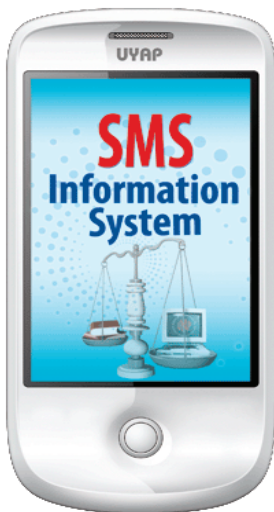


SMS Information System: Mobile access to justice

The SMS judicial information system, developed by the IT Department of the Ministry of Justice of Turkey, provides a legal notification service for its citizens and lawyers. This system automatically informs all related parties, (who have cases before the Turkish Court's) by SMS, (Short Message Service, otherwise know as text messages) when any legal event, data or announcement related to their case needs to be sent. Thanks to this system, the parties no longer have to go to the courts to collect this information. This service also provides improved access for the disabled and elderly and enhances overall e-accessibility. The SMS service does not replace official notifications, as it only intends to provide up-to-date basic information (<http://www.sms.uyap.gov.tr/english/>).



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Keywords

m-government; mobile access to justice; SMS Information System

“ ICT do not change political processes by their mere existence but rather function as amplifiers of the existing political trends ”

1. Introduction

SMS Information System (SIS) was officially launched on 1 April 2008. It offers a subscription service for lawyers and citizens to ensure that information pertaining to their case/s is provided instantly. In this way, the parties can take any necessary steps in a timely manner to prevent infringement of their legal rights while helping reduce overall costs. The Turkish National Judicial Informatics System's¹ (<http://www.uyap.gov.tr/english/index.html>) infrastructure provides the technical platform for SIS which is a nationwide central e-justice solution providing a fast, reliable, and paperless judicial messaging service². The nationwide obligation of using citizen unique ID number in every legal proceeding is one of the features making it possible to implement this system as it is used for authentication purposes. SIS has been developed in Java running on an Oracle database.



2. What services are offered?

There are two types of SMS services:

- Subscription to use SIS.
- Receipt of legal notifications.

It is free-of-charge to subscribe to SIS by simply sending an SMS to 4 060 containing a citizen ID number and the phrase “ABONE” (SUBSCRIBE). After being registered, in order to provide the continuity of the service and prevent unnecessary usage, citizens are charged 1 TL for each notification. This is less than the cost of public transportation to go to the courts. Using the lawyer portal, lawyers can also request their relevant case-files, thus enabling them to follow the different state of proceedings of a specific case.

3. Effects on the workings of the court;

SIS has transformed the way that the Turkish judiciary communicate with their citizens and lawyers exploiting the use of SMS technology and providing a powerful legal notification system. It has also increased the quality of legal services and helped reduce the Turkish Court's operational budgets (for example, there has been significant reductions in administrative costs for Court staff having to deal with queries, savings on post etc) as well as providing up-to-date and accurate information. Equally, lawyers and citizens can save time and money as it is no longer necessary to physically go to courthouses to get information about the state of case proceeding or to learn the date of the hearing.

1 National Judicial Informatics System (<http://www.uyap.gov.tr/english/index.html>) accessed 28.06.2010

2 Çam, A.R.,(2008); 'EU principles in modernisation of Justice and the Turkish IT project UYAP pg 3

The number of citizens using this system	118 320
The number of lawyers	2 896
The total sent messages	2 478 786
The number of SMS sent instead of legal summons	590 809

The courts or public prosecutors can also send SMS to a citizen's mobile phone instead of preparing and sending physical legal summons. In this way there have been substantial savings on postal costs, human resources, time and paper, (SIS has produced cost savings of €9 289 229 per year from postal costs alone). When a citizen applies to the courts after receiving a SMS which costs 0.047 TL there is no need to send them an official summons which costs 8 TL (normally paid by the parties).


In most cases it has proven to be more effective and quicker to send an SMS than to invite witnesses to give evidence in a case/s since experience has shown that they tend to take the Court request more seriously when they receive an SMS on their phone. In addition, SIS allows judges and prosecutors to be informed and notified by SMS about the day off limits, the decision of appointments, placements etc. SIS, is a good example of e-justice technology and provides a perfect legal protection and alarm system for citizens informing them of the different state of proceedings of their case. The possibility of checking cases without time and location restrictions by SMS ensures full accessibility and transparency in legal proceedings. As mentioned above, the system has decreased administrative and judicial burdens so as to enable case-file practitioners to focus on their other priorities.

