The impact of ICT on Participation of Parties in Litigation

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Abstract

Information and communication technology has been also introduced to the justice administration. Arrival of these types of technology has involved some changes in the tools and methods of procedure in a way that one of the most fundamental criteria of realization of procedural justice, i.e. equal participation of the parties in litigation, is affected by it. Equal participation of the parties in litigation, as believed by the author, means cooperation of the parties and the judge in organizing the legal proceedings and is something more than the gaming interpretation, dignity interpretation, satisfaction interpretation and discourse theory interpretation. Participation with any meaning attributed to it, will be transformed due to the judicial case management system, deformalization of the rules of procedure, change of formalities concept, presence of the parties of litigation and computer time concept, as mentioned in this paper. Observing the rights of defense, results in the fact that compliance with some requirements will become mandatory in favor of the more vulnerable party.

Key Words: information & communication technology, equal participation, cooperation between the judge and the parties, observing the rights of defense.

Introduction

Procedural justice propounds the equal participation of the parties in litigation as one of the theories. Meanwhile, progress of information and communication technology will affect the concept of participation of the parties in litigation. These technologies have suggested some modern tools for litigation and procedures thereof, such as "judicial case management" and "deformalization" of the material aspects of litigation. The changes refer to the change of methods in procedural rules. In this paper, we will firstly discuss the arrival and admission of these modern technologies in the litigation system of Iran (section 1) and then we refer to the concept of participation and the impact of these types of technology on the rules of procedure and judgment (section 2) . In the latter section, we will also refer to the solutions for securing the defense rights of the party more affected by the progress of information and communication technology.

Section 1: Admission of information and communication technology in the Litigation

1-1: Development of information and communication technology and application of judicial case management system

Information and communication technology has an increasing role in our lives and computer has rapidly found its place in human life. When we refer to the justice administration center, computer may be one of the first devices which are useful, starting from preparing a petition through issuance of notices, judicial orders, registration and filing thereof and finally issuance of judgments. Information and communication technology also means application of information systems, communication networks and other hard and soft tools, among which management of judicial cases in the justice administration center, is one the affected examples. Management of judicial cases here means using a system which provides appropriate information and services to the parties of litigation, judges, attorneys at law and experts, office and administrative employees through computer.

This new type of management of the judicial body has been accepted and applied in many countries (see: CEPEJ, 2010, pp.99; for further study, refer to: Cadiet, 2008; Velicogna, 2007).

In Iran, when referring to any judicial complex throughout the country, the effect of information technology and computer is quite obvious. Review of infrastructural and developmental laws & regulations in the country shows that under Article 130 (5Z) of the Law of 4th Economic, Social and Cultural Development Plan of Islamic Rep. of Iran ratified on 1 Sept., 2004 , the Judiciary is bound to take step with regard to the "*design and establishment of management comprehensive information system (MIS), judicial operations and management for purpose of expediting efficient operations and management, modification of processes and improvement of methods of implementation of judicial affairs, up to the end of the 4th Plan*".
As mentioned in the recent publication of the Legal and Judicial Development Deputy of the Judiciary "*judicial case management system*", study regarding this system started in July 2001 and after 7 years in March 2009 , the result of such studies, reviews and tests became enforceable all throughout the country (Shahsavand & Khojastehbakht, 2009, pp.55-56). This great job went through various and a complicated stage until it was enforced in March 2009 all over the country (almost in 8000 court branches).

The judicial case management system in Iran means a system for assisting relevant persons in the judicial case including administrative and judicial staff of courts, office and managerial staff of the judiciary, parties to the litigation and their

representatives in obtaining information and better management of judicial cases through using the facilities of information and communication technology, the declared aims and outcomes of which may be summarized in a few chapters: promotion of the quality of litigation, increase of speed of the litigation, promotion of the power of judicial assessment and supervision, rendering electronic services to the people and creating a ground for planning and research (Shahsavand and Khojastehbakht, 2009, pp. 67-70)

The judiciary has also provided the possibility of mutual communication between itself and the plaintiffs by designing a private website <www.judcms.ir> for the responding part of this system, although the whole parts of this site consisting of submission of petition, complaint, statements, follow-up and amendment thereof and pursuing the last status of the case and notification to the expert, are not operative yet and this has affected the efficiency of the design of the system and will slow down the movement towards introducing it to the society particularly to the scientific and academic society of the country. Various sections of Article 211 of the 5th development plan of Islamic Rep. of Iran ratified on 5 Jan., 2011 may be also referred to in this respect. Also, section (K) of the said Article, has obligated the Judiciary to design the "*Electronic system of reducing the time period of litigation*" for all judicial authorities. It seems that presently the Iranian judicial body is ahead of whatever provided under the 5th development plan regarding establishment of management system of judicial case. This progress has caused a reliable distance between accepting the operation of the judicial case management system and the legislations which have recently placed its development in their work agenda. On this basis, the judiciary will be able to eliminate the existing shortages and to step forward more strongly towards the future reforms, by financial, legal and managerial support.

