



Bundesverwaltungsgericht



**Seminar organized by the Federal Administrative Court of
Germany and ACA-Europe**

**Harmonising Administrative Legal Documentation in
Europe**

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Answers to questionnaire: Ireland



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Response of the Supreme Court of Ireland

GENERAL

In the following section we ask you some general questions about your institution, e.g. in which country it is located and which legal areas your institution is responsible for.

1. For which institution do you answer this survey? *

Please write your answer here: **Supreme Court of Ireland**

2. What is your position? Please name the field of work (e.g. documentation unit or library) and your specific task (e.g. documentalist or lawyer).

Senior Executive Legal Officer, Office of the Chief Justice

Task: Lawyer/secretariat

3. In which country is your institution located? *

Please write your answer here: **Ireland**

**4. Which areas of law is your institution ultimately responsible for?
Please select the appropriate answers. ***

Please choose **all** that apply:

Administrative law **X**

Constitutional law **X**

Tax law **X**

Social law **X**

Other: **X**

For the purpose of this questionnaire “administrative law” is defined as the organisation, powers, duties, and functions of public authorities of all kinds engaged in administration; their relations with one another and with citizens and nongovernmental bodies; legal methods of controlling public administration; and the rights and liabilities of officials, e.g. police law, environmental law, asylum law.

5. How many organisational units (e.g. panels, chambers) deal with administrative law? *

Please write your answer here: **1**

(If facility available to insert a comment, we can explain that the Supreme Court does not sit in different panels or Chambers and that all judges deal with cases in all areas of law).

6. Does your institution also have the task of advising the Government (Council of State)? *

Please choose **only one** of the following:

Yes

No **X**

7. Your institution advises the government. What are your tasks as Council of State? * N/A

Please choose **all** that apply:

Government advice on draft legislation

Government advice on ordinances

Advise the Government on international agreements that the Government would like to conclude

Review of legislative proposals from the middle of Parliament

Matters on which the Government deems it necessary to consult the Council

Other matters required by an Act/the Constitution

8. You advise the Government on matters, where it deems it necessary to consult the Council. Please provide examples on the basis of your experience. *N/A

Please write your answer here:

9. You advise the government in other matters required by an Act/the Constitution. Please provide examples. *N/A

Please write your answer here:

Documentation of administrative case law, literature and other documents or pieces of Information

In the following section we ask you some general questions about the documentation activities of your institution. Please answer the questions as far as possible for your institution as a whole. If the answers given do not apply to you, please use the "other" field and explain how documentation is provided in your institution.

For the purpose of this questionnaire, documentation is understood as follows: The documentation collects information about a print document (e.g. judgement, article in a legal magazine) or a digital piece of information (e.g. articles from websites, blog entries). This may include on the one hand objective, formal information (e.g. author, publishing date) and on the other hand information about the content of the document or piece of information (e.g. headnote of a judgement, subject area of a legal article). The information thus obtained makes the document/piece of information easily accessible and usable. However, for the purpose of this questionnaire documentation does not include justice administration processes such as case management systems, electronic filing or the work of registries.

10. What do you document? (Check all that apply.) *

Please choose all that apply:

Decisions in court proceedings (e.g. judgments, decisions that are not judgments) **X**

Advice/recommendations of a Council of State

Literature (e.g. articles from judicial magazines, monographs, articles from websites) **X**

Other **X**

Comment: There is no documentation department or similar unit in the Supreme Court of Ireland. Rather, a judge writes a judgment, which includes the decision itself and other data, such as the title of the proceedings and the date of the delivery of the judgment. The Supreme Court Office, which is effectively the registry of the Supreme Court then inserts a title page, which includes: the record number of the case; the title; the neutral citation; the date of the delivery of the judgment; the Court (i.e. the Supreme Court); the composition of the Court, the name of the judge who delivered the judgment in question; the status of the judgment (approved or unapproved); and the result. The judgment is then published on the website of the Courts Service, www.courts.ie. A similar process applies in respect of written determinations of the Court either granting or refusing applications for leave to appeal to the Supreme Court.

In addition, while the Supreme Court does not itself have any department or staff members who document literature, a judicial research office, which is a very small pool of judicial assistants that assists all levels of court jurisdiction, and who are generally recent law graduates, gather articles and publications which may be of interest to judges and upload them to a Judges' Portal, which is effectively an intranet.

You will be asked more detailed questions about all the answer options you can select above as the survey progresses. If, for example, you do not state here that you are also documenting literature, e.g. legal articles, you will not be able to provide any further information in the further course of the survey. Please select "Other" if none of the above answers applies to you, but you do document legal information in your institution.

Please specify which other documents or content you document. ***N/A**
Please answer the question only if you selected "Other" in the previous question.

Please write your answer here: **N/A**

11. Metadata is structured data that provides information about other data. They can be used to describe the content and/or form of the other data. Do you agree with this definition? *

Please choose only one of the following:

Yes **X**

No

12. You disagree with the statement. Please define what you mean by metadata. * N/A

Please answer the question only if you selected "No" in the previous question. Please write your answer here:

13. In your documentation system, do you distinguish between formal metadata (related to the external appearance of the document, e.g. file reference, decision date) and content metadata (refers to the content of the decision)? *

Please choose only one of the following:

Yes **X**

No

14. Which of the following pieces of information do you define as formal metadata? (Check all that apply.) *

Please choose **all** that apply:

Author **X**

Date (e.g. decision or publishing date) **X**

Publisher (e.g. court or publishing house) **X**

Identifier (e.g. ECLI, file number, document ID) **X**

Type of document (e.g. decision, article, act) **X**

Language

Title **X**

Version

Relation to other documents

Coverage (e.g. country)

Access and exploitation rights

Other:

15. Do you assign formal and content-related metadata for documents or digital pieces of information? *

Please choose the appropriate response for each item:

	Yes	No
Formal metadata (e.g. decision date, author)	X	
Content-related metadata		

Content metadata (e.g. keywords, legal

provisions on which a decision is based)

X

At this stage, please do not differentiate between decisions, recommendations, literature or other and answer the question in general.

