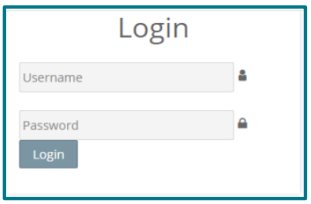
CrossJustice Editor – National Case Law

User Manual

1. *Login*



In order to login into the CrossJustice Editor, each editor needs to provide a username and password.

2. *Case Law*

After successful login, a list with the already uploaded cases can be seen on the initial screen presenting a list of cases uploaded by CrossJustice editors. For each case in the list, which was created by the editor, s/he can edit the available information or delete the case by using the buttons on the right-hand side of the list. Cases created by other editors of the organisation can be only viewed. However, users who were granted rights of administrators of the organisation can edit or delete cases created by other editors of the organisation.

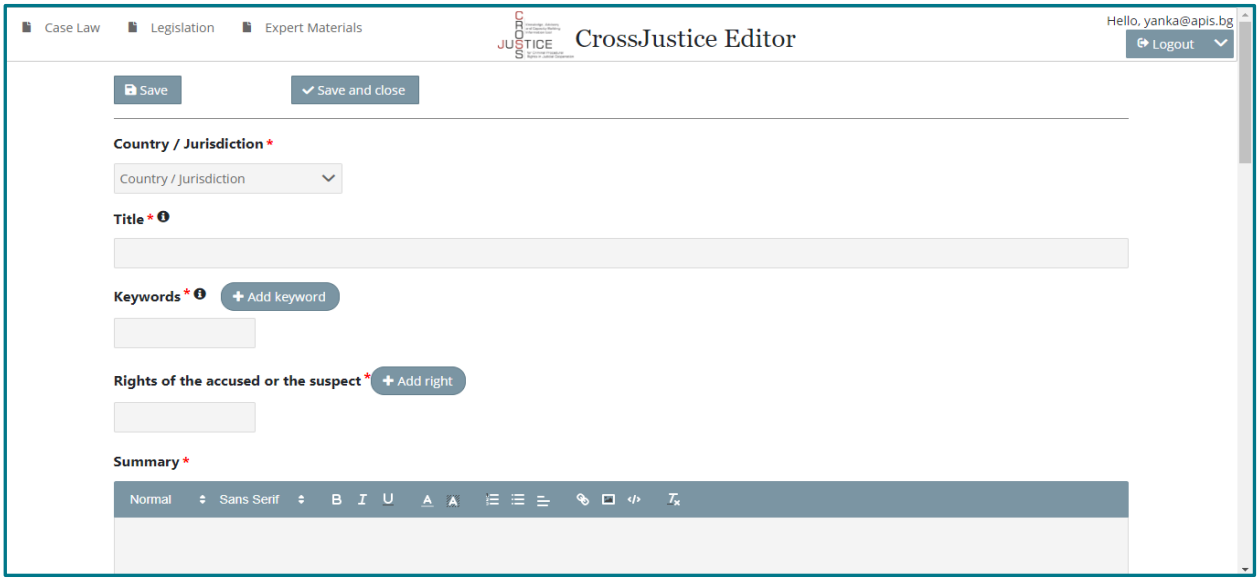
3. *Adding a New Case*

To add a new case, the editor should click the "Add new case" button, which is placed on the left-hand side of the screen above the Case list.

4. *"Edit Case" Page*

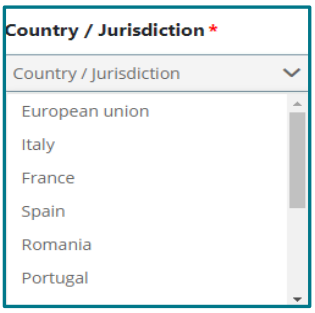
The "Add new case" button retrieves a new page that allows the user to add/edit metadata information about a particular case, write a summary of the case and insert the full text of the court decision by using copy-paste.

The editor can at any time press the “Save” button to save the entered data or press the “Save and close” button to leave the “Edit Case” page and return to the “Home” page. The only mandatory field to save a new case is “Title”. All other fields marked with an asterisk symbol are also considered mandatory, but the editor can leave the program and fill these fields in the next sessions.



Below is provided a brief description of the metadata and text fields available on the Edit Case Page.