1-2: Deformalization and conversion of harsh formalities into soft formalities

Despite the formalized nature of litigation which may itself ensure the equal participation of the parties in litigation, information & communication technology has caused softness and elimination of formalities.
Deformalization means "*omission of legal and material formalities from the rules of procedure*". For this purpose, the formalities may be divided into two groups of "*legal formalities*" and *material formalities*". "*Material deformalization*" from litigation and its procedure, means elimination of material and paper tools and instruments from litigation which directly results from admission of the progress of information and communication technology and the related tools in the litigation and its procedure. This type of deformalization as explained is at the service of economic analysis and efficient evaluation of the justice administration and contrary to the legal deformalization, it has not been merely foreseen for purpose of reducing the working time and legal costs due to non-compliance with the legal provisions.

Until 2009, despite the lack of a special express provision for electronic notification of judicial papers in the Iranian legislations, a remark No. 1 was used to be written below the new petition forms printed and published by the general department of organization & planning of the Judiciary as follows : "*In case the plaintiff is willing to receive the papers in attendance form (in the court office) or by phone, fax or email, he should announce according in the end of this petition while mentioning the related numbers precisely so that notification will take place more rapidly*" (form No. 24/2201/1296/2 of the general dept. of organizations and planning of the Judiciary).

This approach shows, on one hand, the tendency of those involved in the judicial task to provide the modern methods of information exchange through a voluntary and at- will manner, which is consistent with the practice in some European countries and on the other hand, it is in conformity with the right of plaintiffs in obtaining their views regarding acceptance of this method of serving notice. Nevertheless, Article 35 of the Settlement Dispute Council bylaw adopted on 5 Apr., 2009 has expressly recommended this modern means of communication in the dispute settlement boards, considering Article 21 of the dispute settlement council law dated 8 July 2008 and its note (1) which regards the "method of serving notice" among the "litigation formalities" (the method of which is consequently changeable). Contrary to what stated regarding electronic notification in the litigation, the legislature has particularly paid attention to material deformalization in respect of filing the documents of judicial cases. According to Article 131 of the law of 4th Economic, Social & Cultural Development Plan of Islamic Rep. of Iran ratified on 1 Sept., 2004 which provides that the Judiciary may change the documents and papers in judicial cases, keeping of which is essential, into electronic documents and destroy them later on. The executive by law of Article 131 (A) of the law of 4th economic ….. development plan adopted on 12 Dec., 2006 by the former head of Judiciary and directive of amending Article 15 of the executive bylaw of Article 131 (A) of the law of 4th Economic……Plan adopted on 22 July 2009 by the present head of the Judiciary are considered significant steps in this area. Regulations of Article 131 of the law of 4th Development plan ratified in 2004 has been exactly repeated in part 3, section H of Article 211 of the 5th Development Plan ratified on 5 Jan., 2011, which shows the firm will of the legislator in establishing a special electronic filing system of judicial cases. This type of deformalization which, in itself, causes acceleration in litigation by eliminating the traditional time borders and entry to the arena of computer capabilities of individuals in the society, undoubtedly has an economic function. Material deformalization or digitalization of the rules of procedure, is the outcome of the information and communication technology progress. This kind of interference of information & communication technology has caused a reform in the concept of participation of the parties in the litigation which will be discussed in the next section.