For these reasons SIS has made the Turkish justice system more efficient, accessible and transparent, engendering greater public trust and confidence in the judiciary and respect for the rule of law³. Once a file or a claim is initiated by electronic means or any change occurs in the files within the UYAP system, a notification is automatically sent to a citizen's and lawyer's mobile phone and providing timely warning of the procedures. We believe that the delivery of information through the use of SMS will facilitate and accelerate the access to courts as required by the Convention for the Protection of Human Rights and Fundamental Freedoms.

**Mobile Answers to Your
Judicial Enquiries**

Citizen and lawyers save from time, labour force and money.
They can reach any kind of information by their mobile phones.

?



WRITE "TB ID NUMBER" and ABOVE then send to 4060.
(EXAMPLE: 111111111111 ABONE)

You will be informed in case any file or claim initiated against you

The SMS judicial information system provides an outstanding service for the citizens and lawyers which enables them to receive SMS messages containing legal information such as ongoing cases, dates of court hearings, the last change in the case and suits or dept claims against them.

For further information
Go to www.sms.uyap.gov.tr

³ Kaya, A.,(2010); reportage; Telekomdünyası; pg 4

In addition, it also facilitates better access to justice for the disabled and elderly people, allowing them to learn about their cases without the need to go to the courts. SIS has increased the transparency of the legal proceedings for Turkish citizens who in turn have enhanced relations with their advocates and the Turkish judiciary. SIS also enables citizens to be notified immediately if, for example, their ID card has been stolen and used illegally. Equally, SIS contributes to the notion of “Green IT” as indirectly it helps reduce CO₂ emissions by helping to minimize the movement of people and goods and the use of paper and other office supplies.

The future roadmap of SIS

- SIS will be integrated with the other e-government implementations of other state departments so that citizens can be informed instantly about all other public services.
- SIS will be integrated with the security forces' electronic system. So for example if a wanted person goes to a hospital, pharmacy, airport or railway ports and makes any transaction, the nearest police station will be alarmed by SMS and will be sent to the location of the person.
- In the appeal process of court decisions, the performances of judges are assessed by high court that is important for their promotion. These assessment results will be sent to the judges' mobile phone by SMS.
- The relatives of the prisoners will be informed about their health conditions and the dates of visit or any kind of event related to them.
- Overseas operator connections will be established in order to promote this system abroad.
- Criminal records and birth registration needed to take up a public employment will be sent to a citizen's mobile phone.
- As SIS already works with Turkish telecom, it will be used to send SMS to landline phones.
- The possibility of success in any kind of potential trial, (which is calculated by specific software), will be sent to the citizens when they request it by SMS in order to prevent unnecessary proceedings.



4. Policy context and strategic framework

The Turkish Constitution states that judicial tasks should be processed in a swift and economic manner. In addition to this, better and easy access to justice is considered as a fundamental priority in the Accession Partnership of the EU and in the National Plan of government which was adopted on 8 March 2001. The Turkish government is actively following these programmes in the course of progress towards accession to the European Union and in response to the obligations of the acquis of the EU. SIS is a good example of achieving this aim and is now considered as an indispensable part of the eGovernment programmes, policies and strategies of the EU.



The functionalities provided by SIS totally comply with the E-Plus strategy of the EU which aims to establish a high level information society and remove the gap between the justice staff and the individuals seeking justice. SIS could potentially be a good model for the European Union providing direct benefits to the governments, citizens and businesses of Europe as in the near future it will be possible to transfer this system to other EU member countries. Achieving this goal will result in swift notification of services for the people of the EU about the legal processes happening in different countries. Compared with cross-border delivery of information in conventional courts, access to information in the courts supported by mobile phones will be less costly, easier and more convenient for both parties⁴.

5. Lessons learned

The new technological developments in the world have led to changes^{5,6} in the way e-government can provide mobile services to citizens and businesses. In recent years mobile phones are not only used for communication but also as a convenient way of connecting to the Internet, transferring data, exchanging e-mails⁶. In addition Mobile phones are poised to become one of the most personalized computing devices of people⁷. The number of people getting access to information by mobile phones and mobile internet connection is increasing rapidly.

