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In Technology We Trust? The Present and Possible Future of Private Enforcement

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Abstract. In the course of this study, the author examines the current and possible future implementations of advanced information and communication technologies from the point of view of private enforcement (adjudication) and specifically the way in which they may contribute to reducing the time and resource requirements of the judiciary. Firstly, the major challenges of the current judiciary are presented, including the overbearing dogmatic approach to old principles of adjudication, resulting in a time-consuming, costly, labyrinthine, and unpredictable procedure, opening the way to private adjudication achieved via online platforms. In order for state adjudication to survive, modern technologies must be employed to achieve a data-based form of judicial process that is resource-efficient for the users of this 'service', while also guaranteeing a fair trial (albeit by electronic means). Such methods would include deployment of information and communication technology tools to aid court–party and party–party communication, using implementations of the blockchain to prevent evidence tampering, renouncing paper-based procedures, and embracing AI-assisted adjudication. Numerous examples of such solutions are provided, with some of their risks also emphasized such as the 'black box' phenomenon applicable to AI systems. The author concludes by stating that if private enforcement in the form of judiciary is to survive, it must become competitive with the dispute resolution options now being put forward by private actors.

Keywords: judiciary, new technologies, online dispute resolution platforms, online courts, blockchain, artificial intelligence

1. Introduction

Societal expectations of justice vary in space and time. Yet, looking back over the history of mankind, several constants emerge that have almost always been present in the way courts operate: to reach a just (i.e. non-arbitrary) decision, preferably as soon as possible. It is precisely the latter, the time factor, which

evolves with social and economic changes. Perhaps one of the best-known and most striking examples of the concept of time is that of the mediaeval cathedral builders, who began their work in the knowledge that they would never see the end of it, the finished building. From then on, one of the common effects of change is a shrinking sense of time.[1] As the time spent travelling, producing goods, and getting communication to its destination becomes ever shorter thanks to each invention, members of society become increasingly impatient.

This process has been given a new impetus by the Industrial Revolution of the 21st century, modelled on the Industrial Revolution of the 17th century. In the digital revolution of the early 21st century, the ever-smarter devices and services available have fundamentally redefined the concept of time: if a message sent to a smart device does not receive a reply within minutes, we are puzzled, whereas before the digital revolution, before the advent of e-mail, we were content to receive a reply to a letter sent by post in a week.

The state (the branches, subsystems, and service providers that carry out state functions) must recognize these changes, understand the reasons for them, and respond accordingly. This is also the case with the judiciary, perhaps the most complex and specific of all state functions. The initial question to be asked in this context is: what are the most important social and economic expectations of the judiciary in the first half of the 21st century, what should be preserved from the organizational and procedural principles that have been established over the past centuries, and how can its service character be enhanced?

The effects of the changed circumstances are clearly visible in the area of adjudication: for years now, fewer and fewer cases have been coming before the courts, while at the same time the number of ADR platforms and the number of disputes brought before them is growing at an accelerating pace. In our study, we seek to answer the 'whys' of this process, starting from the hypothesis that the judiciary as a public function has reached a crossroads: is it renewing itself, or is it becoming secondary to ADR platforms, steadily losing its importance? To this end, *Chapter I* outlines the current key features and shortcomings of private enforcement. In *Chapter II*, we will examine the information technology solutions already known from the point of view of which ones could already or in the near future substantially increase the efficiency of the administration of justice, reduce the duration of litigation, and adapt to the changed expectations and challenges. In *Chapter III*, we will outline where this process is in the country where the most rapid progress is being made in the shift from traditional to online courts:

1 Almost all disciplines deal with the concept of time, but here we only refer to Sören Kierkegaard's *Critique of Time*, published in 1845, in which the Danish philosopher distinguished between the actual passage of time (objective time) and its human perception (subjective time). The same duration may seem long to one person and short to another, taking into account their preconceived expectations of the event in question.

the Chinese experience is also useful for European countries. In the *Summary*, concrete proposals are made in the hope that they can serve as a starting point for further academic debate.

2. The Present of Private Enforcement

In this chapter, we could not attempt to describe all the procedural organizational models known in the 21st century, but we will highlight – without claiming completeness – the common features that can be found in the judicial systems of almost all developed countries. We concentrate primarily on the difficulties and problems which the developments in information technology presented in the next chapter may provide solutions to.

