commission is trying to reuse as much as possible of what has been done. These Steering Committees are the most advanced form of governance that has been set up in this field so far. No horizontal expert group exists as of now.

Another Committee member shared their assumption that at the decision point, the decision on a request for change should be a joint decision among the Member States / Steering Committees and the Commission. The impact assessment should include the impact on national legal systems. The question was whether this change management process is going to be performed in the Steering Committees meetings. Another question was whether there will be one change management process, as many discussed change requests have horizontal effects. The Commission answered that there are six development teams (including Production Team, RI Development Teams, CDB Team, Support Team). At the level of committees, there is a will to identify as many horizontal features as possible. Efforts are being made to communicate and coordinate priorities and how common points can be implemented horizontally among the various groups. For the horizontal development part, the Recitals of the Commission Decisions establishing these Steering Committees note that *as the decentralised IT system is implemented within a larger e-CODEX-based decentralised IT system referred to as JUsTice Digital EXchange system (JUDEX), requiring an effective exchange of information concerning horizontal developments.*

VII. UPDATE OF PLANNED CHANGE REQUEST / IMPROVEMENTS (EFFORTS, PLANNING, RELEASE DATES)

The Commission presented a discussion paper, which was distributed to the Steering Committees ahead of the meeting. The purpose of the document was to clarify the most important open points that appeared during the preliminary analysis of potential improvements included in the EUSurvey and to discuss them with the Steering Committee. The five topics were presented in order to get answers on some preferable solution elements (options). Some of those questions might be cascaded for more in-depth decision-making to the Technical Sub-

Committee. Some of the presented improvements were horizontal topics (which have an impact on all instruments in the RI).

(1) File extensions/max file size:

Currently the RI does not support file size or extensions limitations. The Member States were requested to determine which file extensions / formats they are able to send and accept to receive as attachments and what is the maximum file size they are capable of sending and receiving. These values may vary between the sender and the recipient and to ensure that the message / attachments are received without any problem, they need to meet the criteria of both the sender and receiver. Currently the information of the limitations on file extensions / formats and file size are available to (mostly) technical support staff in Confluence and not visible to the users.

Proposed solution: The proposed feature would allow to limit the uploading of files that are not in the agreed-upon file extension / format and/or that exceed the capacity supported by the infrastructure of both the sender and the recipient. As these values may vary between the sender and the recipient, the lower value should be used for each communication. This change should be applied to both individual file sizes and the overall message size, as users can add multiple attachments. The feature requires adaptations to the workflow (such as allowing the user to return to previous steps to change the size of attachments if they appear to be too large).

The Steering Committee is kindly asked:

- a) What level of granularity is expected? Should limits be defined at the Member State level, at an installation level or at an authority level? (Explanation: if the limit is at the Member State level it means that each Member State defines its own limits; if at the installation level it means that limits can be defined per each installation; if at the authority level, each authority can have its limit defined).***
- b) How should the potential situation be handled in cases where a case is forwarded, but there are various limits set for the forward sender and the forward recipient, and the forwarded authority is unable to receive the case due to its size or file extension / format? This question is dependent on the previous one, as to whether the expected granularity is lower than the Member State level; likely, this would require a business workflow adaptation.***

One Committee member asked about the relation of the discussion item with the list sent in the EUSurvey. The Commission explained that the maximum file size/extension was ranked as the first improvement on the list. The Committee member replied that this topic was discussed internally and that there should be one European standard. If every Member State keeps its own rules, then the NI needs to assess each attachment, which is complicated (or even impossible). The limits should be formally defined for everyone.

After lengthy discussions, there was no decision taken and the item will be discussed once again in the next Steering Committee. However, the discussions showed the following:

- the Committee seems to favour a centralised solution similarly to the decision taken for e-Evidence (meaning one maximum file size and lists of file formats applying to all), while the solutions might differ between SoD and ToE;
- the Commission should analyse the data collected from Member States to try to determine the centralised solutions;
- the topic should be also discussed with the Technical Sub-Committee;
- until there is a centralised solution, information may be made available on national limitations in the e-Justice Portal or CDB and the User Manual should be updated.