Mobile access to information - anywhere any time - is becoming the norm, and governments will have to change their IT policies to meet this demand. SIS provides an integrated and flexible data communication and exchange mechanism between citizens and government units in the legal sector for better access to justice. The success of SIS in Turkey is an excellent example of this evolution. SIS applications have become a key means of promoting communication exchange and to access information for citizens living in remote areas. This ability to reach people living in rural areas, (of which Turkey has many), is considered as an important feature of the system⁷.

4 Hunter, John, Head of the IT Department European Court of Human Rights; report; <http://www.adalet.gov.tr/duyurular/2008/kasim08/ENExpertReportUYAP.pdf>

5 Kuscu; Halid-Ibrahim (2004) From E-government to M-government: Facing the Inevitable pg.3

6 Kuscu;5

7 Kaya;5

SMS Information System

A perfect legal protection and alarm system for citizens and lawyer.



WRITE "TR ID NUMBER" and ABOVE then send to 4060.
(EXAMPLE: 1111111111 ABOVE)

You will be informed in case any file or claim initiated against you

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www.sms.uyap.gov.tr

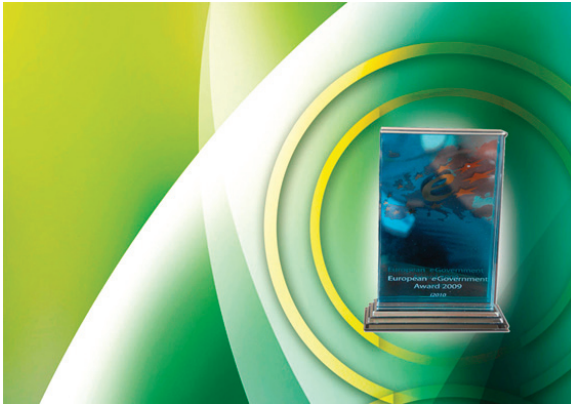
IT Department of Ministry of Justice of Turkey

6. Conclusion

The increase in the use of mobile devices inspired the Turkish judiciary to create an innovative solution (SIS) for the swift and efficient delivery of legal information. Users now have access to notification services that can be delivered and are accessible anywhere and anytime. It provides a powerful and flexible judicial service delivery, giving access to judicial files to a larger number of people, and saves the government time and money. The latter is achieved by cost reductions, efficiency, and modernization of judicial organizations, accessibility (24/7), convenience and flexibility. SIS offers a faster, more convenient and more personalised solutions as opposed to traditional methods of communication.

SIS provides a unique opportunity to exploit mobile devices to receive legal services and information literally from any place, at any time. It also provides for instant availability of services and information, helping frequent travellers and people on the move to access judicial services. Furthermore, SMS information system guarantees the delivery of some legal information to the elderly, vulnerable and homeless, enhancing the public trust to the judiciary. Sending legal notifications to citizens by SMS is a much more appropriate and modern way to inform them, which also serves to protect their dignity (as opposed to calling them by summons or by means of the security forces).

Gone beyond the state-of-the-art solutions in the field of providing public e-services to citizens, SIS has been awarded with the public prize of eGovernment Awards 2009 by the European Commission in the framework of the 5th Ministerial eGovernment Conference in Malmö, Sweden.



References

Çam, A.R.,(2008); 'EU principles in modernisation of Justice and the Turkish IT project UYAP', European Journal of Epractice, 14 may 2008 <http://www.epractice.eu/en/document/287912>; accessed: 13.05.2010.

Hunter, John, Head of the IT Department European Court of Human Rights; report <http://www.adalet.gov.tr/duyurular/2008/kasim08/ENExpertReportUYAP.pdf>.

Kaya, A.,(2010); reportage; Telekomdünyası; <http://www.justice.gov.tr/news/2010/Roportaj.pdf>

Kuscu; Halid-Ibrahim (2004) From E-government to M-government: Facing the Inevitable; Mobile Government Lab (mGovLab) <http://www.mgovlab.org>.

SMS INFORMATION SYSTEM; <http://www.sms.uyap.gov.tr/english/> (accessed date 16.05.2010)

Towards a European strategy on e-Justice, Référence: IP/08/821 Date: 30/05/2008, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/821&format=HTML&aged=0&language=EN&guiLanguage=fr>.

Turkish Constitution; http://www.anayasa.gov.tr/images/loaded/pdf_dosyalari/THE_CONSTITUTION_OF_THE_REPUBLIC_OF_TURKEY.pdf.

UYAP; www.uyap.gov.tr/english/genelbilgiler/genelbilgi.html (accessed date 16.05.2010).

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