16. Who assigns formal metadata, employees of your institution or an external service provider? (Check all that apply.) *

Please answer the question only if you assign formal and content metadata. Please choose **all** that apply:

Staff of the institution X

External agent(s) on behalf of the institution

17. You indicated that external agent(s) assign formal metadata on behalf of the institution. Who do they work for? (Check all that apply.) * N/A

Please answer the question only if you selected "External agent(s)" in the previous question.

Please choose **all** that apply:

Another court

Another public institution (e.g. library, Ministry of Justice, public agency)

Private company

As freelancer

Other:

18. You indicated that external agent(s) assign formal metadata on behalf of your institution. Do they do this on a main or a part-time basis? * N/A

Please answer the question only if you selected "External agent(s)".

Please choose only one of the following:

Main job

Part-time job

Other

19. Do you assign formal metadata on a manual or automated basis? *

Please answer the question only if you assign formal metadata.

Please choose only one of the following:

Manually **X**
On an automated basis
Both
Other

20. Why do you assign formal metadata manually and on an automated basis? (Check all that apply.) *

Please answer the question only if you selected "Both" in the previous question.

Please choose all that apply:

Automated recording is not yet completely possible **X**

Organisational reasons **X**

For reasons of control or quality assurance

Other:

21. Who assigns content metadata in your institution? (Check all that apply.) *

Please answer the question only if you assign formal and content metadata.

N/A

Please choose **all** that apply:

Staff of the institution

External agent(s) on behalf of the institution

22. You indicated that external agent(s) assign content metadata on behalf of your institution. Who do they work for? (Check all that apply.) * N/A

Please answer the question only if you selected "External agent(s)" in the previous question.

Please choose **all** that apply:

Another court

Another public institution (e.g. library, Ministry of Justice, public agency)

Private company

As freelancer

Other:

23. You indicated that external agent(s) assign content metadata on behalf of your institution. Do they do this on a main or on a part-time basis? * N/A

Please answer the question only if you selected "External agent(s)".

Please choose **only one** of the following:

Main job

Part-time job

24. Do you have any experience with automated assignment of content metadata? * N/A

Please choose **only one** of the following:

Yes (please share your experiences with us in the comment field)

No

Make a comment on your choice here:

25. Do you record formal and content metadata separately, i.e. in different work steps and/or by different persons? (Check all that apply.) * N/A

Please choose **all** that apply:

Yes, in separate work steps

Yes, by different persons

No

Other:

26. Have the persons documenting in your institution completed a law degree? (If some of them have and others have not, please select both answers.) *

Please choose **all** that apply:

Yes, they are trained lawyers

No, they do not have a law degree

Other: X

Comment: The only form of documentation of court decisions is the assignment of the Supreme Court Office (the registry) of a title page on judgments and determinations of the Court before they are published on the website. The Registrar and staff of the Supreme Court Office are civil servants, albeit the Registrar and some of the staff have legal qualifications.

27. You indicated that non-lawyers perform documentation activities in your institution. What qualifications do these people have? (Check all that apply.) * N/A

Comment only when you choose an answer.

With higher
education degree in

...

Trained in ...

Please choose all that apply and provide a comment:

Other:

28. You indicated that trained lawyers perform documentation activities in your institution. Are they judges? N/A

Please choose **only one** of the following:

Yes

No

29. How many persons perform documentation activities in your institution? (Please enter a number.) *

Please write your answer here: **0**

Please give us only the number of persons who document judgements, legal articles, statements of Councils of State etc. The question does not refer to justice administration activities such as electronic filing, case management or registry. Please estimate the number if necessary.

30. How many full-time posts does the above mentioned number correspond to? (Please enter a number, decimal places are allowed.)

Please write your answer here: **0**

Please estimate the number if necessary.

31. Are foreign language skills — beyond your official languages — compulsory for documentalists in your institution? *

Please choose **only one** of the following:

Yes

No **X**

32. Which foreign languages do you require? Please name the languages in the comment field. * N/A

Comment only when you choose an answer.

Please choose all that apply and provide a comment:

33. What language level referring to the Common European Framework of Reference for Languages (CEFR) do you require for documentalists? N/A

Please answer the questions only if you have specified one or more languages.

Please choose the appropriate response for each item:

34. You indicated that external agent(s) perform documentation activities for your institution. What is the annual budget of your documentation unit/department in Euro? *N/A

Only numbers may be entered in this field.

Please write your answer here:

You indicated that external agent(s) perform documentation activities for your institution.

Do you award the contract by means of an external call for tenders? *

Please choose only one of the following:

Yes

No

**35. Do you have any comments on this block of questions or would you like to explain one of the answers in more detail?
Please write your answer here:**

The system of the Supreme Court of Ireland is different to that in most civil law jurisdictions in that there is no unit, staff or department which is responsible for documenting decisions or other material for the Supreme Court. While the instructions in relation to this survey provided above indicate that documentation does not include the activities of a registry, it is important to note that the Supreme Court Office, which is effectively the registry for the Supreme Court of Ireland inserts metadata by way of a title page on each judgment and determination prior to the publication of the document on the website www.courts.ie. This includes the record number of the case; the title; the neutral citation; the date of the delivery of the judgment; the Court (i.e. the Supreme Court); the composition of the Court, the name of the judge who delivered the judgment in question; the status of the judgment (approved or unapproved); and the result. However, there is no staff member, either on the Supreme Court Office or associated with the Supreme Court generally, who is solely responsible for documenting decisions or other material for the Court.

