



Report of the State Comptroller of Israel | March 2022

Courts Administration

Management of Court Processes Through the Legal-Net System



Management of Court Processes Through the Legal-Net System

Background

In 2003, the Courts Administration began developing a computerized system based on the idea of an "electronic file – paperless court." This core system is called the Legal-Net System (Net Hamishpat System). The system went live in 2010 and was designed, among other things, to be used by all factors involved in the management of court proceedings, including judges, Court Administrative Clerks¹, litigants (the public or government bodies, such as the Israel Police, State Prosecution, and the Israel Prison Service) and lawyers. The system assists the above in performing several tasks by automated means, without manual submission or using outdated technological means, such as initiating court process, scheduling court hearings and sending summonses to them, filing applications and documents to the court file, and mailing documents. The parties are also permitted to peruse files and perform actions through the Legal-Net system website (the website).

¹ The Court Administration Clerk (CAC) – responsible for non-judicial operations including managing courts' registry, examining documents submitted to the court, preparing summonses and scheduling hearings.



Key figures

1.8 million

court files have been opened manually by CAC in 2017–2019, out of 2.6 million files (70%)

95%

the ratio of applications and documents of government bodies manually submitted to the CAC (approx. 900 thousand out of approx. 950 thousand documents. A total of approx. 6 million documents were checked)

**60%
and 65%**

the rate of satisfaction of internal (courts system employees) and external (lawyers and the public) users with the system, respectively

1 million

of work hours (on average) would be saved each year if all court files were opened through a website or an automated interface

53 million

documents mailed by the CAC in 2017–2019 in approx. 24 million mailing tasks. 56% of the tasks were sent through the website, 31% were sent by registered mail, and 3% were served manually

NIS 28 million

the average cost of postal and delivery services paid by the court's administration in 2017–2019

NIS 40 million

estimation of the average annual cost of maintenance and technological modifications made to the system

3.5 million

people were involved in court files opened in 2017–2019 (litigants, witnesses, etc.)

Audit Actions



From March to December 2020, the State Comptroller's office examined various aspects of process management using the Legal-Net system. The audit was conducted in the Courts Administration and included the analysis of databases concerning court files handled in the system in 2017–2019. In addition, the audit was conducted in government bodies involved in legal proceedings and IT system management. The audit gathered information through three questionnaires: a questionnaire to 19 different units in government bodies on work interfaces vis-à-vis the CAC; a questionnaire to the public



that uses the Legal-Net website; and a questionnaire to the relevant court administration employees regarding their satisfaction with the use of the system. Previous audits on this issue were conducted in 2010 and 2012.

Key findings



System deployment – about a decade after operating the Legal-Net system, the Supreme Court manages its files in a separate system based on paper files. Furthermore, four out of 20 courts for local affairs are still not connected to the system.



Online management of legal proceedings – in 2017–2019, 17 years after the characterization of the Legal-Net system and determination of its goals, most actions that are required by the public and government bodies to manage legal proceedings are still performed manually: opening files – 70%; filing applications – 64%; sending summonses and informing about hearings – 83%, sending documents – 34%. Thus, for example, 1.8 million files out of 2.6 million files of court proceedings initiated in the years 2017–2019 were filed manually. If all court proceedings were initiated by opening a file using an automated interface or the Legal-Net website, the Courts Administration would save about an average of million work hours a year. It was also found that government bodies are compelled to manually enter data from court rulings and sentences into their computerized systems. Erroneous manual entry of punitive elements compromises the implementation of judicial decisions and their enforcement.








Management of interfaces vis-à-vis government bodies – out of 19 units in government bodies, 14 do not manage their work vis-à-vis the Courts Administration through automated interfaces (for example, the State Prosecution, the Investigation Division and Claims Administration in the Israel Police, the Barkai and Tzur units in the Israel Prison Service, the Probation Service in the Ministry of Welfare, and more). Thus, out of eight government bodies, only two manage their work through automated interfaces (the Border Control Administration and the Enforcement and Collection Authority). It also arose that out of 57 interfaces managed by government bodies vis-à-vis the Courts Administration, only seven interfaces are fully automated. As opposed to this, the Courts Administration stated that 14 such interfaces exist. In other words, actions that, from the Courts Administration's standpoint, could be performed through automated interfaces are carried out manually by government bodies.