2.1. Judicial and Procedural Principles Have Become Dogma

These principles are contained and safeguarded by norms at the highest level of the legal hierarchy: international conventions, constitutions, and procedural laws. Thanks to the practice of regional courts and national constitutional courts, respect for these principles is so deeply rooted in legal thinking that the first question to be asked in the event of any change of organization or procedural model, or even of any amendment to legislation, is whether the new provision is compatible with and can be integrated into this system of principles and frameworks.[2] There is a lack of analyses of the systemic functioning of the judiciary that approach possible new procedural and organizational changes from the 'user's side', looking at how they serve the interests of legal entities and how much more 'attractive' it will be for them to use the judicial route.

2.2. The Courts are Cumbersome and Time-Consuming

The unconditional respect of the principles mentioned in the previous point necessarily results in the cumbersome and time-consuming nature of litigation and non-litigious procedures before the courts: if every single rule of guarantee must be respected in every single procedure, then, regardless of the specific dispute or substantive issue, only a protracted procedure can lead to a decision on the merits.

2 A good example of this is Act CXXX of 2016 on the Code of Civil Procedure, the ministerial explanatory memorandum of which states that the aim of the new Civil Procedure Code is to comply with international and national constitutional requirements. In the German-language legal literature in particular, the title of some sources already indicates whether certain changes related to information technology can be integrated into the current environment of fundamental principles – see, e.g., Paschke 2018.

Another specific feature of court proceedings is the fact that the service is linked to a place or building. The main purpose of the strict rules on jurisdiction and competence, which are linked to the right to a legal judge as one of the most important principles of justice, is to make it possible to determine which court has the power and the obligation to hear a particular dispute. If we add to all this the constitutional requirement for each judge to judge each case independently and impartially, we find a contradiction in the meaning of the right to a judge under the law: Does it matter whether one court or another is involved in the case? Are the judges in one court or another more independent? Can a different decision be expected here than there? From the parties' point of view, the question of the court to be seized is primarily reduced to the geographical distance, i.e. as close to them as possible, so that it becomes less and less of a problem to be in the courthouse in person and on time. The importance of this aspect diminishes if the proceedings are conducted partly or entirely online, in which case the rules on competence and jurisdiction are also partly irrelevant.

At this point, it is worth noting the question of the organization of the judiciary, which in most countries is held together almost exclusively by respect for historical tradition. Generally speaking, the smaller the geographical area of a country, the less fragmented its judicial organization.

2.3. New Competitors in the Justice Market

There is a clear tendency for large service providers and e-commerce companies to seek to provide efficient and quick solutions to disputes related to their services, primarily through dispute resolution procedures on their own platforms. These include eBay and Alibaba. These providers have quickly recognized that offering a fast and efficient solution to disputes over contracts on their websites can increase the number of visitors to their websites and the number of users of their services.[3] They were also helped by the fact that all the data on the contract was available and retrievable on the platform – when the contract was concluded, with what content, between whom – so that the parties did not have to spend time gathering evidence. One of the lessons learned from the development of the eBay platform was that the first version was simplified years later in a new development to reduce the number of questions and data that parties had to answer in order to start the procedure. This simplification has led to a surge in the number of claims, suggesting that the simpler the means of accessing an enforcement procedure, the more attractive and accessible it becomes to more parties.[4]

3 Katsh–Rabinovich-Einy 2017.
4 Katsh–Rabinovich-Einy 2017. 160.

The data on the success of these platforms leads to a number of conclusions, one of which is that parties need a concrete solution to their private legal dispute, not necessarily a court judgment.

2.4. Diverging Roles and Interests between the Legal Professions and between the Various Actors in the Process

The current model of civil litigation is, in a very simplified way, as follows: the judge's task is to decide the dispute, while the legal representative's (lawyer's) task is everything else: to fill in the party's lack of legal knowledge, to think through the possible outcome of the case, to consider the tactics, to collect and submit evidence, etc. During litigation, the judge also has different tasks in relation to the representation, which in the models of different countries varies from passive to active. Everywhere, the judge has a duty and a legal obligation to conclude the case within a reasonable time. It is interesting to note that there is no such requirement in relation to legal representation, at most a similar obligation can be derived from the requirement of good faith. The remuneration of the lawyer also works against a speedy conclusion, a connection which is also rich in legal literature.[5]

2.5. Difficulty in Planning the Duration. Difficulty in Predicting the Decision on the Merits

It is generally accepted in the field of criminal science that the greatest deterrent to committing/repeating a crime is exposure – the greater the proportion of offenders who fear being convicted, the more they will consider whether it is worth the risk. The same applies to temporality: the closer in time the offence and the punishment are, the greater the deterrent effect of the latter.