5. *Country / Jurisdiction*



The first information that the editor has to provide is about the country or the jurisdiction from where the case originates. This field is mandatory. It should provide information about the name of the country or the international structure, which the issuing court belongs to. The editor can choose from a list with the names of the 11 EU Member States, which case law is related to criminal procedural rights of the accused / suspect and has to be covered by CrossJustice partners.

For cases of the CJEU the correct entry is “European Union”.

6. *Title*

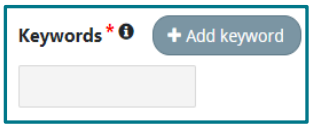
The next field is “Title” of the case. It has a help message that explains the requirements for the title of the case – it should be provided according to the national rules or best practices and in the language of the case (it should not be translated into English). If such rules or best practices do not exist, this information should be written down in the following format: <Court-name>, [<Court-chamber>, <Decision type>,] <Date-of-decision>, <National-identifier>.

Examples:
BVerwG, Urteil vom 25.01.2017 – 6 C 15.16
CAA de LYON, 2ème chambre - formation à 3, 30/08/2018, 17LY03755, Inédit au recueil Lebon
Sentenza penale n. 39176 del 2017 sez. 1 della Corte Suprema di Cassazione

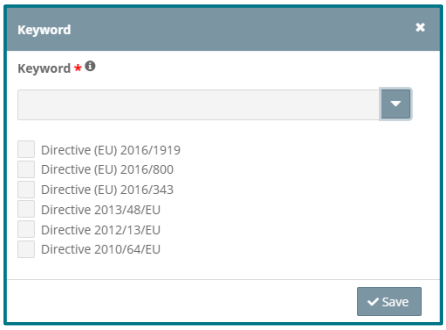
Important notice: *For* ***EU cases*** *the editor should use the "Select document" button and then provide the required information on the respective case of the CJEU in the form "EU document":*

For all cases of the CJEU where the "Select document" function has been used for identification of the decision, a web service communicating with the CrossJustice Editor ensures automated completion of the metadata in the following fields: *Title*, *Court*, *Date of document*, *Language*, *Judgment*, *ECLI*, *Source* and *Source URL*.

7. Keywords



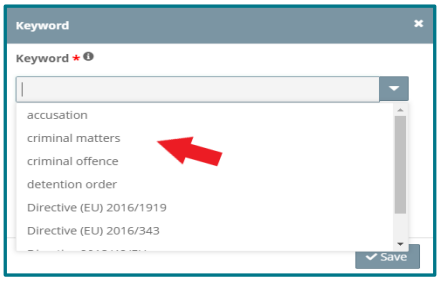
After the "Title" has been added, the editor should provide keywords related to the main legal issues that are specific to this case. To this end, the editor shall click the on "Add keyword" button.



A separate form appears where the editor can choose standard keywords from a list or fill in new ones formulated by him/her in the text box.

The purpose of the standard keywords is to achieve consistency when users will search for case law in the CrossJustice Legal Data Base Module.

The standard keywords presented in the list are the short titles of the six directives, which are in the scope of the project. The editor should indicate at least one of them depending on the core matters of the case.

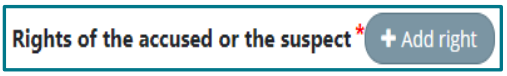


In order to choose a standard keyword from the list, the editor should tick the respective check box. S/he can provide also keywords (single words or phrases) not presented in the list of standard keywords by typing directly in the text box.

Keywords that have been already assigned to other cases uploaded in the system for a given country are available for re-use from a drop-down list.

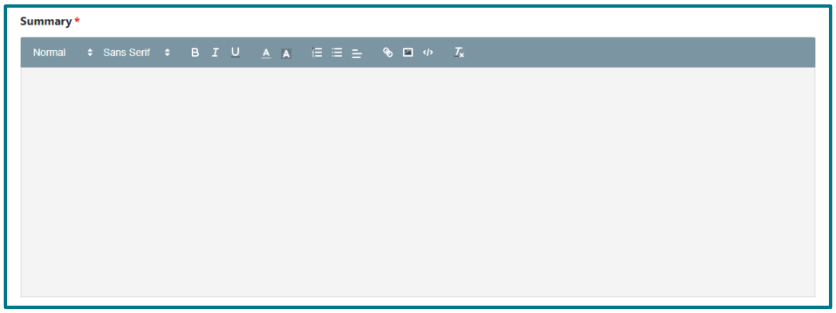
After choosing one or more standard keywords or adding a case-specific keyword, the editor should press the "Save" button. The above steps shall be repeated, if the editor would like to add further keywords.