Section 2- Equal Participation, Criterion of Realization of Procedural Justice

2-1: Concept of Equal Participation of the Parties in Litigation and its Criticism

Equal participation of the parties in litigation is a kind of administrating justice between the parties in the litigation. *Professor Katouzian* stated in the gathering of judges: "*Do you have the power to look equally at the disputing parties? If the reply is negative, you have to leave this job, because this is injustice.*" (Katouzian, 2003, p.366). The right of equal participation is one of the fundamental right in the proceeding and has its root in equality of individuals in the society. In litigation, participation may be interpreted as interference of the person affected by the litigation result. Any issued judgment is related to some persons and automatically entitles them to participate in the process of such judgment. Right of speech in the court, explaining causes and evidences and self-defense, derive from this theory. Many professors who discussed about procedural justice, considered the right of voice and participation as factors involved in procedural justice. Among them we may refer to "*Tyler*" who stated that in procedural justice, 7 or 8 factors may be effective, 4 items are voice and participation, trustworthiness, interpersonal respect and impartiality.

He (Tyler, 1997, P. 887) says, in case people are authorized to participate in decisions which are effective on the settlement of their disputes, they will feel that they are treated fairly and this will create confidence on the authorities who deal with their case and will expand the feeling of respect in the society and indicates neutrality of the judge and independence of the judicial body. However, some believe that the concept of participation is not uncertain basis (Solum, 2004, p.70). Therefore, four interpretations have been provided which are reviewed and criticized:

a- The gaming interpretation: this interpretation refers to two connected but inconsistent ideas regarding procedural justice, one is comparing the civil lawsuit to the lottery and the other, is explained, by the game level metaphor (the playing field level). The first one means that the civil lawsuit is similar to lotteries, the most luck-depending of which, is gambling. If a person loses in this game, no injustice may be imagined since the other party deserves victory and the gaming rules have been also observed (Solum, 2004, P. 71). Our criticism on this theory is that the players in the proceeding never choose the game rules. On the other hand, we often have to accept this game and cannot even decide whether to play or not. Anyway, when we bring the respondent to the litigation and he has to take part in this game, not only he is not free to choose the game rules, but he enters the litigation in the fear of being convicted in his absence. On the other hand, we may

even argue the game (the litigation) rules and pose the question whether such rules were fair or not?
Here, the playing field level is discussed, the playing level means that in a sport competition has been subject to same deviation and one party has obtained an unfair benefit, there is no doubt that it has been unfair (Solum, 2004, P.72). But can it be said that is a person uses his skill in the game, he has caused same deviation in the game and has gained unjust benefit? As the skill of the athletic is effective on the gained result, can it be stated that the skill of the parties or their attorneys is effective in the litigation? Yes, although skill in the game is an important factor but it cannot be definitely stated that skill, for example skill of the attorneys has a decisive role in the litigation game and the more skillful attorney, will definitely win the case. Even if a person fulfills the assigned roles skillfully in the proceeding, it cannot be admitted that he has gained on unfair benefit. Therefore, although this interpretation is capable of clarifying the concept of participation of the parties in the litigation to some extent, but it cannot explain the whole meaning of participation.

b- The Dignity Interpretation: this interpretation looks at the participation from the perspective of human dignity and prestige. It has been referred to the dignity the U.N. charter, preamble and Article 1, 22 and 23 of the world declaration of human rights. In these documents, dignity means human respect and prestige human dignity requires that every person should be entitled as to his presence in the litigation. Same believe that this right is a fundamental political right for the human (Solum, 2004, P. 73). According to this interpretation, the litigation which respects this human entitlement, is a fair litigation and its result, is not meant by us in this interpretation.

This interpretation is not criticized because it considers participation as a respectable right deriving from human dignity but when we believe in the political nature of the result of this dignity, i.e. right of participation, it will be objected because the political consideration of the fundamental rights of litigation, provide the possibility that some day politicians taking into account some other political expediencies such as security, may intend to infringe this right and to destroy its fundaments, while human dignity may not be violated in the sense that it has been defined in the principal documents of human rights. In a stronger implication political concepts are very fragile and preparing the litigation principles according to them, particularly basing this principle on them, will always strengthen the possibility that they may be violated in conflict with other principles. Therefore, the author believes, that an attitude beyond a political value must be followed, so that a secure scope be created for one of the most fundamental human rights. On the other part, although procedural justice attracts the center of attention on the procedural rules, but it cannot be denied that accuracy of achieved results or at least, evaluation of the votes given by the people are definitely effective on the

legitimacy of the task of the judge and in general on the litigation system. This gives rise to the third interpretation:

c- The Satisfaction Interpretation: This interpretation looks to the satisfaction of participants as a criterion for evaluation of the fair litigation process. A litigation which give opportunity for explaining the claim, self-defense and participation in decisions related to the case, even if the litigation process is less precise and more costly than the other methods, may be more satisfactory to the participants (Solum, 2004, P. 75).