The situation is similar in civil disputes, especially in litigation regarding payment of debt, where the debtor knowingly and willingly does not pay but is only interested in stalling for time and in the disappearance of his assets on which the enforcement is based. If the civil proceedings are concluded as close as possible to the date of the debt's expiry, in a predictable manner and with a predictable outcome, this will at least force the debtor to reach an agreement. The timeliness and duration of civil proceedings is also of paramount importance and is directly proportional to the effectiveness of enforcement.[6]

The lack of uniform, predictable case law on a particular legal issue may also act as a deterrent to resorting to the courts. The development and implementation of uniform case law, which is a cornerstone of legal certainty,

5 Czoboly 2016. 758–776.

6 For a scholarly analysis of the temporality of civil proceedings, see Gáspárdy 1989.

is a task typically for national supreme courts, which have different means and methods for achieving this. What they have in common is that, as time goes on, more and more previous decisions and guidelines have to be kept in mind, their coherence maintained or revised because of changes in the law. In countries where precedent or quasi-precedent exists, it is a task beyond human capacity to cull the relevant judgments from tens of thousands of decisions, without precise methodology and technical assistance.

2.6. Paper-Based Lawsuits

In civil litigation, everything is done on paper, and the fact that communication (service) between the parties and the court is now largely done electronically has not changed this. Judges still have to read through towers of papers several metres high before preparing for a hearing or passing judgment. Since, with the exception of a few countries, a judge almost always has to hear several cases in parallel, the paper-based administration of justice is a major limitation on the efficiency of judicial work. At present, therefore, what and how the judge has noted from the information in the case file depends solely on his or her individual capacity to absorb and remember, which in itself makes the outcome of the case a matter of chance.

3. The Possible Future of Private Enforcement

Contemplating the future does not necessarily mean thinking about the difficult-to-predict distant future. Indeed, information technology, at its current stage of development, already offers solutions that could provide realistic help in overcoming or at least alleviating the difficulties outlined in the previous chapter. Although it is difficult to schedule each individual development – its implementation and realization depend on many factors – the following proposals could be implemented within this decade if there is professional consensus and political will. In other words, this chapter seeks to give a sense of what justice could look like in 2030 with the help of information technology.

3.1. Information Technology Is Not the Solution for Every Type of Problem or Case

At the outset of the consideration of each proposal, it should be noted that the IT solutions known today are not a solution for every type of problem or case. The key to digitalization is automation, i.e. information technology can only be used for cases and legal issues that can be well typified. It is worth noting here that in

the case of so-called complex disputes, there is a greater willingness on the part of the parties to settle, for which there are already several well-known and well-established platforms (Cybersettle, Inter-Settle, e-Settle, Click N'Settle, etc.).[7] The human factor, the human judge will therefore not disappear from civil litigation (certainly not until 2030), but his or her role and the knowledge required will change. However, this change is not radical, as the judge's role is already to transmit information during the trial. The parties provide information to the judge, which is transformed during a trial, and at the end of the proceedings a judgment is made, itself being a form of information. Judges have to learn how to structure this information into data that IT can evaluate.

3.2. The Data-Based Lawsuit

Most information technology solutions, and in particular the use of artificial intelligence, require data to be structured and given a legal interpretation. Currently, most of these systems involve the post-structuring of court judgments. For an AI to be able to assist in the delivery of a judgment, pleadings would need to be pre-coded in a similar way (the first step is to develop forms, which has already been done, e.g. for applications for an order for payment and for a statement of claim). This coding would seem to be easy to achieve in simpler types of actions, but it would fundamentally change the role and function of the judge in civil enforcement, as s/he would be responsible for structuring the parties' pleadings.