8. Rights of the accused or the suspect



The next field is "Rights of the accused or the suspect". By clicking the "Add right" button an additional form displays, containing a list of rights of the accused or the suspect. The editor should tick the respective check box in order to choose one or more rights from the presented list in relation with the subject matter of the national case.

9. Summary



In this text box the editor must provide a summary of the case in English. The box offers simple text formatting features provided with an editor toolbar.

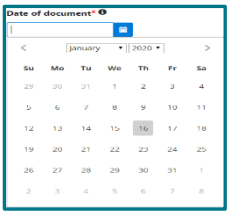
The following editorial guidelines shall be considered by the CrossJustice editor when producing a case summary:

- It is recommended to fix the maximum summary length up to 2000 symbols
- Summary should not describe in details the facts of the case: please include only one/two sentences giving the general factual background of the case
- Summarise the solution provided by the court, indicating in bullet points the main legal arguments supporting it (possibly, no more than 3 bullet points)
- The case summary SHALL not be a translation of the national one, unless that is already tailored to the needs of the research.

10. Court

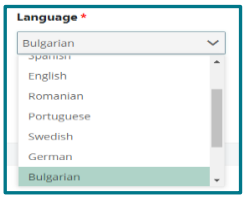
In the next two fields, the editor should insert the name of the issuing court in the language of the case and in English, respectively. The first word of the name must be capitalised. The other words in the name shall be capitalised only if this is required by the national syntax rules. To facilitate the editor, the court names already entered for the respective EU Member State are available from a drop-down list.

11. Date of Document



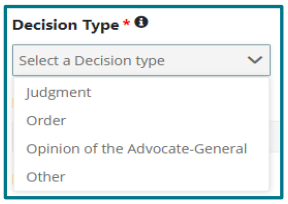
For entering the date of the document, i.e. the date on which the court decision has been rendered, the editor can use a calendar control or type it.

12. Language



The next metadata field concerns the language of the court decision, which can be selected from a drop-down list. By default, the tool selects the official language of the EU Member State that the editor has already chosen it in the field "Country/Jurisdiction".

13. Decision Type



The field "Decision type" is for choosing "Judgment" for final decisions on the subject matter of the case, "Order" for decisions on procedural matters, "Opinion of the Advocate-General" for this specific type of acts of the CJEU and "Other" for decisions of any other type.

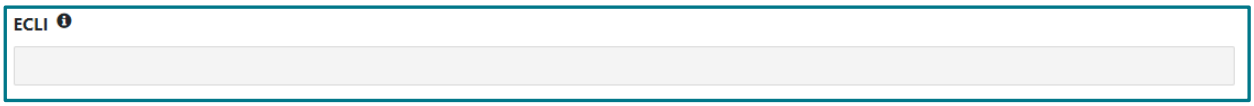
14. National Identifier

In this field, the editor should provide the number (if any) used in the national case law repositories to identify uniquely the case and/or the decision of the national court.

Examples:
7 Ob 1/18z
17LY01833
8 AZR 860/15
3 Sžf/116/2009

15. ECLI

In this field the editor should provide the European Case Law Identifier (ECLI) of the decision (if any).

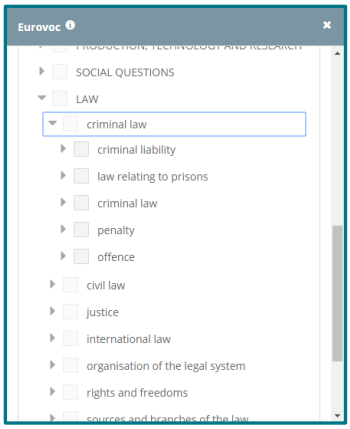


Examples:
ECLI:DE:BGH:2018:130918BVZB2.18.0
ECLI:ES:TSJCL:2018:2331
ECLI:FR:CECHR:2018:408594.20181001

16. CrossJustice Ontology

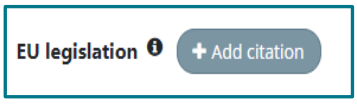
This field is temporally inactive. The CrossJustice Ontology will be developed at a later stage of the project implementation (deadline in project month 12 – September 2020). CrossJustice editors will be required to choose one or more concepts from the CrossJustice Ontology which present the subject matter of the case in the best way.

