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E-Bulletin 11 October 2021



From the Chairman

Welcome to this edition of the EuroExpert e-bulletin. EuroExpert started the second half of 2021 with a change in Presidency from Portugal to France. Annie Verrier, President of our member, the Conseil National des Compagnies d'Experts de Justice, took over in both an interesting and busy period. We thank our Portuguese member, the Associação Portuguesa dos Peritos Avaliadores de Engenharia for the broad input in our daily agenda nominating the President in the first half.

Dr Matthias Rant
Chairman



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CEPEJ adopts guidelines on videoconferencing in judicial proceedings ^



The European Commission for the efficiency of justice (CEPEJ) of the Council of Europe adopted guidelines on videoconferencing in judicial proceedings at its Plenary meeting in June 2021. The guidelines include also proposals for the use of evidence giving experts during the remote hearings and can be found on the [CEPEJ Website](#).

Czech Standards for reports and the valuation of property ^



Our Council member Vladimir Kulil informs about current standards for experts in the Czech Republic. According to Czech legal regulations, every oral and written expert opinion must be true, which is a unique requirement that does not occur in other valuation standards. Satisfiability is problematic because Truth is a philosophical concept and is often defined as a subjective reflection of objective reality. Thus, there is the possibility of a different subjective view of the truth by each expert. Therefore, in

Czech law, the requirement is a thorough requirement regarding the veracity of the input data, their proper justification and the possibility to determine the result in the price range.

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European Commission publishes EU Justice Scoreboard 2021 – Digital Expert Evidence needs more consideration ^



The EU Commission published the Scoreboard 2021 in July. For the first time, the Scoreboard gives information of how advanced judicial authorities manage the digital transformation. Following the EU Commission, the findings would show that in almost all justice systems videoconferencing systems were used and kept courts functioning during the COVID-19 pandemic. The figures show that experts can be heard by distance communication technology in nearly all types of cases and EU Member States. Different from notaries and lawyers no data has been provided on the availability of secure electronic communication between courts and experts for proceedings.

[Read more](#)

How will be the future for court experts? – A view from Austria ^



Austria has a system of sworn and court-certified experts which is unique in Europe - both for the judiciary and for society.

Being embedded in our legal system, court experts are "auxiliaries of the judiciary" or "advisors of the judge" in a technical context and they are therefore given a special place in court proceedings by legislation, both in civil litigation and in criminal proceedings.

This special position entails great responsibility, which court experts must live up to in all respects, it also ensures that they are not only highly qualified and skilled professionals, but also enjoy trust in their economic and societal environments outside of court and that their independence is beyond doubt.

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Federal Ministry of Justice in Berlin is planning a statutory rule regarding complaints about publicly certified experts ^



The BVS (German Association of Publicly Certified and Qualified Experts) has been informed by the Federal Ministry of Justice and Consumer Protection that they plan to introduce a statutory rule regarding complaints about publicly certified experts in order to inform the various chambers responsible for the appointment of publicly certified experts about the misconduct of said experts. Through such a legally regulated power of notification, the chambers, meaning the chambers of commerce and industry, chambers of crafts, chambers of architects, chambers of engineers und chambers of agriculture, could be notified about any misconduct of the experts they appointed. Therefore, the chambers could thusly be enabled to react with consequences according to vocational law.

[Read more](#)

CEPEJ Cyberjustice and Artificial Intelligence working group decides on future priorities ^



The European Commission for the efficiency of justice (CEPEJ) of the Council of Europe set up a working group on Cyberjustice and Artificial Intelligence (CEPEJ-GT-CYBERJUST) in 2019. In its 4th Meeting in September 2021 the working group decided on work priorities (**Roadmap**). These include “From paper files to e-files”, On-line Dispute Resolution (ODR), On-line enforcement procedures and remote hearings. All areas will also influence the work of experts.

The unexpected resilience of real estate prices – how should experts react in their work?



The world economy has undergone an unprecedented recession as a consequence of the coronavirus pandemic, halting the activity of entire sectors and causing an unavoidable rise in unemployment and bankruptcies. Precautionary measures such as telework have emptied office buildings and city centres, as well as deeply damaged the growth of small businesses and liberal professional activity. Forced to intervene to mitigate social pain, governments have relied on increasing public debt to supply emergency help.

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