3.3. Using Blockchain Technology

The evidence phase is a central part of litigation. The availability of evidence, its transparency, and the examination of its origin are of decisive importance. At present, in the era of paper-based litigation, the question of how parties can present evidence and prove facts to the court months later in disputes where every element of the legal relationship has been conducted online is still unresolved. This can be helped by blockchain technology, which works through pre-written, immutable, tamper-proof software, where information (evidence) is downloaded to computers (legal representatives, court) operating on nodes in distributed networks. When a change is made to the database, it is checked by software running on all the computers in the network and then updated. This method excludes the possibility of evidence tampering.[8]

7 Ross 2021. 21–22.
8 Rosario 2021. 114–119.

3.4. Court Platforms – All in One Place

Perhaps the most visible, but certainly substantial, change from current enforcement would be for parties to have a well-designed, easy-to-use, and transparent platform to get answers to all their relevant questions and information, and for disputing parties to be able to contact each other through that platform. Such platforms already exist in a number of countries, and the experience has been positive. In the United States of America, researchers at the University of Michigan developed an online service called Matterhorn, which was first launched in 2017 in a Michigan district court and is now operating in more than 40 courts in 8 different states. The system was originally designed to help courts and citizens communicate more effectively with each other. It is available 24 hours a day via smartphone and is primarily used for small claims and family law disputes. The parties receive the court's decision through this platform. Another online court was launched in 2018 in Utah for disputes under $11,000. Through this platform, parties can attempt to reach a settlement without the involvement of the court or with the help of a case manager who will answer their basic legal questions and mediate to reach a settlement. The administrator will also assist in the submission of the necessary documents following an unsuccessful settlement attempt. If the parties so request, the administrator may decide without a hearing, on the basis of the documents submitted, or refer the case to a judge, who may order a hearing of the parties.[9]

According to Susskind, the best known and most advanced online dispute resolution system is currently in British Columbia, Canada, called the Civil Resolution Tribunal. Launched in mid-2016, the service is available for pecuniary disputes up to $5,000, and as of 2019 it is also available for claims involving traffic accidents up to $50,000. There are four parts to the service. The first will help users understand their legal situation, the second will seek to create an informal settlement between the parties. If this fails, an administrator steps in in the third part and tries to get the parties to reach an agreement. Finally, if this is unsuccessful, a member of the civil arbitration tribunal (who is not a judge) will issue a decision.[10]

It is important that this is not just an information site with templates describing different options but an intelligent and secure site where the parties can get a personalized response to their specific problem. It should also be ensured that settlements reached through this platform have the same two key features of the decision ending the procedure, i.e. a judgment and enforceability. It is clear from the examples mentioned that human involvement is essential in these platforms: court administrators or judges can be involved at a stage where this

9 Susskind 2019. 174–176.
10 Susskind 2019. 168–169.

may be justified. The development of such a platform would also bring about an important change of mindset, from courts waiting for parties to enter their premises to opening their doors and allowing anyone to deal with their court case from home using a smart device. It is also important to stress that this is unlikely to trigger a new influx of cases already in the courts, but rather new disputes that have so far been out of the courts' reach would be brought and resolved through the platforms, creating a new type of caseload for the courts.

It is worth noting that the design of such platforms is the subject of an almost independent research direction, legal design: thinking about and analysing how to create simpler, more efficient, and smarter interfaces for non-legal users, which will not discourage them from using the platform but will endear them to the legal subjects.[11]

3.5. The Effective Exercise and Extension of the Right to Justice

It is almost an axiom in the legal literature that the use of technology helps to ensure the right to justice.[12] This seems to be true even as other sources in the legal literature warn that any innovative solution must be guaranteed to be accessible to generations less open to information technology and to societies where Internet-based services themselves are not yet as widespread or as developed.[13]

At the same time, the meaning of the right to justice is necessarily expanding, precisely because of changing social and economic expectations: this fundamental right no longer means only the right to a judicial decision but also the right to fair administration, problem solving, and information. Still others distinguish between five components of the right to justice in dispute resolution using information technology tools in the online space: diagnosis, negotiation, mediation, interpretation of the law, and decision.[14]

3.6. Using Artificial Intelligence

Artificial intelligence taken in the general sense is the holy grail of information technology, and the expectations are much higher than what it can do now and in the near future. What it does well at the moment is that it can process much more data much faster than a human, and it never gets tired, its work is continuous. Artificial intelligence finds patterns and repetitions in the data series, a property that is also used for so-called predictive programs. It is also worth noting that the greatest development and competition in the field of artificial

11 Amsler–Martinez–Smith 2020.
12 Rainey–Bridgesmith 2021. 6.
13 Reiling 2020. 7–8.
14 For a summary of the different ideas, see Rainey–Bridgesmith 2021. 7.