External Legal Information Systems

In the following section we ask you questions about external legal information systems. For the purpose of this survey, an "external legal information system" means an information system that provides legal information (such as decisions of your national courts, legal essays/articles and/or national legal provisions), that primarily relates to the national law of your country, that is accessible (also) from outside your institution and is intended for use by external persons. We assume that these information systems are digital. If not, please describe your analog system at the end of this section. Presumably, the way those systems are structured and who operates them (e.g. state monopoly, private company or PPP) varies considerably from one Member state to another. Please keep this in mind and interpret the questions and answers so that they apply best to the information system(s) in your country.

36. In your country, do you have one or several external legal information systems?

Please choose **only one** of the following:

Yes, one (Please continue with the block "Only one external information system".)

Yes, several (Please continue with the block "Several external information systems".) **X**

None (Please continue with the block "Internal information system".)

Several External Information Systems

37. Please name the most important legal information systems in your country. (Please enter the name in the comment field.)

Comment only when you choose an answer.

Please choose all that apply and provide a comment

1. **Courts Service website (www.courts.ie)**
2. **Irish Statute Book (www.irishstatutebook.ie)**
3. **Justis (www.justis.com)**
4. **Westlaw (www.westlaw.ie)**
5. **Bailii (British and Irish Legal Information Institute, www.bailii.org)**

38. Is legal information divided between different information systems (e.g. one system for court rulings, one system for legal magazines and essays/articles)? *

Please choose **only one** of the following:

Yes

No

39. Are the systems subdivided according to jurisdiction or document types? *

Please choose **only one** of the following:

According to jurisdiction (e.g. database for public law, database for criminal law)

According to type of document/information (e.g. database for court rulings, legal literature, parliamentary documents)

Other

40. Which content do the legal information systems provide? (Check all that apply.)

	Judgments and other decisions	Advice/recommendations by a Council of State	Literature (e.g. legal articles, monographs, commemorative publications)	Statements or reports (e.g. by associations, national parliaments)	Does not apply
1	X				
2					X
3	X		X		
4	X		X		
5	X				

For each legal information system, there is one line (1.-5.) available. Please indicate for each system separately which contents are made available (multiple choice possible). If you have less than five legal information systems, please select "Does not apply" in the empty lines.

41. Are the systems provided for a fee or free of charge? *

Please choose the appropriate response for each item:

	Free of charge	Fee-based	Both, depending on the chosen subscription or contract	Does not apply
1	X			
2	X			
3		X		
4		X		
5	X			

42. Who operates the systems?

Please choose the appropriate response for each item:

	Run by the State	private operator on behalf of the State	private supplier (freely active in the market)	Unsure
1	X			
2	X			
3			X	
4			X	
5				X

43. Does the system 1 provide content in full text? (Multiple selection, please select as appropriate.) *

	Yes (always full text)	No, only extracts	Full text against payment	Is not provided	I do not know
Court decisions	X				

Advice/recommendations (Council of State)					
Legal Articles				X	
Monographs				X	
Legal magazines				X	
Commemorative publications				X	
Compilations				X	
Official journals				X	
Opinions and reports (e.g. from associations, parliaments, ...)				X	
Legal provisions				X	

44. Does the system 2 provide content in full text? (Multiple selection, please select as appropriate.) *

	Yes (always full text)	No, only extracts	Full text against payment	Is not provided	I do not know
Court decisions				X	
Advice/recommendations (Council of State)				X	
Legal Articles				X	
Monographs				X	
Legal magazines				X	
Commemorative publications				X	
Compilations				X	
Official journals				X	
Opinions and reports (e.g. from associations, parliaments, ...)				X	
Legal provisions	X				

45. Does the system 3 provide content in full text? (Multiple selection, please select as appropriate.) *

	Yes (always full text)	No, only extracts	Full text against payment	Is not provided	I do not know

Court decisions			X		
Advice/recommendations (Council of State)					
Legal Articles			X		
Monographs					
Legal magazines			X		
Commemorative publications					
Compilations					X
Official journals			X		
Opinions and reports (e.g. from associations, parliaments, ...)					
Legal provisions			X		

46. Does the system 4 provide content in full text? (Multiple selection, please select as appropriate.) *

	Yes (always full text)	No, only extracts	Full text against payment	Is not provided	I do not know
Court decisions			X		
Advice/recommendations (Council of State)					
Legal Articles			X		
Monographs					
Legal magazines			X		
Commemorative publications					
Compilations					X
Official journals			X		
Opinions and reports (e.g. from associations, parliaments, ...)					
Legal provisions			X		

46. Does the system 5 provide content in full text? (Multiple selection, please select as appropriate.) *

	Yes (always full text)	No, only extracts	Full text against payment	Is not provided	I do not know

Court decisions	X				
Advice/recommendations (Council of State)					
Legal Articles					
Monographs					
Legal magazines					
Commemorative publications					
Compilations					
Official journals					
Opinions and reports (e.g. from associations, parliaments, ...)					
Legal provisions	X				

47. Which search functions do the systems support?

	1	2	3	4	5	All systems support
Full text						X
Author	X		X	X		
Title (e.g. of a legal magazine, a legal essay/article)		X	X	X		
File reference	X					
Pendency						
Date of issue						
Document reference of the information system		X				
Document type (e.g. judgment, legal essay/article)	X	X	X	X		
ECLI (European Case Law Identifier)						

