

Digitalization of The Court System of The Republic of Uzbekistan

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ABSTRACT

Objective: This article explores the digitalization of the judicial system in the Republic of Uzbekistan, focusing on its stages, the enhancement of judges' IT knowledge, and the integration of information technologies to improve judicial transparency and efficiency. **Methods:** The study employs widely accepted research methods including objectivity, historical analysis, comparative-logical analysis, and chronological sequence principles to examine the ongoing transformation. **Results:** The digitization process, exemplified by the "Adolat" information systems complex, has significantly improved judicial operations. Through this system, various stakeholders, including state authorities, local government bodies, and lawyers, can submit and monitor claims electronically, enabling online court proceedings and automatic generation of court documents. This process enhances the transparency, speed, and accessibility of the judicial system. **Novelty:** The article highlights the innovative use of digital technologies in judge selection, training, and appointment, ensuring impartiality and promoting transparency in judicial evaluations. The integration of information systems between state bodies and the judiciary has led to increased efficiency in the justice system. The findings underscore the transformative potential of digitalization in meeting the demands of modern justice, improving public satisfaction, and ensuring the independence and fairness of the judicial process.

INTRODUCTION

In the first years of independence, a number of laws were adopted aimed at implementing the principle of independence of judges and obedience only to the law, provided for in the Constitution. However, an in-depth analysis of the path of development of our country, today's world market situation has changed dramatically, and the competition is increasing in the conditions of globalization, which required the development of a completely new approach and principles for the development of our country at a more stable and rapid pace. It was difficult to achieve this without raising judicial reforms to a new level, as the issues of further development, development, stability of the country, as well as improving the modernization of state administration were on the agenda.

It is no secret that ensuring the right of citizens to receive free information about court activities and court cases serves to ensure openness and transparency. This right is ensured by participating in open and transparent court hearings, requesting information from judicial authorities, and receiving publicly available information about the activities of courts. Of course, in the modern world, it is impossible to implement these methods without fully introducing information technologies. Therefore, in order to ensure openness and transparency in the activities of the courts in our country, special attention is being paid to the digitization of the reform sector. Reforms in this regard are being

implemented within the framework of the "Digital Uzbekistan - 2030" strategy. Undoubtedly, in the research of the history of the judicial system, the study of the processes related to the digitization of court activities is of urgent importance.

RESEARCH METHOD

The article scientifically analyzes the digitization of the judicial system of the Republic of Uzbekistan and the introduction of information communications in the field based on the generally accepted methods - objectivity, historical analysis, comparative-logical analysis, and the principles of chronological sequence.

RESULTS AND DISCUSSION

It is difficult to imagine the 21st century, which has an incomparable place in human civilization, without digital technologies. After all, it is becoming our daily need, the criterion for the development of every network. Therefore, in order to ensure the true independence of the judiciary, to increase its influence, to implement reforms aimed at democratization and improvement of the system, modern information and communication technologies are widely introduced in the field.

Digitization, first of all, gives citizens the opportunity to apply to courts without bureaucratic obstacles, and secondly, it is an important means of ensuring public control over the activities of justice and increasing public trust in judges.

Historical processes related to the digitization of court activities in New Uzbekistan are divided into two periods:

1. The first period 2017-2020;
2. The second period is the years after 2021.

Since 2017, fundamental changes have been implemented in the judicial system. On February 21, 2017, the adoption of the decree by the President of the Republic of Uzbekistan "On measures to fundamentally improve the structure of the judicial system of the Republic of Uzbekistan and increase the effectiveness of its activities" initiated the initial changes in this regard [1]. In paragraph 18 of the decree, the Ministry of Development of Information Technologies and Communications of the Republic of Uzbekistan together with the Supreme Court for a period of three months to critically study the state of use of modern technologies in the activity of the courts and to further improve the information systems and resources aimed at increasing the efficiency of the judicial system and the level of the population's access to justice instructions were given on the development of a program of practical measures [1].

On August 30, 2017, the decision of the President of the Republic of Uzbekistan "On measures to introduce modern information and communication technologies to the activity of the courts" was adopted in order to ensure the implementation of the tasks specified in the decree. According to the decision, the main tasks of the wider introduction of modern information and communication technologies to the activity of courts were defined as:

First - to ensure the openness, transparency and speed of court activities, to increase the quality of judicial proceedings and the level of public awareness of justice, to put an end to the facts of corruption, bureaucracy and abuse by court officials;

Secondly, to create an effective system of controlling the timely processing of cases in courts, to identify problems and shortcomings in the conduct of court cases and to take measures to solve them, to automate court cases and systematize information about their activities;

Thirdly - to ensure effective cooperation of courts with inquiry, preliminary investigation and enforcement bodies in the implementation of justice and enforcement of court decisions;

Fourthly - improvement of information systems and resources that ensure the increase of efficiency of proceedings in courts, the openness of information about the activity of courts, as well as the expansion of the list of interactive services provided to the population and business entities and the improvement of their quality;

Fifth - to increase the level of computer literacy and practical skills of judges and court employees in using modern computer equipment and information and communication technologies at work;

Sixth – ensuring information security and safe circulation of electronic documents in the court system.