intelligence is currently not in law but rather in the much more profitable fields of pharmaceutical, medical, and military research. Even here, however, these programs have not yet reached the level of general artificial intelligence, i.e. they do not yet have all the capabilities that the human brain has. It[15] follows that in the field of justice, artificial intelligence is unlikely to replace human intelligence in the foreseeable future. It is therefore worth concentrating on the areas where it can make a meaningful contribution to the work of the judiciary.[16]

The first of these is e-discovery, which can be used to identify and select from a large volume of documents the relevant data needed to resolve a dispute. It is already in use and is particularly useful for reviewing large volumes of e-mail correspondence and communications. The second is the so-called legal expert systems, whose development could be given a new impetus by the spread of chatbots, which are capable of structuring the information received into data in the form of question-and-answer sets. Finally, the best-known uses of AI are the so-called predictive models, which are based on the growing amount of partially structured legal information. They are mostly used in the field of criminal procedure law, among which the COMPAS (Correctional Offender Management Profiling for Alternative Sanctions) software, which has been used for years with public satisfaction by several courts in the United States of America, stands out.

In practice, the reception of COMPAS is a good example of the legal enforcement issues that can arise in the case of AI-based decision-making. There are currently more than 60 similar automated systems in the US, of which COMPAS is used in four states (New York, Wisconsin, California, Florida). It was developed and is operated by the private company Northpoint (now Equivant) and is used by state agencies (police, prosecutors, courts) for a subscription fee. The software works with public data on crime, which it processes together with the specific defendant's answers to a 137-question questionnaire to produce an estimate of the likelihood of re-offending. This program is used at the investigative stage to decide on the use of coercive measures (pre-trial detention or bail), at the level of the sentence and the decision on parole. The result of the COMPAS assessment is not binding on the prosecuting authority or court, but experience shows that when it is used, it is almost always used as a basis for a decision.

Following the program's enthusiastic reception, COMPAS has come in for increasing criticism. The most common of these is a problem known as the 'black box': the developer treats the exact specification of the software as a trade secret so that prosecutors have virtually no control over its operation. The software was designed to eliminate subjectivity and human error, but now the automated decision that replaces it is the focus of controversy. So far, the Wisconsin Supreme Court has addressed these issues in the most detailed way, in its 2016 ruling in

15 Tilesch–Hatamleh 2021. 19.

16 The following division is given by Katz 2021. 90–93.

State v. Loomis (Wisconsin v. Loomis, in which a motion for a writ of certiorari was rejected by the Supreme Court of the United States). The facts of the case were not extraordinary: Eric Loomis was charged with five felonies in connection with a car chase, two of which he pleaded guilty to and entered into a plea bargain. The court of first instance used the COMPAS analysis to determine the sentence, which showed that the risk of re-offending was very high and that the defendant posed a high risk to society. The court therefore imposed a maximum sentence of six years' imprisonment for the two offences.

Loomis appealed the decision to the Wisconsin Supreme Court, arguing, among other things, that his right to a fair trial was violated because he was not allowed to know how the software worked and thus could not verify the accuracy of the results. The latter, in his view, is also a concern because COMPAS works with group data, so the imposition of the penalty is not specific. The Supreme Court did not find the appeal to be well founded but ruled that the analysis carried out by COMPAS was only one of the possible criteria for determining the level of the penalty and could not become exclusive. It did not, however, respond to the arguments relating to the intelligibility of the functioning of the software. In the US, there has since been increasing pressure on the courts to uncover the 'black box'.

4. Experience of the Digitization of Chinese Courts

The first step in a comprehensive reform of the Chinese judiciary was the 'Transparent Justice' (*si fa gong kai*) project, launched in 2009, which involved the centralized creation of a countrywide public database of court judgments,[17] which was later complemented by three additional databases: court enforcement,[18] court proceedings information,[19] and court dockets.[20] The issue of justice has been taken to the highest political level, with the Central Committee of the Communist Party of China adopting a resolution in 2014 on 'some important issues related to the comprehensive promotion of the rule of law', aimed at improving the efficiency of access to justice. The details of the reform were set out in a five-year development plan adopted in 2016, which was summarily dubbed the Smart Courts. The large-scale digitization of courts and the trial runs of three Internet courts were launched.