(2) Possibility to add parties outside the EU

The Member States have raised a concern regarding the inability to add applicants, claimants, or other parties from non-EU countries in the RI within the SODA, SODB, TOEA, and TOEL workflows.

Proposed solution: The proposed addition of 'Other' in fields where specifying a nationality or an address outside the EU is possible. Adding this 'Other' option to the dropdown lists in the forms would necessitate updates to both the XSD (XML Schema Definition) and the GUI (Graphical User Interface). Furthermore, this change would have an impact on cases that have already been exchanged in production.

The 'Other' option should be introduced as the last option in the dropdown lists for the following sections: SODA: Applicant(s); SODB: Addressee (only SoD Form C field 1.2.3, not SoD Form B); TOEA and TOEL: Claimant/ petitioner(s), Representatives of the claimant/ petitioner(s), Defendant/ respondent(s), Representatives of defendant/ respondent.

Additionally, the changes should be reflected in the corresponding PDF documents, to ensure consistency across all relevant documentation.

The Steering Committee is kindly asked to confirm that an additional option to specify the country of origin of the party should be provided.

While two Committee members agreed that there should be a possibility of specifying the country in a text field, two other members considered that implementation of a dropdown list of all countries (based on a specific ISO-code) might be more relevant. It was emphasised that the impact of this change to cases that have already been exchanged in production has to be thoroughly discussed.

The Commission commented that a preliminary analysis was made, and it was agreed that possible solutions are going to be discussed further with the Technical Sub-Committee.

(3) Addition of possibility to discard drafts in the RI

The functionality to delete sub-forms and draft messages is currently missing. When a user initiates a new draft form within an ongoing case, but decides not to complete or send it, there is no option to remove the draft.

Proposed solution: The proposed addition of a 'Delete Draft' feature in the form tab would be a user-friendly enhancement, allowing users to manage their drafts more efficiently. The

'Delete draft' button would be available for messages which do not initiate a new case, as well as for messages that are not automatically generated by the RI. The following SoD and ToE messages would be excluded: SOD Forms A, B, D (automatic), G, L (Receiving side), Notice of retransmission of SODB, SODX, TOE Forms A, C, L, Notification of Forward and TOEX.

The Steering Committee is kindly asked to confirm that all users with access to a case (who have editing privileges) should be granted the permission to delete a draft message.

One Committee member asked why certain Forms have been excluded. The Commission explained that those are the main forms that open the case or are created automatically and therefore cannot be deleted by using this feature.

The Steering Committee confirmed that all users who have access to the case should be granted the permission to delete a draft message.

During the discussions a Committee member asked whether the notifications would stop being sent once a draft is deleted. They mentioned a situation in their Member State where an incoming case was ended with a SoD Form K, and when the process had officially ended and a form was sent back, notifications kept coming, and the users were unable to verify where they were coming from. The Commission commented that this issue was not part of the intended discussion, and a request to the Support Team should be raised to investigate.

(4) Possibility to sort cases into folders in the RI

The Member States have raised a concern that certain authorities will be handling a large volume of incoming and outgoing requests, potentially numbering in the hundreds. To improve organization and visibility, they have requested the ability to categorize and sort these requests into folders at the user level, enabling better management and oversight of their workflows.

Proposed solution: The proposed feature would allow users to create, rename, and delete folders at their individual level, providing a personalized way to organize and manage their cases. Users would have the ability to assign cases to specific folders and move them between folders as needed. If a folder is deleted, its contents would not be removed, but rather, the cases that were previously assigned to that folder would be relocated to a default area for cases that do not have assigned folders.

The Steering Committee is kindly asked to confirm that all types of users (except for Statistics Handler) should be granted the permission to use the proposed 'folders' functionality.

The Steering Committee confirmed that all types of users (except for Statistics Handler) should be granted the permission to use the proposed 'folders' functionality.

