

NEW LAW NO. 21,241 THAT ALLOWS LOCAL POLICE COURTHOUSES TO NOTIFY JUDICIAL DECISIONS ELECTRONICALLY

On June 30th 2020, Law No.21,241 was published, amending Article 18 of Law No.18,287, which establishes the procedure before of Local Police Courthouses, allowing electronic notification of judicial decisions.

This initiative, originated in 2017, arose due to the expenses incurred by the Local Police Courthouses when practicing their notifications by certified letter, allowing them to expedite their procedures and lower the costs involved in such notification.

This law comes into force immediately and its main amendments are the following:

Notification via e-mail must be made at the request of a party and is optional for the court

The rule allows the parties to request a form of electronic notification for themselves, which the court may accept if such form is appropriate to do so and if, in its opinion, it is sufficiently effective and does not cause defenselessness.

Unlike the notification by certified letter, e-mail notifications must be understood to have been made from the moment of its sending.

Resolutions that cannot be notified by e-mail

The rule provides that when this form of notification is accepted by the Local Police Courthouse, it will be valid for all judicial decisions, with the exception of:

- Service of process of the claim must be practiced in person;
- Judicial rulings that impose fines higher than 5 monthly tax units, that cancel or suspend driver's licenses, and those that establish damages greater than 10 monthly tax units, which must be served in person or by writ;

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- Rulings that impose imprisonment, which must be notified personally to the convicted person.

Publication of Local Police Courthouses' e-mail accounts or other technological means

The Law establishes the obligation for the Local Police Courthouses to advertise on the website of the corresponding municipality and in a visible place of the courthouse's office the e-mail accounts or other specific accounts or domains of technological means that they will use to practice electronic notifications.

In addition, for the purposes of electronic notification, the Local Police Courthouse must have informed the respective Court of Appeal of the e-mail accounts or other specific accounts or domains of technological means that it will use to practice electronic notification.

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