Decision date	X		X	X		
Decision name (e.g. for the ECJ: "Cassis de Dijon")			X	X		
Court	X		X	X		
Search within important components of a decision (e.g. headnote, guiding principles)						
Legal norm						
Subject area						
Citation of case-law			X	X		
Time range	X	X	X	X	X	

48. Does the system offer a sorting function for the hits (e.g. by topicality or decision date)? *

Please choose **only one** of the following:

	Yes	No	Does not apply
1	X		
2	X		
3	X		
4	X		
5	X		

49. Can the institution for which you are responding have a say in the search functions of the external information systems? *Can the institution for which you are responding have a say in the search functions of the external information system? *

Please choose the appropriate response for each item:

	Yes, the documentation department/unit	Yes, the court itself - please briefly state in the comment	Co-determination in some cases - please elaborate in the comment	No	Does not apply

		field who has a say in the process	field		
1		X			
2				X	
3				X	
4				X	
5				X	

**50. The court can influence the search functions in the system "1."
Please explain who has a say and/or in which cases it is used. ***

Please answer the question only if you selected "Yes, the court itself" or "Co-determination in some cases" in the previous question for system 1.

Please write your answer here:

Judgments of the Supreme Court are published on the website of the Courts Service, which is operated by staff of the Courts Service, which is the organisation that supports the Judiciary and the management of all courts. The Courts Service consults with the judges in relation to developments regarding the website, which may include matters such as search functions.

**51. The court can influence the search functions in the system "2."
Please explain who has a say and/or in which cases it is used. ***
N/A

**52. The court can influence the search functions in the system "3."
Please explain who has a say and/or in which cases it is used. ***
N/A

**53. The court can influence the search functions in the system "4."
Please explain who has a say and/or in which cases it is used. ***

54. Do you have any comments on this block of questions or would you like to explain one of the answers in more detail?

Internal Legal Information System

55. Does your institution offer an internal legal information system?
Please choose **only one** of the following:

Yes X
No

56. Who can use this information system?

Please choose **all** that apply:

All staff members

Judges **X**
 Academic assistants/assistants to the panels of judges **X**
 Library staff
 Staff of the documentation unit/department
 Administrative staff
 Other:

57. What content is made available? (Check all that apply.)

Please choose **all** that apply:
 Judgments and other decisions of your institution
 Judgments and other decisions of other institutions
 Advice/recommendations by a Council of State
 Literature (e.g. articles, monographs, commemorative publications) **X**
 Statements or reports (e.g. by associations, national parliaments)
 Other: **X**

Comment: a Judges' Portal makes available content such as papers and reports by judges who attended conferences, news articles which may be of interest to the Judiciary and a newsletter by the Judicial Researchers Office containing summaries of important decisions.

58. Does the internal information system provide the content in full text? (Please, check all that apply.)

	Yes (always full text)	No, only Extracts	Full text against payment	Is not provided	I do not know
Court decisions		X			
Advice/recommendations (Council of State)				X	
Legal Articles	X				
Monographs					X
Legal magazines				X	
Commemorative publications				X	
Compilations				X	
Official journals				X	
Opinions and reports (e.g. from associations, parliaments, ...)					
Legal provisions	X			X	

59. Are metadata provided to the users?

Please choose only one of the following:

Yes
No X

60. Why are no metadata provided?

Please answer the question only if you selected "No" in the previous question.

Please write your answer here: T

The system and allocated resources do not support the provision of metadata.

61. Does the internal information system provide for a search function?

Please choose only one of the following:

Yes X

No

62. Does the search function allow to search for:

Please answer the question only if you selected "Yes" in the previous question.

Please choose the appropriate response for each item:

	Yes	Partially	Uncertain	No
Full text				
Author				X
Title (e.g. of a legal magazine, a legal essay/article)	X			
File reference				X
Pendency			X	
Date of issue	X			
Document reference of the information system				X
Document type (e.g. judgment, legal essay/article)				X
ECLI (European Case Law Identifier)				X
Decision date				X

Decision name (e.g. for the ECJ: "Cassis de Dijon")				X
Court				X
Search within important components of a decision (e.g. headnote, guiding principles)				X
Legal norm				X
Subject area				X
Citation of case-law				X
Time range	X			

63. Does the information system provide a sorting function (e.g. by actuality/date)?

Please choose **only one** of the following:

Yes

No X

64. Who defines the search function in your institution? Please name the organizational areas or departments involved.

Please write your answer here: IT unit

65. Do you have any comments on this block of questions or would you like to explain one of the answers in more detail?

Please write your answer here:

Documentation of Decisions (Judgments and Other Decisions in Court Proceedings)

In the following section, we ask you questions about how your institution's decisions are documented. We distinguish between publication and documentation. As far as the following questions refer to publication, this means that a decision will be announced and made available to the public, e.g. on the website of the court. For the purposes of this questionnaire, documentation means that information about the document (formal metadata) and about the content of the document (content-related metadata) is collected and made available to the user, for example via a search engine that can be used to search for, filter or exclude specific content.

Below you will often be given the answer option "Documentalist". With documentalist we mean the person who documents decisions in your institution. Please select this answer option if none of the other answers applies and explain at the end of the section what vocational training and position this person has.

66. How many decisions does your institution render each year?

Approximately 300 (based on 131 reserved judgments and 248 applications for leave to appeal determinations in 2019)

67. Do you document all decisions?

Please choose **only one** of the following:

Yes **X**

No

68. What is the assessment rate in percent? N/A

Please answer the question only if only selected decisions are documented.

Comment only when you choose an answer.

Please choose all that apply and provide a comment:

69. Who makes the selection, which decisions are documented?

(Please check all that apply.) N/A

Please name the court that makes the selection.

