Chapter 9

Openlaws.eu: Open Justice in Europe through Open Access to Legal Information

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ABSTRACT

Legal texts represent a fundamental building block in all democratic states. As such, legal information must be accessible to all members of society to the widest possible extent, to aid inclusiveness and to enable participation in public decision-making. In recognition of this, the EU and its Member States work to make laws, court decisions, etc. publicly available online. The sheer mass of legal norms, instruments, and interpretations in court decisions, commentaries and other sources, makes it increasingly difficult for citizens, civil society, businesses, and all involved stakeholders in legal practices to locate the relevant law. The challenge is to interlink local legal information and to have structures in place to enrich this information through aggregation and mass customization. The technological possibilities to achieve this goal do exist. The European project openlaws.eu aims for initiating a platform and to develop a vision for Big Open Legal Data (BOLD): an open framework for legislation, case law, and legal literature from across Europe.

INTRODUCTION

Legal texts represent a fundamental building block in all democratic states. As such, legal information must be accessible to all members of society to the widest possible extent, to aid inclusiveness and to enable participation in public decision-making. In recognition of this, the EU and its Member States work to make laws, court decisions, etc. publicly available online. Much has been achieved locally already. However, the sheer mass of legal norms, instruments, and interpretations in court decisions, commentaries and other sources, makes it increasingly difficult for citizens, civil society, businesses, and all involved stakeholders in legal practices to locate the relevant law.

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The challenge is to interlink local legal information and to have structures in place to enrich this information through aggregation and mass customization. The technological possibilities to achieve this goal exist. The European project openlaws.eu aims for initiating a platform and to develop a vision for Big Open Legal Data (BOLD): an open framework for legislation, case law, and legal literature from across Europe. This contributes to better access to legal information and ultimately to better governance, both of which support higher social welfare goals and in the long run build the foundation for Open Justice.

The remainder of this chapter is structured as follows: after an introduction to important key terms and concepts, the evolution of Open Justice in Europe is presented. After that, the authors show the current legal framework across Europe including initiatives regarding legislation and case law. Next, viewpoints of various stakeholders are presented followed by ICT-related challenges to be solved in governmental environments. Afterwards, the openlaws.eu project is introduced in detail and how the project aims to overcome the before-mentioned open challenges. The chapter closes with the conclusions and recommendations towards future directions.

DEFINITION OF KEY TERMS

When reaching out to the topic Open Justice and the associated environment, the reader is confronted with a plethora of key terms and their definitions can vary depending on their origin or the crispness/fuzziness intended by the defining body. In order to set the direction of this chapter and to present the reader with the views of the authors, this section introduces important key terms and how they contribute to the overall theme of Open Justice. Alongside with the definition of terms, the authors present the reader with a visualization, showing the interdependencies and complimentary nature of all concepts involved (see Figure 1).

*Figure 1. Visualization of key terms in the Open Justice environment*
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