Regulation of a decision-making procedure for the development of interfaces – before the establishment of the supreme committee in February 2020, no orderly procedure existed for government bodies to file a request for an interface to the relevant factors in the Courts Administration; for example, by setting up inter-ministerial steering teams (except vis-à-vis the Ministry of Justice). In addition, the Courts Administration








did not consider relevant considerations to creating interfaces with government bodies. Thus, for example, costs incurred to the parties; matching the interface to their workflows; failure to present a legal opinion justifying the rejection of a request for a specific automated interface or modification of an interface. It should be noted that the promotion of interfaces is contingent upon cooperation with the government bodies and that implementing interfaces requires the connection between information systems belonging to different bodies. As a result, the development and use of automated interfaces are compromised.

-  **Length of handling time required to establish an interface** – the audit examined handling time in 11 different requests for interfaces, from submission of an application by the government bodies (Public Defense, Guardian General, Israel Police, etc.). It was found that the handling of requests for the development of interfaces took over two years, including two requests that took about eight years. This finding requires the Court's Administration to optimize and shorten the process.
-  **The Legal-Net site as an alternative to the automated interface vis-à-vis government bodies** – it was found that using the site is an option that does not give government bodies a solution to the problem of the lack of automated interfaces between the Court Administration systems and their own. This is due to difficulties in the authorization procedure for user groups, limitations upon the use of the website in general, and actions performed in the court files through the website. Therefore, the site's use is incompatible with the bodies' work procedures.
-  **Satisfaction surveys** – it was found that the Court Administration has not performed satisfaction surveys among the system's external users. In addition, after 2017, satisfaction surveys were not conducted among internal users, while the three surveys performed until 2017 were "version oriented," examining only satisfaction with the changes added from one version to the next. Thus, the Courts Administration does not have data on the general satisfaction of its users with the system since its establishment in 2010 and until the end of the audit in October 2020. With a lack of data on users' satisfaction, the Courts Administration cannot know what obstacles and difficulties they encounter. Therefore, they cannot deal with them.
-  **Data reliability and monitoring actions** – the Courts Administration has found already in 2011 that the data uploaded by CAC into the Legal-Net system (such as type of application filed, duration of litigation in files, and reason for closure) are not reliable enough. As a result, the work of the Courts Administration is affected in several aspects – compromising its ability to make fact-based decisions, the effectiveness of data analysis, and improvement of the work processes of the CAC and the judges. Only in August 2020, the CAC division build procedures and guidelines for monitoring the quality of data uploaded by its workers.
-  **Publishing court proceedings on the site** – out of 2.6 million court proceedings initiated in 2017–2019, about 900,000 (1/3) have remained unpublished on the website



by the Courts Administration due to a sweeping interdiction of publishing, including their very existence. In addition, approximately 321,000 files (12%) are kept confidential due to their classification rather than any concrete interdiction. For example, sexual offense files, minor files, files in which disabled people are involved, or files of family affairs courts.