Please answer the question only if you selected "One high/ supreme court" in the previous question.

Please write your answer here:

70. You indicated that there are external specifications. Please explain who creates these specifications. N/A

Comment only when you choose an answer.

Please choose all that apply and provide a comment:

Other:

Please answer in keywords, e.g. Ministry of Justice, Supreme Court, legal information system service provider, etc.

For judgments

For decisions that

are not judgments

71. Which decisions are published and / or documented?

Please choose the appropriate response for each item:

	Publishing				Documentation		
	All	Only a selection	None		All	Only a selection	None
Decisions terminating proceedings in a contentious	X				X		

case							
Final decisions in non-contested proceedings (e.g. due to settlement of dispute, withdrawal of action)					X		
Decisions suspending the proceedings and transferring them to a higher instance court (e.g. submissions to higher national courts, preliminary proceedings before the ECJ, submissions to other higher international courts)	X				X		
Procedural decisions (e.g. separation or conjunction of proceedings, decisions on evidence or postponement, decisions on refusal of legal aid, decisions on summons)					X		
Cost decisions		X			X		
Decisions on the value in dispute	X				X		

Court settlements			X				X
Dismissals	X				X		
Termination of the proceedings			X		X		

72. If a decision has not been documented immediately after promulgation, can it be documented retrospectively?

Please choose only one of the following:

Yes

No

73. What are the reasons for a decision to be retrospectively documented and published?

Please explain.

Please answer the question only if you selected "Yes" in the previous question.

Please write your answer here:

74. If a decision already published is amended or corrected, will this be indicated where the decision was published (e.g. on the website of the court or in the legal information system)?

Please choose only one of the following:

Yes

No

Other

When a judgment is approved by the judge who delivers the judgment, this will be indicated when published.

75. Do you document decisions rendered by other institutions?

Please choose only one of the following:

Yes

No

76. Please indicate whose decisions you document. (Please check all that apply.) N/A

Please answer the question only if you selected "Yes" in the previous question.

Please choose all that apply:

National courts of instance

Other national supreme courts

International supreme courts

Court of Justice of the European Union with reference to administrative law

General Court of the European Union with reference to administrative law

European Court of Human Rights with reference to administrative law

Other:

77. Please name the national supreme courts whose decisions are documented.

Please write your answer here: Supreme Court of Ireland (of which there is only one)

78. Decisions of other international supreme courts are documented? In which language are these decisions written? (Please name the languages.)N/A

Please write your answer here:

79. Where are the decisions of your institution published? (Please check all that apply.)

Please choose all that apply:

Institution's homepage

Internal information system/database

External legal information system/database - fee-based

External legal information system/database - free of charge

External legal information system/database - fee-based and free of charge

Legal journal

Collection of legal decisions

Official journal

Other:

80. Do you assign an ECLI to decisions of your institution?

Please choose only one of the following:

Yes

No

81. How do you document your national decisions? (Please check all that apply.)

Please choose all that apply:

We assign keywords.

We refer actively to other content (not merely judgments) in the respective database.

We award a headline for decisions.

We write a headnote (a brief summary of a particular point of law is added to the text of the court decision).

We provide a summary or abstract of the decision.

We cite national provisions referred to in the decision.

We cite national and european provisions referred to in the decision.

We cite also older versions of legal provisions referred to in the decision.

We document case law referred to in the decision.

We record when and where the decision is cited.

We set direct links within the decision (e.g. links in the headnote to relevant paragraphs, links from footnotes to relevant recitals, etc.)

Other: **X**

(If room for a comment, we can indicate that there is no facility for documenting decision of the Supreme Court in the ways listed in the above question. The only type of documentation is the assignment by the Supreme Court Office of metadata in the form of a title page on judgments and determinations of the Court.

82. Do you use a thesaurus or an index with controlled vocabulary to assign keywords? N/A

(Please check all that apply.)

Please answer the question only if you selected "We assign keywords" in the previous question.

Please choose all that apply:

Yes, our own thesaurus

Yes, we use Eurovoc

Yes, we use a keyword index or a list of controlled terms.

No, but we extract keywords from the text

No

Other:

83. Do you cite the legal provisions of the decision manually or automatically?

Please choose only one of the following:

Manually

On an automated basis

84. Who sets the rules on documentation and recording? (Please check all that apply.)

Please choose all that apply:

The documentalist

All documentalists of the documentation unit/department together

The head of the documentation unit/department

A central body within your institution

A central body outside your institution

The external agent

The operator of the information system where the decision will be uploaded

The Highest Court

The Ministry of Justice

Other: **X**

Comment: There are no particular rules in relation to documentation and recording of decisions other than the activities of the Supreme Court Office (registry) in assigning cover pages, recording and filing the decisions. However.

85. How is the central body in your institution composed? N/A

Please answer the question only if you selected "A central body within your institution" in the previous question.

Please write your answer here:

86. Are there common rules for your supreme/highest courts according to which decisions are documented? (Please check all that apply.)

Please choose all that apply:

Yes, we have a set of written guidelines, which all supreme/highest courts follow and modify, if necessary

Yes, we meet with our colleagues from other documentation units/departments in other supreme/highest courts regularly

Yes, we use an internet forum to discuss documentation issues with our colleagues from other supreme/highest courts

No X

Other:

87. Do you consult with the courts of instance regarding the documentation of decisions?

(Please check all that apply.)