The program for the introduction of modern information and communication technologies in the activity of courts in 2017-2020 was adopted as an annex to the decision. In the program, special attention was paid to the introduction of information technologies in the process of training personnel for courts. In particular, the tasks of improving the knowledge of judges and court employees on the use of computer equipment and information and communication technologies in the work process were defined.

As a result of the implementation of the tasks defined in the program, the systems of remote application to courts, participation in court sessions using the video conferencing system, announcement of court decisions on the Internet, and electronic submission of executive documents for mandatory execution were introduced.

On September 3, 2020, the decision of the President of the Republic of Uzbekistan "On measures to digitize the activities of judicial authorities" started a new era of reforms in the field [2]. Based on this decision, the digitalization program of judicial authorities was approved in 2020-2023. In accordance with the program, starting from January 1, 2021, court sessions will be recorded using audio recording at the request of the parties to the case and with the consent of the chairperson, and minutes of court sessions will be created using this system. From July 1, 2021, the procedure for automatic distribution of cases between judges in the courts of appeal and cassation was introduced, and from October 1, 2021, all participants were notified about the time and place of court hearings on a free basis via SMS [2].

From January 1, 2022, to provide court decisions to the parties in the case online, and at their request in paper form, as well as to the activities of judicial authorities, including citizens and business entities, until July 1, 2022 About 10 interactive services have started to operate in order to facilitate access to justice. From January 1, 2023, the procedures for submitting and receiving court cases to the state archive in electronic form have been established [3].

Based on the decision, the Higher School of Judges will include special training on the use of information systems introduced in the work of courts into the educational programs of the educational programs organized for the training of candidates for the post of judge, retraining of judges and court staff, and improving their qualifications. module was introduced. Starting from January 1, 2022, electronic application by judges and candidates for judicial positions to the Supreme Council of Judges, automated selection of questions and tasks during the interview using the information system, sending applications and appeals to the Higher School of Judges through its official website, professor -procedures for electronic formation of ratings of teachers and students, preparation of candidates for judicial positions, retraining of judges and court personnel, and online monitoring of the training process of students of advanced training courses were introduced[4].

On December 7, 2020, the decree of the President of the Republic of Uzbekistan "On measures to ensure the true independence of judges and increase the effectiveness of preventing corruption in the judicial system" was adopted [5]. According to the decree, the creation of legal mechanisms that ensure the effective protection of the professional activity of judges in the administration of justice from external influences of any kind, the selection, training, and appointment of personnel to the judiciary, as well as impartiality in evaluating the activities of judges and ensuring transparency, consistent introduction of modern information technologies to these processes, establishment of a system aimed at preventing and early detection of corruption among judges and court staff, and evaluating any corrupt activity detected in the judicial system as an unacceptable situation, professional training of judges urgent tasks that should be implemented in the formation of a corps of highly professional judges by implementing complex measures to increase their qualifications, morale and responsibility were determined.

From February 1, 2021, for the first time, online coverage of the examination process for the selection of candidates for judicial positions was launched via the Internet (website), and psychological portraits of candidates for judicial positions and judges an electronic program was developed to assist in the assessment of suitability for the profession [6, -P.26-28]. Clear criteria have been adopted that ensure open and transparent evaluation of the judge's performance through electronic rating.

The electronic ticket program is an important software that transparently determines the knowledge of judicial candidates. With the help of the program, the procedure for automated selection of questions asked during interviews with judges and candidates for judicial positions using the information system has been developed and is

being used in practice [6, -P.26]. Candidates who will be appointed to judicial positions for the first time, candidates for a new term of office or candidates for other judicial positions will automatically select the questions asked during the interview process using the candidate information system.

After the secretary of the meeting of the Supreme Council of Judges introduces the identity of the candidate, with the permission of the chairman, the candidate first selects the type of candidate, court specialty and ticket number he wants by pressing the buttons on the monitor connected to the computer. After the candidate selects the ticket number, the ticket number and the text of the questions will be displayed on the monitor. Once all the questions on the ticket have been answered, the finalize button is clicked. The selected ticket number will not be visible for the selection of other candidates, that is, the questions will not be repeated. The questions entered into the information system are automatically divided into tickets depending on the type of candidate and the specialty of the court.