17. EuroVoc Descriptor

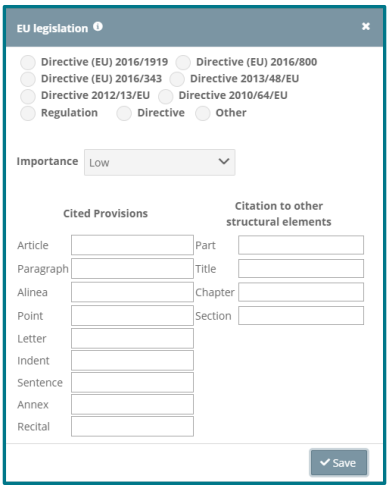


The editor should press the "Add EuroVoc term" button and then, in the appeared form, browse the hierarchical structure of the EuroVoc Thesaurus or make searches in order to choose one more terms (concepts) that relate most precisely to the main legal issues discussed in the decision. CrossJustice editors should choose a term from the list given in the domain "LAW" => "Criminal law" category. It is also possible to select terms (concepts) contained in any of the other sections of the "LAW" domain or another domain that relate to the core matters of the case.

18. EU Legislation



In the field "EU legislation", the editor should add one or more references to provisions of EU legislative instruments cited in the decision. This can be done by clicking the "Add citation" button. A form for entering structured information about the cited EU legislative instrument and a particular provision thereof appears.



First, the cited EU instrument should be chosen by selecting the respective radio button: "Directive (EU) 2016/1919", "Directive (EU) 2016/800", "Directive (EU) 2016/343", "Directive 2013/48/EU", "Directive 2012/13/EU" or "Directive 2010/64/EU". For citations of other EU regulations or directives, the editor should select the "Regulation" or the "Directive" radio button, respectively. Then the number and the year of the cited document should be typed. For other

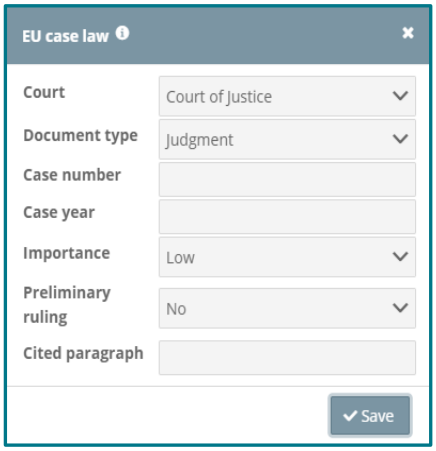
types of EU instruments (decisions, international agreements, rules of procedure, etc.) the radio button "Other" must be selected and the CELEX number of the document must be typed (available in EUR-Lex).

Next, the number of the cited provision and its sub-elements – article, paragraph, alinea (i.e. unnumbered paragraph), point, letter, indent, sentence etc. should be filled in. The editor cannot use opening and/or closing parentheses. Citations to recitals in the preamble are also possible. Citations to annexes or appendices and their sub-elements should be inserted as one single entry in the "Annex" text box by using the following syntax: "II, Article 2(3)(b)".

Finally, the "Importance" of the citation by choosing "Low" or "High" should be defined.

19. EU Case Law

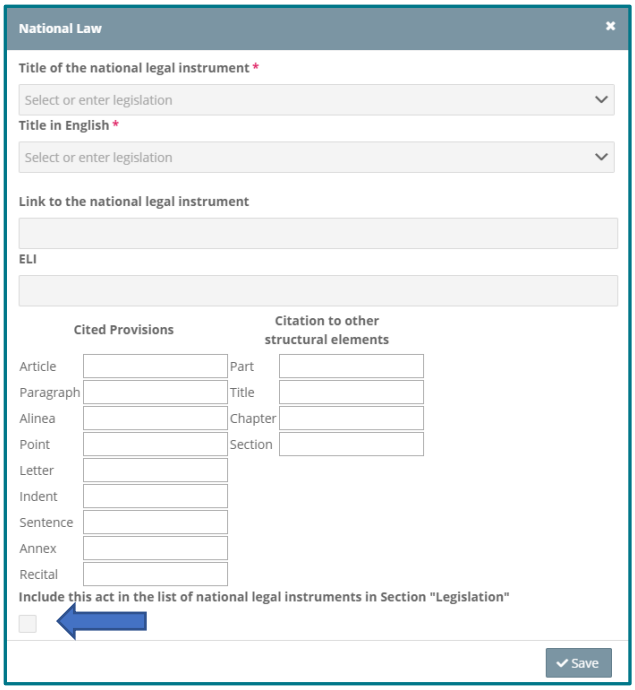
In the field "EU case law" the editor should add one or more references to decisions of the EU Court of Justice cited in the decision being summarised (if any). This can be done by clicking the "Add citation" button. A form for entering structured information about the cited CJEU decision and a particular numbered paragraph thereof appears.