(5) Export Event & Message Timeline in the RI

The Member States have requested the possibility to export the Event & Message Timeline to PDF, in order to have full visibility of timelines and responsibilities. Event & Message Timeline is a tab included in each case in the RI. This tab is visible for all cases, including drafts, issued and received cases. It contains a timeline with:

- status changes;

- messages exchanged between Authorities within a case. For the issuing / requesting side, all communication with all executing / receiving authorities is visible. For the executing / receiving side, messages sent, and comments added by other executing / receiving authorities will not be visible;

- local user 's comments (not transmitted);

- confirmation that a sent message has successfully reached its destination (green tick).

Proposed solution: The proposed feature would introduce a functionality for Event & Message Timeline PDF generation. The PDF file will not reflect the exact Event & Message Timeline view, but will present message related data: message type, message state (sent, delivered, error), requesting or receiving authority, date and time.

The Steering Committee is kindly asked:

a) whether the proposed solution is sufficient to satisfy their needs or to specify if there is other data essential for their business processes that should be included in the PDF?

b) whether only exchanged (sent and received) messages should be included, or if information on draft messages is needed as well?

One Committee member asked whether there was a possibility to get an example to see how the PDF would look like. The Commission answered that there is no mock-up of the planned PDF created yet, but it would contain the most essential elements from the Event & Message Timeline.

While the Steering Committee supported the idea of the export of the timeline, the following additional proposals were made:

- the export should also include other general type of information on the case, such as case number, national number, requesting/receiving state, requesting/receiving authority, case status, and information about the type of signature;
- the exported timeline should be included in the export of the file that can be done for archiving purposes when the case has been closed and before deleting the case from the RI.

The Commission answered that the above suggestions would be noted.

After the discussions the Commission presented the **results of the EUSurvey** ranking of possible improvements.

The proposal with the improvements that will be included in the next two releases (February and May 2026) was also presented. 5 items from this list are planned to be included. The selection of the items included in these releases considered the priority given in the EUSurvey but also the next criteria:

- Estimations for analysis, implementation and testing. Some items with lower priority are considered “quick wins”;
- Planned improvements for release 4.0 (see section VIII);
- SoD&ToE project is in evolutive maintenance, and the resources are limited.

VIII. RELEASE PLAN FOR THE REFERENCE IMPLEMENTATION

The high-level Release plan timeline was presented. Since the last meeting, it was possible to consolidate all the planned features in terms of common components used in both civil and criminal instruments. In terms of technical aspects, a major change will be applied with a new workflow engine improvement and replacement of the previous one.

Another feature is accessibility (WCAG 2.0) - the latest guidelines were defined in October 2023. From the proposal announced earlier, it is planned to be included in the next release.

For the beginning of May 2026, Major Technical Change upgrades related to the User Interface are planned. Additionally, the release will include the implementation of features such as include the abilities of discarding drafts, adding parties outside the EU and generating PDF in the target language.

Release Plan containing dates, will be published as soon as possible. The Commission will make it available on its website (Confluence page) so that everyone can participate in the discussion and stay informed about updates.

IX. END OF PROVISION OF PKI CERTIFICATES

The Commission shared information that there will be a service discontinuation for PKI certificates, effective February 1st, 2026. No disruption to the operation of the workflows is foreseen. Existing certificates will remain valid. This change involves a transition from public to private Certification Authorities, with the only limitation being that actions for revocation of certificates will not be available.

What is needed is for each Member State to conduct a transition from the public to a private PKI, either by switching to a provider that is already available in the system or by using an external provider.

The recommendation is to update the PKI certificate before February 2026, if possible, as soon as possible.

X. PLANNING OF NEXT MEETINGS

The next meetings are planned online for the afternoons of 20 November and 9 December.

XI. ANY OTHER BUSINESS

No other business was raised.

LIST OF PARTICIPANTS

Commission

Belgium

Bulgaria

Croatia

Czechia

Denmark

Estonia

Finland

France

Germany

Hungary

Ireland

Latvia

Lithuania

Luxemburg

Malta

Netherlands

Poland

Portugal

Romania

Slovakia

Spain

Sweden

EUBF

UEHJ