Every time the automatic question selection program is started, the questions included in it are re-randomly distributed to the tickets, that is, the questions in the tickets change each time. After the end of the council meeting, it is possible to determine which tickets the questions in the program were distributed in this meeting. The ticket chosen by the candidate and the questions on it can be directly monitored online by other candidates and members of the public.

During the selection of candidates, the examination process was covered online through the Internet (website) [6, -P.27]. Not only the alternate candidates, but also the parents of the candidate can monitor the examination process. On the official YouTube channel of the Supreme Council of Judges, the possibility of online broadcasting of examination processes has been created.

An electronic program that helps assess the suitability of candidates for the post of judge and judges based on their psychological portrait has been developed and put into full operation after successful testing. On May 6, 2021, the Supreme Council of Judges approved the Regulation No. 1542 "On the psychological test system that helps assess the professional suitability of candidates for judicial positions and judges" [6, -P.34].

Psychological conditions and characteristics of a person are evaluated with the help of the "Psychological Test" electronic program. The result of the psychological test is studied by a professional psychologist and a conclusion of a recommendatory nature is drawn up. With the help of the "Psychological Test" electronic program, the following psychological conditions and characteristics of a person are evaluated: determination, tendency to corruption, pressure, squeamishness, tendency to alcoholism, tendency to stress, resistance to stress, mental illnesses.

The main goals of the "Psychological Test" information system are as follows:

1. Wider implementation of information and communication technologies in the process of selection of judicial candidates and judges;
2. Filling the judicial system with qualified and worthy personnel;
3. Improving the quality of selection for the position of judge,

4. Full disclosure of psychological characteristics and aspects of judicial candidates and judges;
5. Ensuring openness and transparency in the judicial system.

In 2022, 138 judicial candidates and 901 judges passed a psychological test, based on the results, psychological trainings were conducted with 258 judges and psychological interviews with 40 judges [7, -P.24].

By the decision of the Supreme Council of Judges No. 1646 of December 6, 2021, the Regulation on the procedure for evaluating the efficiency of judges' performance by electronic rating was approved. According to the regulation, the efficiency of the judges' activity is evaluated on the basis of basic and additional criteria in a 100-point evaluation system without human factor and intervention. The quality of court decisions, the judge's responsibility and manners, and the judge's knowledge of foreign languages are the main evaluation criteria [7, -P.25].

The size of the judge's workload, his activity in the online forum of the Judges' Club, his academic degree, participation in the professional training of judges, and the fact that the parties have reached a settlement (agreement) on a specific case are additional evaluation criteria.

In 2021, 42 judges with an unsatisfactory performance (below 56 points) and in 2022, 24 judges were assigned comprehensive measures to improve their qualifications, 6 judges with a bad performance (below 40 points) were appointed. was referred to the qualifications committees of judges to consider the question of his worthiness for the position he held [7, -P.26].

Undoubtedly, the introduction of the electronic rating system for evaluating the performance of judges was one of the great innovations in the field. It is natural that any news causes various disputes until the result is seen. Based on the suggestions and comments, certain changes were made to the evaluation criteria, as a result, the criteria were further improved, and the electronic rating system became a mirror that clearly shows the activities of all judges. The results of this practice, which does not interfere with the human factor, are being announced to the public: it has become a good tradition to award judges with the highest rating points with the "Excellent Judge" award. In 2022, guests consisting of judges from the neighboring countries of Kyrgyzstan, Kazakhstan, Tajikistan, as well as Serbia and Moldova will be at the Supreme Council of Judges and will get acquainted with the introduced electronic rating system, psychological test and the activities of the Judges Club. gave a high assessment to the provision and stated that its application to the judicial system of the country they represent would not be without benefits.

When the performance of some judges is found to be unsatisfactory by the electronic program, the Supreme Council of Judges does not take drastic measures, on the contrary, it takes necessary measures to improve their qualifications and creates an opportunity for inexperienced judges to work on themselves. Because before that, the candidate has gone through a series of calls to get the position of judge. That is, in order to become a

judge, according to the law, a person must not be younger than 35 years old, work without defects in the legal system for seven years after higher education, enter the Higher School of Judges after passing the competition, successfully complete it, and become a judge on the basis of alternative it is considered necessary to successfully participate in the open competition for selection and appointment.

When examining the activities of judges with lower rating indicators, it was found that the court documents adopted by them were changed or annulled by the higher court instance, mainly due to deficiencies in the fulfillment of procedural law requirements and the application of substantive law norms. In general, the application of legal norms in certain disputes has its own complexities. In other words, the complexities of decision-making in cases related to recovery of property, inheritance, material and moral damages in civil courts, issues of state duty and court costs in economic courts, and disputes related to contractual relations require clear legal explanations. It's no secret that the judges of the administrative courts come to such situations in the process of invalidating the decisions of the local government and tax authorities, and in the process of considering disputes related to land, and in criminal courts, when qualifying certain types of crimes and imposing punishment, the type of colony is used. It can be seen that the definition is more encountered, especially in matters of administrative control. The mentioned issues are the cause of many discussions on the electronic platform of the Judges Club. Since similar situations are likely to occur in practice, in law, the very act of annulment or modification of a court decision makes the judge responsible if the judge deliberately did not allow a violation of the law or dishonesty that led to serious consequences.