According to this interpretation, in order to find out whether a fair litigation has been performed, we should pay attention to the degree of satisfaction of the participants in such litigation and such satisfaction will not be achieved unless with their participation in the litigation, however, can it be stated that fair litigation only depends on the personal evaluation of the participants and participation means satisfaction? Is the litigation which has been ended without observing the right of defense and discourse between the parties, fair only due to the fact that the parties give their consent to it? This analysis carries the procedural justice towards a materialistic concept which is basically contradictory. Contradiction is created when we interpret participation as satisfaction while for example if several persons interested in the litigation without having participation in it, it is not possible to examine their satisfaction because for examining their satisfaction, they must have participation but this has not been realized and they are not satisfied. In this manner, examining the satisfaction of the parties is not only possible through participation. Therefore, participation cannot be accepted by this interpretation although it may pave the way to some extent.

d- The Discourse Theory Interpretation: According to this interpretation, the litigations are directed on basis of such rules which ensure equal opportunity for both parties in submitting their claims, pleadings, bringing witnesses and questioning them, giving physical evidence, and the decisions are taken by a third impartial person (Solum, 2004, P. 77). This interpretation is called discourse because is based on the discourse theory of truths by *Jürgen Habermas*. According to this theory, real claim as a claim will be considered a real predicate if it is agreed upon under the conditions involving a Rational Discourse, a discourse involving equal opportunity for participants, discussing or rejecting the arguments and questions (Solum, 2004, P.78). In this interpretation of participation, which is the strongest interpretation, the fact that discourse must take place in logical conditions and the judge must be placed in neutral conditions, is emphasized. Nevertheless, the discourse theory is basically based on an adversarial system of litigation and includes three elements namely information of parties about subject and contents of the claim, grounds of claim and discourse regarding such subjects and contents and emphasizes on the right of submitting arguments, questions, recognition of possibility and opportunity of rejection thereof, may be also subject to criticism. According to this

theory and interpretation of participation, when the judge interferes objectively in the litigation, participation has been ensured. But can the participation be accepted in this sense?

In reply, it should be stated that a litigation which only emphasizes on the guiding role of the disputing parties and recognizes no power for the judge in the discovery of truth and management of the civil litigation process and administers justice through the hands of the disputing parties, will be faced with objections such as prolongation of proceeding, increase of costs for the parties and the society, non-achievement of reality and non-actual settlement of the dispute and disregarding the inequality of the parties from the aspect of weapons, rules of procedure and results. Nevertheless, the discourse must be possible to such extent that it will not be faced with the said objections, i.e. prolongation, costliness and elimination of the judge's position in the litigation and would not restrict the power of the judge who is searching for reality. Therefore, participation embodies a concept more than discourse. Participation and assurance of participation, in the author's view, means the creation of a mutual role between the judge and the disputing parties all throughout the litigation process and it may not be limited to the sense which was explained in the discourse interpretation or other interpretations. It seems that we should expect from participation, something, beyond discourse, i.e. the same thing which was before propounded by *Professor Cadiet* as the principle of cooperation (*Le principe de coopération*) and we have analyzed it as a fundamental theory for organizing the civil litigation (see: Mohseni, 2011.). Cooperation with due regard to the principles of impartiality, adversarial system, right of defense, inclusive of the whole procedural formalities. However, the same definition of participation based on the cooperation between the judge and the parties, has not remained intact against the reforms resulting from the progress of information and communication technology.

2-2: Impact of information & communication technology on the method of participation

If participation is accepted under any of the above interpretations, any way it seems that accepting the judicial case management system and application of information & communication technology will cause a change of its concept. The first change is seen in the concept of litigation formalities. In fact, formalities in litigation which may themselves guarantee the security and implementation of the litigation have been overshadowed and many of them have become meaningless.

For example, how can we justify some of the articles in the Civil Procedure Code of Iran regarding petition, duties of the head of the first branch and the court general office director and the branch office director despite the judicial case management system while many of the duties of those persons may be performed

with the help of the existing software by a click and the judge instead of using paper, folder and file, writes and orders in an electronic environment?

The second reform is related to the method of service of process without presence, with the help of soft tools. How is it possible to replace the various types of service of process under the Civil Procedure Code particularly the certification of the service officer as a validation element of this task by sending and receiving SMS and email?