Firstly, the editor shall specify the court that rendered the decision by selecting one of the three possible entries – Court of Justice, General Court or Civil Service Tribunal, and **the document type** – Judgment, Order or Opinion of the Advocate-General. **Then the number and the year of the case** must be typed. After that, the "**Importance**" of the citation shall be defined by choosing "Low" or "High". **It is important** that the editor indicates whether the CJEU decision is a **preliminary ruling** requested in the main proceeding before a national court, which is directly related to the case being summarised by the CrossJustice editor. The editor should choose "Yes" only if the cited case of the EU Court of Justice is a preliminary ruling that is part of the procedural history of that case. **Finally, the number of the referred paragraph** if the citation refers to a particular paragraph of the CJEU decision should be typed.

20. National Legislation

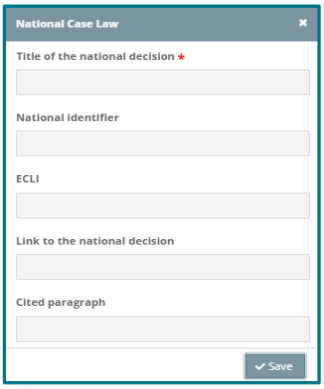
Next in line comes the "National legislation" field. Here CrossJustice editors should indicate the national legal instrument/s and provisions thereof cited in the case that relate most precisely to the main legal issues discussed in the decision. To this end, the editor should press the "Add citation" button and then in the appeared form enter **firstly** the official title of the national legal instrument in the language of the respective country followed by the its translation in English as well as a link to its text published by the respective national legal portal and the ELI identifier (if any). **Next to be filled out** are the number of the cited provision and its sub-elements – article, paragraph, alinea (i.e. unnumbered paragraph), point, letter, indent, sentence etc. The editor cannot use opening and/or closing parentheses. Citations to annexes or appendices and their sub-elements should be inserted as one single entry in the "Annex" text box by using the following syntax: "II, Article 2(3)(b)". **Finally**, if appropriate, the editor can tick the check box "Include this act in the list of national legal instruments in Section "Legislation" if it has not been included there yet.



Important notice: *National legal instruments that have been already uploaded in Section "Legislation" of the CrossJustice Editor Tool are available for re-use from a drop-down list.*

21. National case law

In this field the editor should add one or more references to other national court decisions (if any) cited in the case that are important for the final ruling of the court.