-  **Policy for publishing court rulings** – a decade after its appointment, the Engelrad committee has still not submitted its recommendations on publishing identifying details in court rulings and decisions. In addition, the Judiciary authority has not determined national detailed procedure guidelines for the judge and his team to keep sensitive information confidential in documents designated for publishing. Furthermore, only about a third of the judges (280 out of approximately 750) have participated in recent years in training regarding privacy protection when writing verdicts.
-  **Identification and electronic signature** – since the Government ICT Authority and the Population Authority have yet to complete preparations for the operation of electronic signatures, approved based on a smart ID card, full use of the Legal-Net system, which could be free of charge, actually involves a fee. This fact compels non-represented litigants to file documents manually or pay commercial organizations for the issue of a smart card to enable electronic filing.
-  **Option of information search in the system** – through the website, information can be found on files open to the public by entering the file number (a figure that is not public itself) or searching according to other parameters. According to the Courts Administration's position, to protect the privacy of the factors involved, the system does not enable finding information through searches according to the parties' names. However, this information is published on commercial websites. Thus, users are compelled to pay for access to sites operated by commercial companies that offer the information in a more cataloged and accessible form.
-  **Information security** – information security incidents are not monitored by the Security Operations Center (SOC) since the connection is not yet completed. Nevertheless, monitoring is performed by a private service provider. In addition, it was found that the Courts Administration has not published guidelines about updating the factors permitted to use the system. In the absence of such guidelines, it cannot be ensured that the authorizations given to the representatives are later removed when needed (for example, when a lawyer moves to another office), thus jeopardizing the litigators' privacy.
-  **Managing changes and improvements to the system** – the Courts Administration does not manage a specific budget for each change or improvement but instead suffices with tracking the annual framework agreement with the suppliers of the applications and infrastructure and on the versions level (collection of changes and improvements) only. The Courts Administration procedures state that significant system expansion should be managed as a new project; however, in the absence of suitable criteria, such an expansion may not be identified and would thus not be managed as a project.



The State Comptrollers' office commends making the information accessible to the public on the Legal-Net website and the positive effect this would have on the courts' workload, according to the number of files segmented according to court identity type of file, and kind of matter.

The State Comptroller's office commends the comprehensive examination performed by the Security Operations Center (SOC) on the Courts Administration in 2018.

The satisfaction surveys performed by the State Comptroller's office show that approximately two-thirds of internal and external users are satisfied with the aspects examined of the Legal-Net system.

Key recommendations



It is recommended that the Courts Administration complete the connection of the Supreme Court to the system. It is also recommended that the Courts Administration complete whatever is required to connect the four Courts for Local Matters that have not yet been connected to the Legal-Net system in coordination with the local authorities and the Center for Local Government.



The Courts Administration should publish court proceedings on the website while removing identifying details and preventing the widespread censorship of file types with no restriction of publishing upon them nor any concrete judicial decision obliging such limitation. It is also recommended that the Minister of Justice determine a policy about publishing court rulings and have it established.



It is recommended that the information on the website be made fully accessible, with advanced search possibilities, to ensure full public access to non-classified legal information, with no need to purchase a paid subscription from commercial bodies. In addition, the Government ICT Authority, the Population Authority, and the Privacy Protection Authority should complete the approved electronic signature based on the smart ID card. In addition, it is recommended that the Privacy Protection Authority, Population Authority, and ICT Authority examine, in cooperation with the Courts Administration, alternatives for identification of representatives and execution of approved electronic signatures without the need for a smart card (for example, biometric identification) based on the smart ID card.



It is recommended that the Courts Administration perform, from time to time, a comprehensive and independent examination to improve the system and adapt it to their needs, with a focus on topics found to have the most significant influence on users' satisfaction.



Since the Courts Administration wants to promote a change in the model and adopt the "court with less paper" principle, it should build a policy based on the default value of online



proceeding management. Among other things, it is recommended to describe which work processes shall be done manually, which automated, and which semi-automated² and explain the exceptional cases in which the work will be performed manually. It is further recommended to examine the need to change existing procedures in the system and redevelop them, with an orderly record of the change from the system's founding document from 2004. The transition to the "court with less paper" principle does not reduce the need for the Courts Administration to develop and increase the use of automated interfaces and the website to handle legal proceedings more efficiently.



The Courts Administration should determine the indices to measure the computerized actions performed by users in court proceedings. Thus, the public and government bodies will benefit from using a complete (as far as possible) electronic file, with considerable savings in material, environmental and human resources. In addition, the Courts Administration should collect data on meeting the indices annually while users continuously increase the performance of computerized actions.