Please choose all that apply:

Yes, we have a set of written guidelines, which all courts follow and modify, if necessary

Yes, we meet with our colleagues from other documentation units/departments in other courts regularly

Yes, we use an internet forum to discuss documentation issues with our colleagues from other courts

No X

Other:

88. You indicated that you work together with external agents. Do the documentation rules also apply to the external agents who enter metadata on behalf of your institution? N/A

Please choose only one of the following:

Yes

No

89. Which specifications/guidelines do you give to the external agents for the documentation?

Please answer the question only if you selected "No" in the previous question. Please write your answer here: The Irish Council for Law Reporting issues its own guidelines, However, a member of the Supreme Court is on the Board of that body and therefore works with it to give guidance.

90. Do you check the work of the external agents internally with your own staff? N/A

Please choose only one of the following:

Yes, all

Yes, random samples

No, no control

Other

91. Are documented decisions also translated?

Please choose only one of the following:

Yes

No

Other, please explain briefly in the comment field. **X**

Make a comment on your choice here: **Occasionally a decision is translated into Irish.**

What languages are the decisions translated into?

Please answer the question only if you selected "Yes" or "Other" in the previous question.

Please choose all that apply:

English

French

Other: **Irish**

92. Is a terminology database used for the translation?

Please answer the question only when translating decisions.

Please choose only one of the following:

Yes

No X

93. Was this terminology database developed in-house or adopted by a foreign institution? N/A

Please answer the question only if you selected "Yes" in the previous question.

Please choose only one of the following:

Developed by ourselves

Acquired from another institution, please name the institution in the comment field

Make a comment on your choice here:

94. Do you have any comments on this block of questions or would you like to explain one of the answers in more detail?

Please write your answer here:

While it does not do so on behalf of the Supreme Court, the Irish Council for Law Reporting is an a legal charity established by the Irish legal profession, which publishes decisions of the Irish Reports and Digests and other materials intended to help promote the best practice of Irish law. The Irish Reports are considered to be an authoritative report of legal decisions and are frequently cited in court

decisions. The reporters compile data on each decision, which includes content metadata, such as a headnote summaries the decision. A Supreme Court judge sits on the Committee of the Council.

Documentation of Advice/recommendations of a Council of State

N/A

Documentation of legal literature (articles, monographs, commemorative publications, etc)

In the following section, we ask you questions about how exactly administrative literature is documented. Please use the definition of "administrative law" given above ("For the purpose of this questionnaire administrative law is defined as the organisation, powers, duties, and functions of public authorities of all kinds engaged in administration; their relations with one another and with citizens and nongovernmental bodies; legal methods of controlling public administration; and the rights and liabilities of officials, e.g. police law, environmental law, asylum law"). As in the section on documentation of court decisions, a distinction is made between publication and documentation. As far as the following questions refer to publication, this means that a piece of literature will be published and made available to the public, e.g. by being placed in a legal information system. Documentation for the purposes of this questionnaire means, however, that information about the document (formal metadata) and about the content of the document (content metadata) is collected and made available to the user, for example via a search engine that can search for, filter or exclude specific content.

95. Do you document literature on administrative law?

Please choose **only one** of the following:

Yes

No **X**

96. Who makes the selection? (Please check all that apply.) N/A

Please choose **only one** of the following:

The documentalist

Management of the documentation department/unit

The external agent

The operator of the information system where the piece of literature is uploaded

Other

97. What are the selection criteria? Please explain what is not documented and why not. N/A

Please write your answer here:

98. Where will the literature that your institution documents be published? N/A

Please choose **all** that apply:

Institution's homepage

Internal information system/database

External legal information system/database - fee-based

External legal information system/database - free of charge

External legal information system/database - fee-based and free of charge

Internal library catalogue

External library catalogue

Legal journal

Other:

99. How do you document literature?

Please choose all that apply:

We assign keywords.

We refer actively to other content (not merely essays/articles) in the respective database.

We provide a summary or abstract of the piece of literature.

We cite national provisions referred to.

We cite national and european provisions referred to.

We cite also older versions of legal provisions referred to.

We document case law referred to.

We record when and where the piece of literature is cited.

We set direct links within the piece of literature (e.g. links in the headnote to relevant paragraphs, links from footnotes to relevant recitals)

Other:

100. Do you use a thesaurus or an index with controlled vocabulary to assign keywords?

(Please check all that apply.)

Please answer the question only if you selected "We assign keywords" in the previous question.

Please choose all that apply:

Yes, our own thesaurus

Yes, Eurovoc

Yes, we use a keyword index or a list of controlled terms.

No, but we extract keywords from the text

No

Other:

101. Do you cite the legal provisions of the decision manually or automatically? N/A

Please choose **only one** of the following:

Manually

On an automated basis

**102. Who sets the rules on documentation and recording?
(Please check all that apply.)N/A**

Please choose all that apply:

The documentalist

All documentalists of the documentation unit/department together
The head of the documentation unit/department
The external agent
The operator of the legal information system where the piece of literature will be uploaded
Other

103. You indicated that you work together with external agents. Do the documentation rules also apply to the external agents who enter metadata on behalf of your institution? N/A

Please choose only one of the following:

Yes

No

Which specifications/guidelines do you give to the external agents for the documentation?

Please answer the question only if you selected "No" in the previous question.

Please write your answer here:

104. Which specifications/guidelines do you give to the external agents for the documentation? N/A

Please answer the question only if you selected "No" in the previous question.

Please write your answer here:

105. Do you check the work of the external agents internally with your own staff? N/A

Please answer the question only if you selected "Yes" or "No" in the previous question.

Please choose only one of the following:

Yes, all

Yes, random

106. Do you have any comments on this block of questions or would you like to explain one of the answers in more detail?

There is no unit or department which documents legal literature within the definition provided. However, as explained above, there is a judicial researchers office which uploads to an internal information system (called Alfresco) material, which may include literature in the area of administrative law. Such material is published on a Judges' Portal. However, it is not a methodical system of documentation.