The first court, which is exclusively online and accessible, was established in the country's e-commerce hub of Hangzhou in 2017 and the other two in Beijing and Guangzhou in 2018. Together, these three courts had resolved 1.2 million

17 https://wenshu.court.gov.cn.
18 https://zxgk.court.gov.cn.
19 https://splcgk.court.gov.cn/gzfwww/.
20 http://tingshen.court.gov.cn.

disputes by the end of 2019. The Hangzhou Internet Court has been empowered to hear six types of cases loosely related to the Internet that fall under the jurisdiction of the first instance courts of Hangzhou city: disputes over Internet purchases, services, consumer loans, and other contractual disputes; disputes over the ownership and infringement of Internet copyright; disputes over online personal rights infringements; product liability disputes arising from online purchases; domain name disputes; and administrative disputes over Internet-related regulations.[21]

In the design and testing of Internet courts, particular attention has also been paid to the integration of Internet technologies into traditional court procedures. At the Internet Court in Hangzhou, platform technology was used in the design of portals for online litigation, online mediation, electronic evidence storage, online document delivery, online enforcement, and online judgment publication. A novelty was the introduction of streaming technology, which reduces the physical and emotional distance between the judiciary and the parties by visualizing the trial (hearing). Finally, among the developments in Internet courts, the use of artificial intelligence and robotic technologies to facilitate automated decision-making should be mentioned.

Among the robotic technologies, robotic process automation is used, called virtual judges, who work non-stop, 24 hours a day, 7 days a week, five times more efficiently than manual judges. These process robots are able to mimic not only human decision-making processes but also the specific writing style of individual judges.

The experience of the first few years shows that the latest generation of online platforms, the Internet courts, are transforming the traditional role of lawyers. Judges are becoming more proactive actors in proceedings, performing a combination of functions such as conflict analysis, prevention, and resolution. Accordingly, judges act as controllers of procedural actions rather than as decision-makers. And parties are increasingly turning to the courts as a service centre for resolution rather than for judgement. Technological developments have outpaced the education of Chinese judges, with more and more training now being provided to help them properly interpret online data, use AI-based software, and improve their digital literacy. In addition to judges, lawyers also find that the use of new technologies is challenging their profession: as more and more automated systems are able to resolve specific disputes or propose settlements without the assistance of a legal professional, the services and expertise of lawyers are becoming less indispensable to the parties.

Thanks to data-intensive technological tools, the collection and analysis of data enables the judiciary not only to streamline and improve traditional dispute resolution procedures but also to identify why and how conflicts occur.

21 A detailed analysis of Chinese judicial reform is contained in Shu Shang–Wenli 2020. 119–148.

This process can lead to a transformation from a reactive approach to judicial proceedings, resolving individual claims, to a proactive dispute prevention function, also helping to improve the effectiveness of the legislative response.

In addition to the clear success of China's Internet courts, there are a number of outstanding issues, such as the lack of a uniform privacy regime for online platforms and the extent to which the private sector should be involved in costly developments. In any case, while in Europe these regulatory issues are still under consideration, in China, fast and efficient Internet courts based on online platforms, accessible anytime from desktop and mobile devices, without legal expertise, have already been implemented, adding a new dimension to the associations with Chinese justice.

5. Conclusions

State justice in developed countries is at a crossroads: either it adapts to the challenges of the digital revolution and becomes attractive and realistic, winning the competition against the online dispute resolution platforms of the big private providers, or it is relegated to the dustbin of legal history. The challenge is made more difficult by the fact that there is no end to the development of information technology, which means that some solutions that currently seem effective may well be obsolete in 5–10 years.

It is particularly difficult for lawyers who are attached to principles and predictability to accept that the model of law enforcement that has been in place for almost 200 years needs to be fundamentally rethought and that courts need to be allowed to innovate. Dogmas have to be rewritten, new issues and technological concepts that go beyond law have to be introduced and familiarized at the user level.

Much more attention needs to be paid to the changing needs and expectations of the client side, of society and the economy, with regard to the judiciary. The seemingly simplistic but real phenomenon that services that are not available on a smartphone do not exist for the growing generations must be recognized.

Despite all the theoretical and practical difficulties, the country whose lawyers and legislators are the first to recognize this and are able to provide appropriate answers to these difficult questions will have a serious competitive advantage over other countries. An efficient and predictable judicial system is also an important prerequisite for the functioning of the economy and for social peace.

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