It is recommended that the Courts Administration examine why the automated interfaces proposed by it have not changed the manual work patterns of most government bodies. Correspondingly, it should strive to have all work interfaces that government bodies conduct with it will be performed through automated ones. In addition, it should prepare vis-à-vis the government bodies a detailed work plan, including timetables, for the development of automated interfaces for the opening of files, definition, and updating of factors in the file, submission of applications, and mailing of documents and summonses. To implement the government decision 1933 dealing, among other things, with the sharing of information between government bodies, they should arrange vis-à-vis the Courts Administration a transition plan for working entirely through automated interfaces. Until their establishment, and for the benefit of public users, the Courts Administration should improve the transfer of information through the website and encourage its use.



The Courts Administration should create a standard, orderly procedure for deciding on changes and improvements initiated by it or other government bodies. The procedure should provide solutions for the following aspects: dividing responsibilities between the various committees in the Courts Administration; establishment of cooperation with the different government bodies; determining precise development schedules; raising relevant considerations not previously considered, and detailed examination of the application of the separation of powers doctrine on each desired interface.

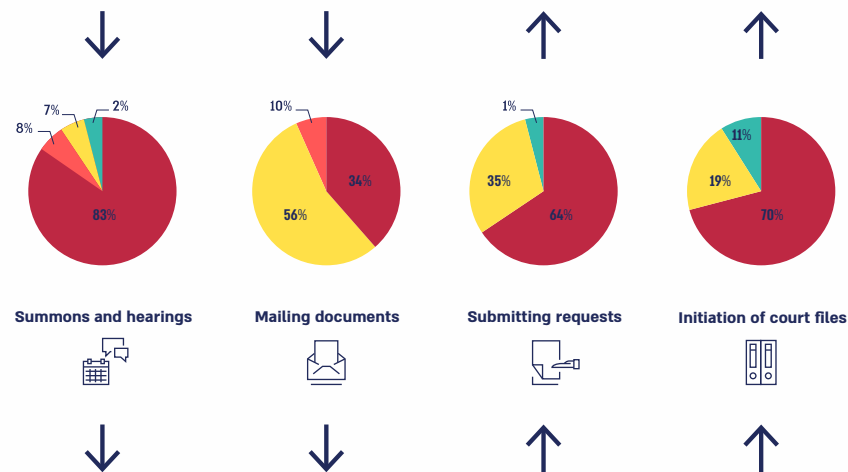


It is recommended that in 2022, the Courts Administration, in coordination with the Security Operations Center (SOC), monitor the rectification of deficiencies raised in the examination conducted in 2018 and form a multi-annual plan to perform, on an ongoing basis, quality audits on aspects of information security.

² Semi-automated interface – incomplete automated interface that requires manual input of data.



Rate of used methods to perform, the main actions in legal proceedings, 2017–2019