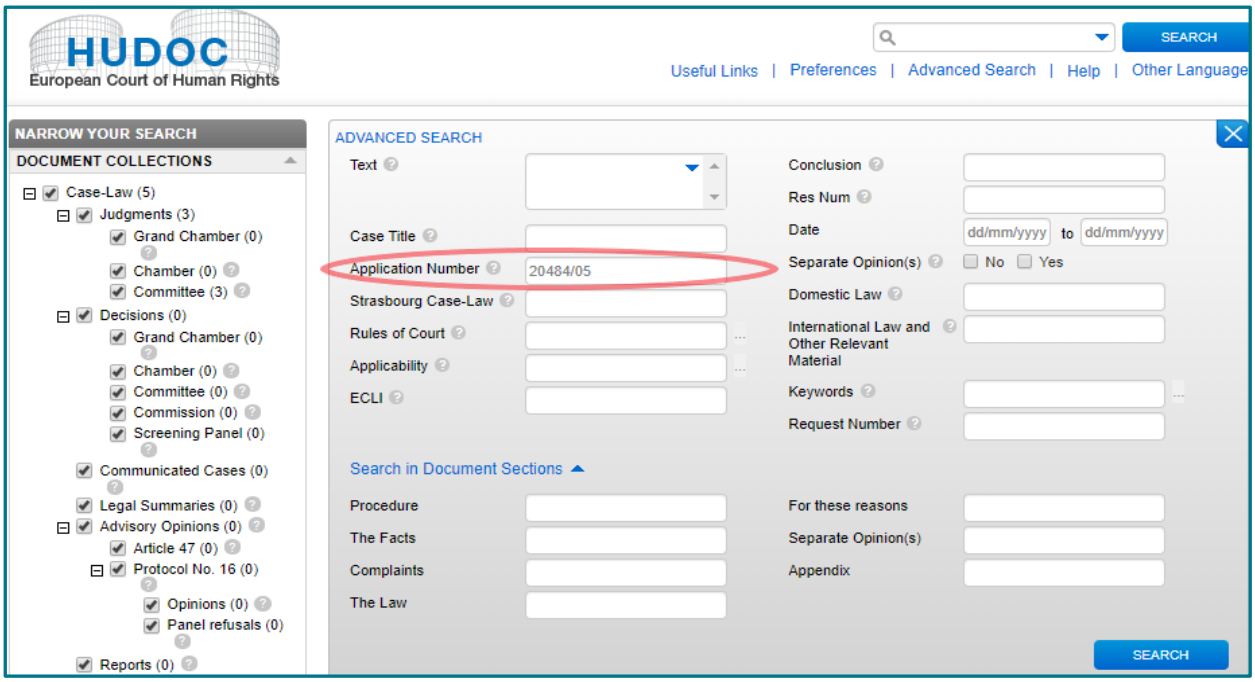
To this end, the editor should press the "Add citation" button and then in the appeared form enter the **title of the national court** decision in the language of the respective country followed by the **national and the ECLI identifier** (if any) as well as a **link to its text** published by the respective national legal portal. Lastly, the editor can type **the number of the referred paragraph** if the citation refers to a particular paragraph of the national decision.

22. ECtHR Case Law

The next field "ECtHR Case Law" aims to provide a citation/s to relevant case law of the European Court of Human Rights (ECtHR). In order to do that, the editor should press the "Add citation" button and then in the appeared form enter the requested information about the judgment of the ECtHR – "ECLI identifier" and "Link to the relevant case".

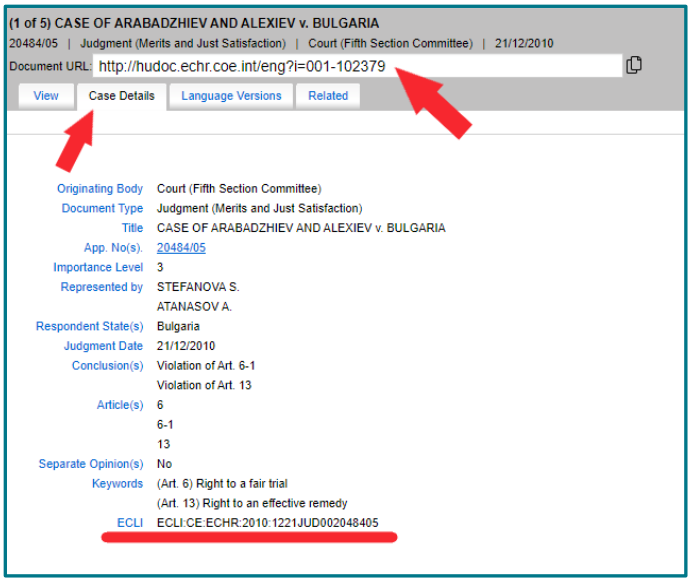
Below is provided information on how to search for a specific judgment in the "HUDOC" database of the ECtHR, as well as the way of adding the link to the relevant case and the ECLI identifier.

- "HUDOC" database can be accessed from the following link: https://hudoc.echr.coe.int.
- In the "Advanced Search" form of the system, the editor should type the ***Application number*** in the the corresponding box and click on the "Search" button:

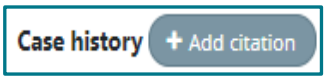


- From the search results list, the editor should select and open the text of the judgment in English (other translated versions, resolutions, opinions etc. that could appear in the results list are not to be provided in the CrossJustice Editor).