Documentation of other

The following section will ask you how you document other legal documents/information, that did not fit any of the categories above. Please answer the questions with regard to documents/information that

relate to administrative law (as defined above). Please answer the questions in this section only if you document 'other' material.

107. Do you document all other materials with reference to administrative law?

Please choose only one of the following:

Yes
No X

(Rest of questions in this section are N/A)

Judicial Cooperation

The following section will ask you questions about judicial cooperation in documenting court decisions. It will address cooperation between ACA members as well as cooperation with the ECJ.

108. How could the ECJ assist ACA member courts in the further dissemination of ECJ rulings and important national case law in national legal information systems (e.g. labelling of key decisions)?

Please write your answer here:

Perhaps an email alert could be circulated to ACA correspondents with key decisions every month.

109. Which information could an ACA member court provide to the ECJ in order to assist with the publication of decisions in the Judicial Network of the European Union (JNEU)?

Please write your answer here:

Apart from uploading the decisions themselves to the JNEU intranet site, member courts could provide Member courts could provide a link to the website of the Supreme Court, and any documents, such as internal newsletters, reports or booklets containing key decisions of the national courts. Alternatively, a system similar to the Venice Commission's Joint Council on Constitutional Justice could be used, under which the member Courts submit summaries of key decisions from a certain period of time (in the case of the JCCJ, three times a year) rather than leaving it to the Member Court to upload random decisions in a non-methodical way.

110. Can you imagine that ACA member courts assign uniform metadata according to ECLI 2.0 standards in the future?

Please choose **only one** of the following:

Yes
No X

Explanation of ECLI 2.0 metadata available at:
<https://data.consilium.europa.eu/doc/document>

/ST-12087-2019-REV-1/en/pdf
(<https://data.consilium.europa.eu/doc/document/ST-12087-2019-REV-1/en/pdf>) (table starting on page 26)

111. Which metadata listed in ECLI 2.0 would you assign to judgments and to decisions that are not judgments?

Please choose **all** that apply:

Abstract

Case number **X**

Contributor (not party, judge or other professionals - can be used if no distinction can be made)

Coverage (Country or territory in which the court is seated) **X**

Creator (name of the rendering court) **X**

Date of judgment **X**

Date of deposit

Description (descriptive elements, be it in the form of keywords or headnotes) **X**

Division (name of the chamber or division within the court that rendered the decision)

Global alias (this can be any 'nickname', 'common name' 'style of cause' or 'case name' that is used within the legal community to refer to a court decision)

Importance level (low, medium, high - this is a lowest common denominator for any kind of (legal) importance classification)

The ECLI identifier [Contains both the colon variant (in the preferred casing) and the slash variant (lowercased, as a relative URI)]

Judge **X**

Neutral citation (in some (common law) countries a 'neutral citation' is used for vendor and medium neutral identification of a court decision, e.g.

<https://libanswers.liverpool.ac.uk/faq/49340>) **X**

Official Language **X**

Party **X**

Preferred Form (of ECLI - uppercase, lowercase, mixedcase)

ProfNonJudge (involved professionals, other than judges)

Reference

Replaced by (is used for specific situations only - another decision)

Replaces (the replaced decision)

Fixed alias (This contains the absolute URI work identifier at [http\(s\)://ecli.eu](http(s)://ecli.eu).)

Subject **X**

Title **X**

Type of document (type of decision) **X**

Explanation of ECLI 2.0 metadata available at:

<https://data.consilium.europa.eu/doc/document/ST-12087-2019-REV-1/en/pdf>

(<https://data.consilium.europa.eu/doc/document/ST-12087-2019-REV-1/en/pdf>) (table starting on page 26)

112. In your opinion, what is the reason against ACA member courts assigning uniform metadata according to ECLI 2.0?
Please write your answer here:

Whilst it might be possible for all or most courts to assign uniform metadata according to ECLI 2.0, a variation in legal systems means that not all of the metadata categories applies to all courts. For example, there are no divisions in the Supreme Court of Ireland. In addition, the practices of assigning metadata vary from Court to Court. For example, although the Supreme Court of Ireland summaries many of its decisions in an annual report, not every decision is summarised. Further, it may be difficult to assign levels of importance to decisions in a jurisdiction such as Ireland, where the threshold for a case to be granted leave to appeal to the Supreme Court is that the decision under appeal must involve an issue of public importance or it must be in the interests of justice that there be an appeal.

113. What common documentation rules could you envisage that ACA member courts could agree on, for example with regard to the publication of decisions on the European e-Justice Portal?
Please choose **all** that apply:

Cooperation in the assignment of content metadata of documents (e.g. use a common thesaurus) **X**

Cooperation on translations (e.g. use a common database for terminology) **X**
Other:

114. Please give examples of common rules for the assignment of content metadata (e.g. common thesaurus, common subject areas)
Please write your answer here:

Given the variance in the jurisdiction of ACA member courts with, for example, the Supreme Court of Ireland having jurisdiction in all areas of law, it may be different to assign uniform metadata for ACA member courts, without defining the terms very broadly. For example, categories such as review of planning decision and or review of immigration or asylum decision may be used.

Jurifast

Please take your time for this section again. The following questions highlight various aspects of the JuriFast database such as technical functionalities, background information and possible cooperation in the future.