Parties involved in the legal proceeding

900

Thousand additional factors

2.6

Million litigants

Legend



Direction of information flow



Automated interface



Through the Legal-Net site



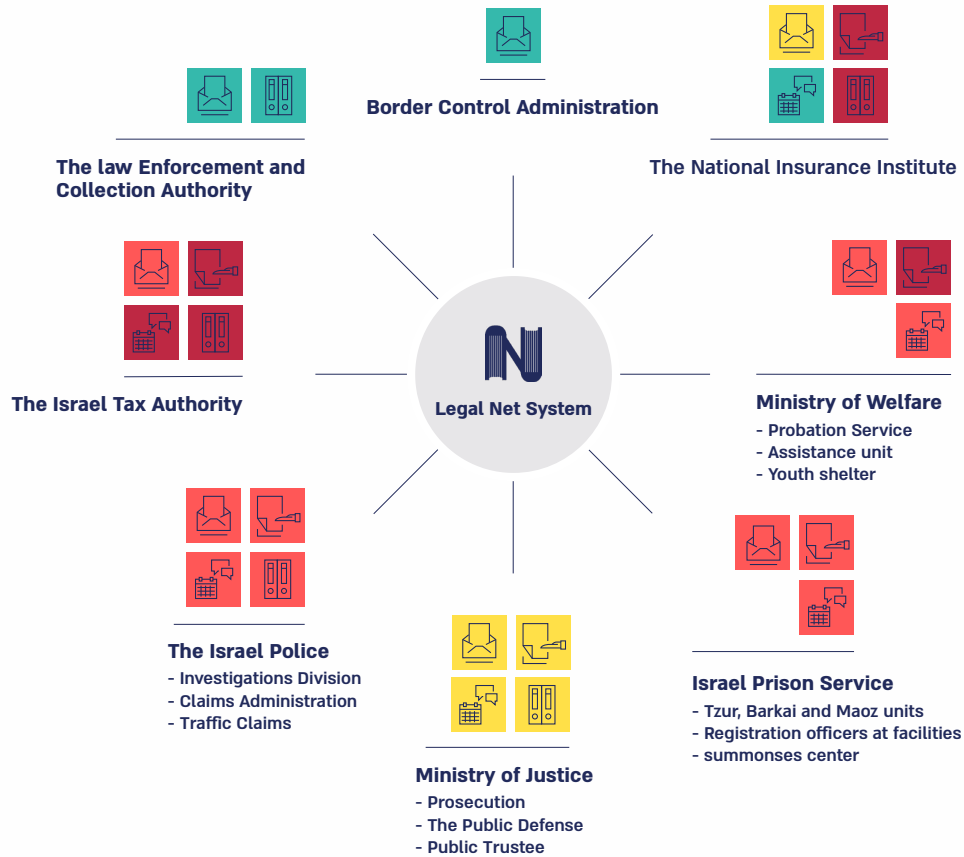
Electronic mail



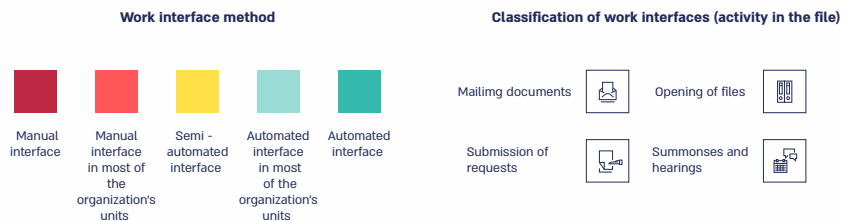
Manual action



Court Administration work interface method (automated, manual, or semi-automated) vis-à-vis selected government bodies in 2020



Legend





Summary

The Legal-Net system has led to improvement of the scope of information and services available for managing court files, a fact reflected in the satisfaction surveys carried out by the State Comptroller's office which noted that most system users, both external and internal, expressed a high level of satisfaction with the system, from the aspects checked.

However, a decade after operating the system, the secretariats, government bodies, and the general public still perform most of their actions in the courts manually rather than online. In addition, gaps exist in the management of interfaces with government bodies, including obstacles to establishing automated interfaces. These findings indicate that the Courts Administration still does not have the means required for online management of legal proceedings. In addition, the system has not yet been installed in the Supreme Court; the website displays only partial information on legal proceedings; no smart searches can be made, and no satisfaction surveys from the system are conducted.

In 2004, the Courts Administration stated the purpose of the Legal-Net system – management of a paperless court. Following the audit, the Courts Administration emphasized that it believes that the judicial system should aspire to maintain a hybrid system, combining digitization and online procedures with paper and frontal procedures, i.e., to manage a court with less paper.

A transition to the principle of a "court with less paper" does not change the need for the Courts Administration to develop automated interfaces as well as the Legal-Net site and increase the use thereof in optimizing the legal proceedings. Increasing the ability to manage legal proceedings online will enhance the work and involvement of those using the proceedings. Digitizing actions performed in court cases will make material and human resources more efficient, reduce environmental damage, increase the availability of information on the proceedings, and enhance the level of service provided by the CAC. In addition, it will increase the transparency of proceedings by publishing them and assist in enforcing judicial decisions. Lastly, the computerized system will help strengthen the open court principle and the commitment to the rule of law, which is founded upon the judicial system.