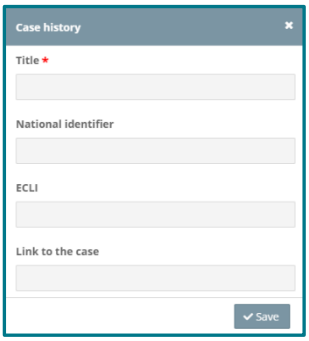
- Once the judgement is opened, editors should select the **"Case Details"** tab and copy-paste the ECLI identifier in the respective field of "ECtHR Case Law" form. In "Link to the relevant case" field should be added the **Document URL** as shown on the picture bellow. After having inserted the link, the editor should test the **correctness** of the provided link by clicking on the ECLI identifier link that appears after the editor has filled out the requested information. The link is correct, if the linked webpage is opened in editor's browser.



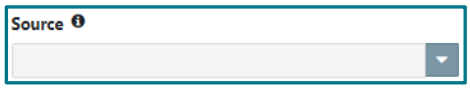
23. Case history



Next in line comes the "Case history" field. Its purpose is to provide citations to judgments of other national instances that have ruled on the national case. If there are any decisions of previous/next instances, CrossJustice editors should indicate them here. To this end, the editor should press the "Add citation" button and then in the appeared form enter the title of the national court decision in the language of the respective country followed by the national and/or ECLI identifier that identifies uniquely the judicial act as well as a link to its text published by the respective national legal portal.



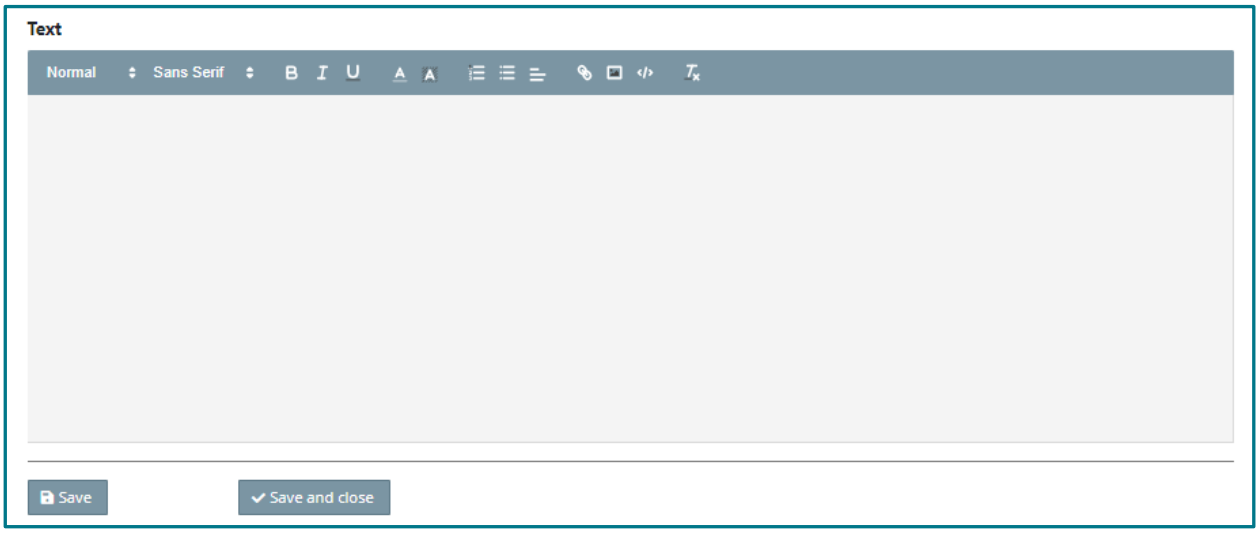
24. Source



The "Source" field is for the name of the legal repository being source of the text and metadata information about the case. This could be the website of the court or a national case law portal or database. Whenever possible, the source chosen by the editor should be a publicly accessible database. The editor should enter here the name of the same website, portal or database, which is referred in the next "Source URL" field. Already provided sources in previous cases appear in a drop-down list from which the editor can choose the correct entry.

25. Source URL

In the "Source URL" field, the editor should paste a link to the webpage where the text of the decision has been published by the source. If the decision is not published in HTML format, the editor should paste here a link to the file (docx, pdf, etc.) containing its text. After having inserted the link, the editor should test the correctness of the provided link by using the "Open" button. The link is correct, if the linked webpage is opened in editor's browser.

26. Text

If the source is not publicly accessible database or if the provided link to the file (docx, pdf, etc.) containing the text of the decision could not be opened, the editor should copy-paste the full text of the decision provided that no copyright restrictions have been imposed by the publisher.