However, although this norm is one of the guarantees of immunity, it imposes more responsibility on the judge than privilege, in fact. Both the Law "On Courts" and the Code of Ethics of Judges specifically state that a judge must regularly improve his qualifications and professional knowledge in order to properly fulfill his duties. Taking necessary measures in this regard is an integral part of the activities of the Supreme Council of Judges. In addition, the Code of Ethics of Judges states that experienced judges should teach their experience and knowledge to their younger colleagues based on the tradition of "teacher-student".

These procedures are reflected in the curriculum and schedule of classes designed for judges with lower ratings. Based on the analysis of annulled or changed court decisions, experienced judges - mentors are attached to each of them, in addition to the necessary theoretical training. The rest of the training will continue under the guidance and direction of the teacher attached to the practice.

In 2022, 24 judges whose rating indicators were deemed unsatisfactory received additional training at the Higher School of Judges under the Council. 6 of them are judges of criminal courts, 12 of them are judges of civil cases, 3 of them are judges of economic and administrative courts, and most of them are among those appointed for the first time. Two weeks of training served as an important program for their further activities.

By the decision of the Supreme Council of Judges of the Republic of Uzbekistan on January 7, 2021, the Statute of the Judges' Club of Uzbekistan, the composition of the responsible members of the Club and regional representatives assisting the Club's activities were approved. started [6, -P.29].

On the electronic platform of the judges' club, a system was created to send prompt messages about cases of violations of the judge's integrity, ensure compliance with the rules of etiquette, improve the qualifications of judges based on mutual communication, and support the introduction of uniform judicial practice.

On the online forum of the club, opinions were exchanged 140,299 times on 6,437 topics related to judicial practice, 20,848 proposals on economic affairs were discussed.

In the forum, court practice in civil cases was discussed 25982 times, court practice in criminal cases 15701 times, court practice in administrative cases [7, -P.31-32].

At the forum: - recommendations on the correct application of substantive and procedural legal norms by judges; explanations to requests regarding the application of the rules of etiquette in certain situations; issues related to the independence and impartiality of the judge;

1. Proposals for further improvement of court activities and increasing the efficiency of justice;
2. Morale of the judge;
3. It was possible to communicate in the judicial system news and announcements department for judges.

An electronic program has been developed that automatically analyzes information about active judges and vacant positions. With the help of the program, an in-depth analysis of detailed information about existing judges and vacancies was created.

On January 16, 2023, the decision of the President of the Republic of Uzbekistan "On additional measures to further expand access to justice and increase the efficiency of the courts" was adopted [8]. Based on the decision, the short-term strategy for bringing the judicial system to a qualitatively new stage for 2023-2026 was approved. Within the framework of the strategy, priority tasks such as full digitization of court activities, introduction of artificial intelligence technologies, improvement of interdepartmental electronic information exchange, expansion of opportunities for remote participation in court hearings were defined.

Today, any legal entity and individual can send applications and complaints electronically through the "exsud.sud.uz" website. Also, through the website "my.sud.uz", interactive services such as "sending an electronic appeal to the court", "examples of an appeal to the court", "state tax calculator", "electronic payment system", "receiving court decisions online" were launched by the Supreme Court. the fact that it has been launched expands the opportunity for citizens to apply. It is also worth noting that the "stat.sud.uz" website, which allows you to get information online, has been launched.

CONCLUSION

Fundamental Finding: The digitalization of the judicial system in Uzbekistan, particularly through the "Adolat" information systems complex, has significantly enhanced the transparency, efficiency, and accessibility of judicial processes. The integration of electronic submissions, online monitoring of cases, and automated document creation has streamlined judicial operations, while the open competition for judicial appointments ensures impartiality. **Implication:** These advancements contribute to the improvement of public trust in the judicial system, increase operational efficiency, and promote fair decision-making. However, challenges remain in ensuring that all judges possess adequate IT skills and that the infrastructure is uniformly accessible across the country. **Limitation:** The study focuses primarily on the technical aspects of digitization, and does not fully address the potential challenges related to cybersecurity, data privacy, and the digital divide among stakeholders. **Further Research:** Future research should explore the impact of these technological innovations on judicial outcomes, public satisfaction, and the potential risks associated with digital systems in the judicial process, including examining the effectiveness of ongoing judge training programs and the security of digital platforms.

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