115. According to which criteria do you currently publish decisions of your institution in JuriFast? (Please check all that apply.)
Please choose all that apply:

We upload references for a preliminary ruling. **X**

We upload national decisions following preliminary rulings of the ECJ. **X**

We upload purely national decisions of relevance to other members of the EU.
X
Other:

116. Does your institution actively promote JuriFast within and outside the institution?
Please choose only one of the following:
Yes
No **X**

117. Where and how do you actively promote JuriFast?
Please answer the question only if you selected "Yes" in the previous question. **N/A**

118. Which improvements would you like to see implemented? (Please check all that apply.)
Please choose all that apply:

Develop topics of particular interest as selection criteria for JuriFast (e.g. data communication, technology & law, ACA seminars)
Revise the document indicating how to write a JuriFast summary
Provide an explanatory video for those who draft the summaries **X**
Delete decisions that are too old
Provide an indication that case law has changed in the meantime **X**
Provide a link to an automatic translation application to translate the judgment in its entirety
Introduce a minimum number of decisions per year to be introduced per ACA Europe Member Court
Implement a simplified search function alongside the current search functions
Add "national number of the decision" as an additional search criterion.
Improve interconnection with other databases (JuriFast, Dec.Nat., JNEU) **X**
Create a mobile application for JuriFast
Create FAQ for JuriFast users **X**
Create a webinar for JuriFast users **X**
Publish JuriFast banners on the websites of various national and international associations **X**
Other:

119. You have selected: Revise the document indicating how to write a JuriFast summary – please explain, which improvements you suggest
Please write your answer here: **N/A**

120. You have selected: Implement a simplified search function. Please indicate, which criteria you find necessary for a simplified search.
Please write your answer here:

121. You have selected: Improve interconnection with other databases.
Please explain how . Please write your answer here:

It would be particularly helpful to courts with jurisdiction in many areas of law if all databases could be somehow integrated into one database.

122. You have selected: Publish JuriFast banners on various Websites.
Which websites would you suggest?
Please write your answer here:

If a banner was provided, it could be published on national websites of judicial training organisations or international judicial training network websites, such as the EJTN. It could also be published on the websites of other international networks affiliated with EU membership, such as the Network of the Presidents of the Supreme Judicial Courts of the European Union. As some member courts of ACA are also constitutional courts, a banner promoting Jurifast could be published on the website of organisations such as the Conference of European Constitutional Courts and the Venice Commission's Joint Council on Constitutional Justice.

123. Do you see any ways to improve and facilitate data input for those who upload decisions to Jurifast? (Please check all that apply.)
Please choose all that apply:
Add the possibility to save a draft of the entered data
Add the possibility to sort by case number when setting and updating national decisions
Check the consistency of languages (to avoid unexpected switch to French)
Increase session time to avoid disconnections
Use only national flags (and not the EU flag)
Improve the quality of links with EUR-Lex
Other:

124. Should the limit of 300 words for summaries in JuriFast be maintained?
Please choose only one of the following:

Yes

No - please explain, which word limit you suggest and why
Make a comment on your choice here:

It is suggested that a greater word limit of, for example, 800-1000 words would allow States with courts that deliver longer judgments the opportunity to provide more detail in the summaries.

125. Should contact and meetings with and between contact persons of JuriFast in ACA member courts be increased?

Please choose only one of the following:

Yes - please explain in the comment field, what would be necessary to increase contacts and meetings

No

Make a comment on your choice here:

It is always useful to have some element of face-to-face contact between people exchanging information in a network as it encourages participants to engage with one another. In addition, it might be useful to choose a theme, such as an area of law for which case summaries have been provided for discussion at each meeting.

126. How many meetings do you find necessary?

Please answer the question only if you selected "Yes" in the previous question.

Choose one of the following answers

Please choose only one of the following:

Once every year

Every two years **X**

Other

JNEU – Judicial Network of the European Union

This section is intended for users of JNEU, i.e. essentially the judges of your institution as well as other trained lawyers working at your institution (e.g. research assistants of the chambers/panels, legal clerks). If possible, please have the following questions answered by a judge/lawyer of your institution or answer them from their point of view.

127. To what extent do the judges of your institution use JNEU?

Please choose **only one** of the following:

Daily

Weekly

Monthly

Less than once a month

Never **X**

128. Is the user interface sufficiently user-friendly?

Please choose only one of the following:

Yes **X**

No - please explain in the comment field how the user interface could be made more user-friendly.

Make a comment on your choice here:

129. Please rate on a scale from 1 (very satisfied) to 10 (very dissatisfied) how satisfied you are with the following JNEU features.

Please choose the appropriate response for each item:

Subject areas **8**

List by courts **8**

Text search **8**

Advanced search **8**

130. In your opinion, how could the operation and usability of JNEU be improved?

Comment only when you choose an answer.

Please choose all that apply and provide a comment:

Classification by subject
areas
Classification by courts
Text search
Advanced search

Other: **X**

The JNEU website, including the search functionality is simple to use and the interface is very user friendly. However, as it is the practice in some courts, including the Supreme Court of Ireland, not to anonymise judgments and such courts may not therefore be in a position to upload judgments to the public JNEU website, it would be useful to have the option of linking to the judgments database of such courts via the JNEU public website so that judgments can be accessible to the public via the national website of the court, if not available on the public JNEU site.

131. Should it be possible to save a search request in the future?

Please choose only one of the following:

Yes **X**

No

132. In your institution, is content from JNEU directly channeled to the practitioners (e.g. judges) or is it processed separately before being channeled to them?

Please choose **only one** of the following:

Released without changes

Prepared by documentation unit/department

Prepared by library

Prepared by legal clerks/lawyers

Other **X**

Judicial Assistants can access content on the JNEU website.

133. How does your institution provide access to JNEU?

Please choose all that apply:

Link on the intranet

Login via JNEU administrator and then via JNEU login page **X**

Other: