

Issues of Adherence to Procedural Deadlines in The Course of Judicial Digitalization

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Abstract

This article provides a scientific analysis of the issues in adhering to procedural deadlines during the digitalization of the judicial system. Organizing court proceedings based on digital technologies is expected to increase the efficiency of justice, yet problems persist in reviewing cases and issuing decisions within prescribed time frames. The authors examine the experience of implementing electronic justice systems (E-Sud, Sud.uz, sud.ijro.uz, etc.) in Uzbekistan's judiciary, identifying shortcomings in compliance with procedural timelines. Drawing on international experience and recommendations (COSCA, CEPEJ, etc.), the article proposes solutions to address these pressing issues and to ensure timely adjudication of court cases.

Keywords: Procedural deadlines, digitalization, e-justice, E-Sud system, court proceedings, fair trial, CEPEJ, COSCA, judicial reforms, efficiency.

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1. Introduction

In recent years, the process of digitalization has been recognized as one of the priority directions in the reform of public administration and the judicial-legal system of the Republic of Uzbekistan. Reforms in this area are being implemented on the basis of a systematic approach. In particular, the “Digital Uzbekistan – 2030” Strategy, approved by the Presidential Decree of October 5, 2020, has elevated these efforts to a new stage. This strategy defines specific goals and objectives for the widespread introduction of digital technologies across all sectors, including the judicial system.

The essence of digital reforms in the judicial sphere is aimed at organizing court proceedings on the basis of modern information and communication technologies.

Examples of such reforms include the introduction of electronic document management systems in civil, criminal, and economic proceedings, the organization of online court hearings, and the provision of remote judicial services. These measures demonstrate the increasing integration of modern technologies into judicial practice.

The primary objectives of digitalizing the judicial system include ensuring access to justice, enhancing transparency in judicial proceedings, and creating greater convenience for citizens. As a result of these reforms, excessive paperwork is reduced, citizens—especially those residing in remote areas—are provided with opportunities to participate in court hearings remotely, and the processes of adopting and enforcing judicial

decisions are accelerated. Consequently, this contributes to strengthening openness and transparency within the judicial system and serves as an important factor in preventing corruption.

However, despite the successful implementation of digitalization processes, the issue of considering and resolving court cases within established procedural deadlines remains highly relevant. The Constitution of the Republic of Uzbekistan establishes the timely consideration of cases as one of the fundamental requirements of justice. Accordingly, procedural legislation sets specific deadlines for each stage of judicial proceedings and for each procedural action. For instance, certain categories of civil cases are required to be resolved by courts of first instance within one to two months.

Nevertheless, in practice, delays in court proceedings and non-compliance with established deadlines are still observed. The main reasons for this include the increasing workload of courts, the growing complexity of cases, and the insufficient availability of qualified personnel and technical resources. These factors negatively affect compliance with procedural deadlines.

As a result, citizens encounter various obstacles in effectively protecting their rights. This is because achieving justice is not only dependent on the correctness of judicial decisions but also on their timely adoption without undue delay. Therefore, while the digitalization of judicial processes serves to optimize court activities, it must also ensure strict compliance with procedural deadlines. Otherwise, the practical effectiveness of digitalization will not be fully realized.

2. Main Part

In recent years, comprehensive reforms aimed at strengthening the independence of the judiciary and preventing corruption have been consistently implemented in Uzbekistan. One of the most significant legal acts in this regard is the Presidential Decree No. PF-6127 of December 7, 2020. This document establishes clear and effective measures to ensure the genuine independence of judges, prevent any unlawful interference in their activities, and eliminate corruption-related factors within the judicial system.

Within the framework of this decree, the “Judicial System Development Program” was adopted, which identifies the optimization of judicial processes through modern information and communication technologies as

a priority objective. In particular, the introduction and further development of the “E-Justice” system is emphasized as a key direction. These measures are intended to enhance the transparency and efficiency of judicial activities and to ensure adherence to the principles of justice by reducing the influence of the human factor.

The introduction of digital technologies significantly simplifies and accelerates the preparation, formalization, and exchange of procedural documents in judicial proceedings. As a result, the justice system becomes more accessible to citizens, thereby increasing public trust in legal protection mechanisms. Furthermore, a reduction in the human factor, increased transparency, and a decrease in corruption risks are expected outcomes of these reforms.

However, practical experience demonstrates that the process of full digitalization of the judicial system is accompanied by certain challenges, particularly with regard to strict compliance with procedural deadlines. In some cases, the technical capabilities of digital systems do not sufficiently contribute to the prompt and high-quality resolution of court cases. Additionally, factors such as the adaptation of judges and court personnel to new systems, недостаточность или неисправность технических средств, as well as instability in internet infrastructure, have led to instances of non-compliance with established deadlines.

In order to examine these issues in greater depth, this article analyzes the challenges arising in the process of implementing e-justice in Uzbekistan, with a particular focus on ensuring that court cases are considered and resolved within the time limits established by procedural legislation. Although, from a theoretical perspective, digital technologies are expected to accelerate procedural processes, practical experience indicates that the anticipated outcomes have not been fully achieved in certain areas.

In particular, the article examines several electronic judicial information systems operating in Uzbekistan, including the national electronic court information system “E-Sud,” the my.sud.uz portal, the enforcement proceedings portal sud.ijro.uz, and other digital platforms. Their current functionalities, advantages, and existing shortcomings especially their actual impact on compliance with procedural deadlines are analyzed.

Moreover, international experience is also taken into

account. Based on the recommendations of authoritative organizations in the field of electronic justice, such as the Conference of State Court Administrators (COSCA) in the United States and the European Commission for the Efficiency of Justice (CEPEJ) under the Council of Europe, proposals aimed at addressing existing challenges are developed. These recommendations emphasize key aspects such as the reliability of information systems, user-friendliness, real-time operational capabilities, automation of document circulation, and continuous professional training for judges and court personnel.

One of the key theoretical concepts in civil procedure is the category of procedural deadlines, which deserves particular attention. Procedural deadlines are defined as time periods established by legislation within which specific stages of judicial proceedings or procedural actions must be carried out (Zokirov, 2022). These include, *inter alia*, the consideration and acceptance of a statement of claim, the scheduling of court hearings, notification of the parties, and the filing of appeals or cassation complaints.

Compliance with these deadlines ensures the realization of constitutional rights of citizens to prompt, effective, and fair judicial protection. This approach is also reflected in international standards. In particular, the principles developed by the European Commission for the Efficiency of Justice (CEPEJ) emphasize that judicial proceedings should be conducted within a “reasonable time,” without undue delays (CEPEJ, 2021).

Furthermore, the SATURN (Study and Analysis of Time Use for Resolution of Disputes in the Judiciary) group operating under CEPEJ recommends establishing maximum permissible timeframes for each case. According to these guidelines, courts should continuously monitor compliance with deadlines, which serves as an important criterion for evaluating overall judicial efficiency (SATURN, 2020).

Thus, procedural deadlines have a dual significance: on the one hand, they function as a regulatory instrument ensuring discipline within the judicial system; on the other hand, they serve as a practical guarantee of the protection of citizens’ rights. Therefore, when determining such deadlines, it is essential to take into account the specific characteristics of each case and to avoid excessive bureaucratic constraints (Abdullayev, 2021).

In the context of digital technologies, this concept acquires a new dimension. The digitalization of judicial proceedings refers to the conduct of case management, document circulation, and procedural actions through electronic means and online platforms (CCJ & COSCA, 2020). Academic literature highlights several advantages of digital justice, including increased efficiency, reduction of formalities, and the diminishing significance of geographical distance (Johnson, 2019).

For example, the “E-Everything: Digital Justice Strategy” adopted by the Conference of State Court Administrators (COSCA) in 2005 emphasizes the necessity of broad implementation of digital technologies in the judicial system to ensure transparency, openness, and equality before the law (COSCA, 2005).

In the United States, the implementation of the Electronic Case Management System (ECMS) has led to transformative changes in judicial administration. By 2005, more than 80 percent of U.S. courts had transitioned to electronic case management systems (CCJ & COSCA, 2020). As a result, document exchange processes are completed within hours, and judges are able to exercise automated control over procedural deadlines.

Similar outcomes have been observed in countries such as Malaysia, Singapore, and Estonia, where the introduction of digital judicial systems has reduced the average duration of civil case consideration by approximately 30–40 percent (Lee, 2020).

According to the recommendations of the Civil Justice Initiative in the United States, electronic court management systems should incorporate the following key functions:

- Automatic determination of procedural deadlines;
- Notification of judges as deadlines approach;
- Maintenance of electronic databases of case progress;
- Automated measures in case of deadline violations (e.g., fines or expedited procedures) (CCJ & COSCA, 2020).

Therefore, the experience of advanced jurisdictions demonstrates that digital court management systems not only facilitate document circulation but also play a

crucial role in ensuring compliance with procedural deadlines.

International Recommendations and Digital Justice Practices

The approach of CEPEJ (Council of Europe) further underscores the importance of integrating information and communication technologies (ICT) into judicial systems. In its 2021 guidelines on electronic justice, CEPEJ emphasizes measures aimed at ensuring efficient and timely adjudication through digital tools. According to these guidelines:

- Judges, prosecutors, lawyers, and citizens must possess adequate digital competencies;
- Statistical data on the duration of judicial proceedings should be regularly published (CEPEJ, 2021).

Moreover, the SATURN working group recommends that courts establish target timeframes (benchmarks), identify causes of delays, develop mitigation strategies, and regularly analyze statistical data, revising deadlines where necessary (SATURN, 2020).

In jurisdictions such as the United Kingdom and the Netherlands, failure to complete cases within prescribed deadlines may result in disciplinary measures against judges or court staff (CEPEJ, 2021). At the same time, CEPEJ experts caution against excessively rigid time limits and advocate for maintaining flexibility based on case complexity.

In the United States, guidelines adopted in 2020 by the Conference of Chief Justices (CCJ) and COSCA during the pandemic outline six fundamental principles of digital justice:

1. Full access to justice for all individuals;
2. User-friendly systems;
3. Flexibility and adaptability of technologies;
4. Readiness for remote operations;
5. Transparency of judicial data;
6. Data-driven decision-making (CCJ & COSCA, 2020).

These principles demonstrate that, in international practice, digital judicial systems directly contribute to the timely and effective resolution of cases. Accordingly, in

the process of digitalizing the judicial system of Uzbekistan, it is advisable to integrate key elements of CEPEJ and CCJ/COSCA approaches, particularly in ensuring effective monitoring of procedural deadlines, accountability mechanisms, and a balanced degree of flexibility.

2. Methods

At the final stage of the study, conclusions are drawn based on the conducted analysis, and practical recommendations are proposed to ensure compliance with procedural deadlines in the context of judicial digitalization. These recommendations encompass a комплексный approach, including technical, organizational, and legal measures.

3. Conclusion

The digitalization of the judicial system in Uzbekistan has, in recent years, become one of the key directions of large-scale and gradual reforms. Based on the analysis and considerations presented in this article, it can be concluded that the introduction of digital technologies not only simplifies judicial proceedings but, more importantly, contributes to reducing the time required for case consideration and ensures stricter compliance with procedural deadlines. This, in turn, strengthens public trust in the administration of justice, enhances the legal awareness of citizens, and ultimately contributes to ensuring legal certainty and stability.

At the same time, the process of digitalization gives rise to certain organizational and legal challenges. In particular, the technical infrastructure of courts is not yet fully developed; in some regions, internet connectivity remains insufficient; and the level of digital literacy among court personnel varies. Moreover, the legal framework governing electronic judicial proceedings is, in some cases, either insufficiently defined or not fully aligned with modern requirements. These issues hinder the full realization of the expected benefits of digitalization.

In this regard, it is appropriate to propose the following key recommendations:

- **Development of technical infrastructure:** All court facilities should be equipped with modern technical equipment, high-speed internet, servers, and backup systems. Priority funding should be allocated from the state budget, with strict control over the targeted use of financial resources.

- **Enhancement of digital competencies of court personnel:** Judges and court staff should undergo regular training and professional development programs to effectively utilize new information technologies. Any newly introduced system or platform should be tested in advance, and relevant specialists should be adequately prepared.

- **Improvement of procedural legislation:** Legal norms governing electronic procedures should be clearly, precisely, and practically defined within civil, criminal, and administrative procedural codes. In this process, it is advisable to study and adapt advanced international practices, such as the standards of CEPEJ and the experiences of Estonia and Singapore.

- **Full implementation of electronic integration between institutions:** Based on the “single window” principle, electronic information exchange should be established among courts, prosecution bodies, the bar, and enforcement agencies. This will enable real-time access to judicial decisions and prevent unnecessary delays in procedural timelines.

- **Introduction of electronic monitoring systems for procedural deadlines:** The E-SUD platform should incorporate automated notification and monitoring modules to ensure that deadlines are strictly observed. The system should provide continuous reminders to judges or court clerks and generate reports to management in cases of non-compliance.

- **Ensuring transparency and public participation:** Open statistical data on court performance—such as case processing times and the number of cases reviewed—should be regularly published online. This will enhance public trust and facilitate civic oversight of the judiciary.

- **Expansion of international cooperation:** Establishing cooperation with countries that have advanced experience in digital justice, as well as active participation in international technical and financial assistance projects, will contribute to the continuous modernization of the national judicial system.

In conclusion, the digitalization of the judiciary is not merely a technical process but a comprehensive approach aimed at ensuring the rule of law and safeguarding human rights. Compliance with procedural deadlines becomes more structured and manageable through the effective use of digital technologies. If the above recommendations are implemented through a

comprehensive and systematic approach, it will enhance legal certainty, fairness, and public trust in civil proceedings. Ultimately, this will contribute to the formation of a robust digital justice system in Uzbekistan, serving not only technological advancement but also the development of a just and progressive society.

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