The other impact must be recognized in the time concept of litigation. How can we explain the official working time in courts and court offices which follow the office hours, by computer digital time, which calculates the figures of second, minute and hour in real sense?
For example, a person who has 10 days time limit for removing his petition deficiencies, can he do this at 23:59 hour of the 10^{th} days (day of action) while at that time the justice administration center is definitely closed?
Performing the rules of procedure from a remote distance is another impact of the information technology. When the disputing parties fulfill the rules of procedure by a click, how is it possible to justify the concept of cooperation between the parties in the sense intended by us in respect of equal participation of the parties?

Elimination of the role of human factors in referring the files to other branches is the result of accepting the information & communication technology. In fact, the judicial case management system which uses the computer reference system will cause the fact that there will not exist any possibility of receiving the file after reference to the related branch. Therefore, emphasis on the rule that prevents withdrawal of a file after reference as per Article 391 of the Civil Procedure Code, will have no application after implementation of this system.

The fact that the concept of equal position of the parties in litigation will become fragile, considering their level of knowledge of the information & communication technology, is another impact which will require the most reflection. How could it be assumed that all plaintiffs are familiar with the methods of information & communication technology?

Reforms of this kind are numerous and response to them requires time and option of silence in face of the progressive movement of information & communication technology. It seems in order to still ensure the equal participation of the parties in litigation as a criterion of procedural justice against all these changes, it will be necessary to take note of some necessities. Therefore, there is no doubt as to the fact that many of our judicial habits are in process of transformation and in not too distant future, some broad changes will be essential in the civil procedure regulations. However, as *Professor Cadiet* said: "*Protection of defense rights will necessitate*

compliance with some assurances in order to avoid vulnerability of the weaker party against these reforms." (Cadiet, 2008, p.147).

On this basis it seems that compliance with fundamental principles of litigation such as impartiality, adversarial nature of litigation, principle of defense rights, principle of party initiative and generally, all principles from which the litigation and justice have obtained their names, is unavoidable considering the later changes and consecutive transform of tools. Thus, from the aspect of compliance with litigation rules, for purpose of assuring the equal participation, there is no distinction between the soft and hard formalities and difference only exists in the manner of observing them. For example existence of software in the computer which operates equally as to objects is not a reason for the impartiality of the judge and the computer may not be requested to take care of the adversarial nature of litigation.

On this basis, recognition of some limits for the impact of information and communication technology, judicial case management and deformalization, is necessary for purpose of prevention of harm to litigation principles.

I. It can be stated that one of the main rights of the parties is the right of accepting or rejection of the new method of litigation and service of process (Croze, 2009, p.16). Either of the parties, as long as the law has not expressly omitted the traditional means of litigation such as paper petition and traditional service of process, is entitled to make comment regarding notice of litigation time, contents of the petition and its exhibits by electronic means, and to accept or reject them. Recognition of this right will bring about the means of protection of the weaker party who is less familiar with the soft tools. In this way, satisfaction will be achieved as one of the criteria of procedural justice.

II. The computer date and time must be applied proportionate to the human ability. It is correct that computer, depending on technical power of the processor, may perform hundreds of operation per one second, however, human cannot be expected to prepare documents and evidences for the court or to notify them to the other party within a few seconds. Taking note of this issue may be effective on realization of discourse between the parties and cooperation between the judge and the parties.

III. Interference of non-dynamic memory in judicial decision making must be prevented. Considering the human features of judicial cases, judicial decisions should not be taken on basis of zero and one formula and should not go forward in a way that computer, by receiving personal data, regardless of financial and social situation of the parties of litigation (particularly defendant in penal litigation) would apply the judgment over

the objects. In fact, the convincing logic of the judge, must not replace the mathematical logic of the computer and judgment must not be issued in a mechanical manner regardless of the principles and spirit of justice and equity.

In this way, further to achievement of satisfaction of the parties, playing a fair game and respecting the human dignity will become possible.

IV. Security in electronic information exchange networks, in a manner that identity of the parties or the addressee will be reliably recognized and also the privacy of individuals will not be disturbed by using computer and internet and finally, reliable tools which use the network standard certifications, would create a secure cybernetic environment for the parties. This network security must be in line with the network security against information leakage and informatics hacking. Anyway, the information & communication technology, although facilitating the flow of information & communication, are to the same extent, vulnerable against their own progress.

The disturbing network worms and naughty hackers may easily pass the insecure borders of the network and challenge the whole social and private life of individuals. The insecure situation in the network will remove security of discourse between the parties and consequently the cooperation between the parties and the judge and will finally impair the procedural justice.

V. The principles such as impossibility of closure of the justice administration must be always maintained regardless of the computer role. Progress of information technology in justice administration should not lead to the result that someday, due to disorder in the computer network of judicial case management, the justice administration, be closed and the hearings be postponed. On this basis, a minimum extent of traditional formalities must be kept in proceedings and a copy of the most important papers of the file must be always materially available.

VI. Taking note of the cultural nature of the method of using computer and information technology in the society. In better words, material deformalization from justice administration, more than being a technical and legal problem, seems to be a cultural issue, as stated (Didier et al. 2008) and as long as the culture of using such technologies has not been properly institutionalized in the society, the legislator's movement must be discreet and wisely. Compliance with litigation principles and limits of deformalization is in its part, effective on the reinforcement of this culture.

Therefore, in order to avoid serious problems, deformalization must be regarded as a complementary method for traditional methods and effort should be only made to develop the use of the tools in which there is undoubtedly the possibility of correction of problems.

VII. This part which is the result of the necessity of paying attention to the culture of using the information & communication technology requires consideration of the ability of professional and non-professional persons in using the technology.

Laying the duties of this technology on the shoulder of professional persons such as attorneys at law and experts is easier than on the ordinary people. If one of the parties' claims that he is not prepared or has no possibility of using this technology in the litigation, his word is acceptable but such a claim will not be acceptable from an attorney at law or expert who has to adapt himself with the judicial reforms.

In Iranian law, except for the reforms on judicial case management which has taken place quite rapidly, actions regarding material deformalization are continued very slowly; this will be discussed later.

Conclusion

Whatever inferred from this paper, shows the influence of information and communication technology in the litigation and its procedure.
Accepting the judicial case management system and deformalization of the procedural rules, causes change in the method of participation in the sense of cooperation between the parties and the judge.
Most of these changes are pertaining to the change of methods and tools, which causes change in the concept of formalities, manner of presence, serving the litigation papers and transformation of the time concept in the trial, omission of human factors, reference of cases to branches and fragileness of the concept of equal participation of the parties in litigation proportionate to their familiarity with the information & communication technology.
Therefore, respect for the rights of defense, requires compliance with some assurances, which will finally secure and ensure the participation of the parties in litigation.

Bibliography

1. CADIET, Loïc et Emmanuel JEULAND, 2006, ***Droit judiciaire prive***, Paris, Litec, 5ème éd.

2. CADIET, Loïc, 2008, ***Case management judiciaire et déformalisation de la procédure***, in: Revue française d'administration publique. 2008/1 (n^0 125).
3. Commission européenne pour l'efficacité de la justice (CEPEJ), ***Efficacité et qualité de la justice***, 2010.
4. CROZE, Herve, 2009, ***Le progrès technique de la procédure civile***, JCP/La semaine juridique-édition générale N^0 5.
5. DIDIER, Guillaume et Gérard SABATER, 2008m ***Dématérialisation des procédures: "une révolution culturelle est nécessaire***", JCP-éd. G, n^0 8, 20 Février, I 118.
6. KATOUSIAN, Naser (2003), ***Share of Justice in Judgment,*** Faculty of Law & Political Sciences Review, No. 62. *In Persian Language*.
7. MOHSENI, Hassan (2011), ***Organizing the Civil Litigation Proceeding*** (on basis of cooperation and in framework of litigation principles), Enteshar Pub. Co. *In Persian Language.*
8. SHAHSAVAND, Eng. Mehdi, Eng. Mojtaba Khojastehbakht (2009), ***Judicial Case Management System***, Tehran, official gazette of Islamic Rep. of Iran. *In Persian Language.*
9. SOLUM, Lawrence B., 2004, ***Procedural Justice***, in: Southern California Law Review, Vol. 78.
10. TYLER, Tom R., 1997, ***Citizen Discontent with Legal Procedures: A Social Science Perspective on Civil Procedure Reform***, in: The American Journal of Comparative Law, Vol. 48, N 4.
11. VELICOGNA, Marco, 2007, ***Use of Information and Communication technology in European Judicial System***, CEPEJ Study N^0 7, Strasbourg.