

Optimizing Judicial Service of Process via Centralized eBoard Publication: A Process-Oriented Case Study from Serbia

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Abstract—Centralized notice boards can speed up and increase transparency in service of process, but their impact is often limited by legacy court-local procedural assumptions. This paper analyzes Serbia’s Electronic Court Bulletin Board (eBoard), a nationwide platform for substituted service in enforcement proceedings, and shows how territorial jurisdiction rules can still trigger annulments, file transfers, and conflicts when failed service reveals a debtor’s address change. Using a process-oriented workflow analysis (supported by a BPMN sketch), we identify recurring bottlenecks and the administrative rework they generate, and discuss implementation constraints (legal certainty, auditability, privacy, and registry interoperability). The main finding is that explicitly recognizing the nationwide legal effect of eBoard publication in defined scenarios can reduce transfers, shorten cycle time, and improve procedural efficiency without weakening due-process safeguards.

Keywords: *eJustice, eTabla, eBoard, eCourt, eGovernment*

I. INTRODUCTION

A. Context and motivation

This paper argues that the eBoard’s distinctive, centralized structure eliminates the practical necessity of transferring cases following unsuccessful physical service, since electronic publication achieves the same legal effect irrespective of territorial location. To realize this potential, the normative framework must be amended to explicitly address jurisdictional conflicts arising from changes in debtor address, thereby reducing procedural delays and improving legal certainty in digital proceedings. The structure of the paper is as follows: first, it outlines the basic workflow of the eBoard; second, it examines the procedure for filing documents, which occurs before using the eBoard; and finally, it analyzes the critical issue of address changes. This last issue is shown to cause significant delays in case resolution and initiates unnecessary court cases and disputes over territorial jurisdiction.

Where a public enforcement officer is competent to issue a decision on enforcement and service cannot be effected, the decision is published on the electronic notice board of the court territorially linked to the debtor’s domicile, residence, or seat. This design embeds a territorial rule within what, in technical and organisational terms, is a single centralised platform (one portal and database) shared by all courts and users. In practice, the enforcement officer submits the digitised decision and proof that ordinary

service has been duly attempted; court staff verify the attempt and then approve publication.

Access to justice is often described as a continuum from access to information and timely notification to the effective use of remedies. Within that continuum, the eBoard primarily operates at the notification layer, as it lowers the transaction costs of informing parties and reduces reliance on repeated physical visits and on uncertain postal delivery (Nastic, 2025).

This functional role is consistent with European guidance on court digitalisation. CEPEJ treats e-filing and related digital channels as instruments for improving access to judicial information and justice, provided that they remain transparent and inclusive, ensure accessibility, and preserve alternative (offline) routes for users who cannot rely on digital services (CEPEJ, 2021). For an eBoard, this translates into basic operational safeguards such as searchable records, verifiable publication, precise timestamps, and remedies for technical failures.

Comparative practice in the region shows that electronic notice boards can be legally and functionally broadened beyond enforcement. In Croatia, a similar solution, e-Oglasna ploča, includes additional types of proceedings. At the same time, court rules foresee the implementation of by-laws that specify the use of particular ICT systems. In Serbia, eBoard is currently tied to specific procedural situations (most notably failed service in enforcement), which makes the normative mismatch with a technically centralised system even more visible and supports the need for carefully targeted procedural amendments (Kuzmanovic & Djilas, 2025).

A related contribution by the same authors addresses the interaction between jurisdictional rules and digital justice, but in the context of a different e-service: the online issuance of criminal certificates via the Serbian eGovernment Portal. That analysis shows how territorial and institutional jurisdiction can become a practical bottleneck even when an end-to-end electronic workflow is technically feasible, and argues that legal design choices directly shape the efficiency and accessibility of e-justice services. This perspective complements the present paper: while the eBoard primarily supports transparency and timely notification, jurisdiction-sensitive e-services illustrate how procedural architecture can either enable or constrain the broader access-to-justice potential of court digitalisation (Djilas & Kuzmanovic, 2025).

II. BOTTLENECK ANALYSIS

A. Address changes, file transfers, and conflicts of jurisdiction

A failed service that exposes a change in the enforcement debtor’s residence directly triggers predictable friction and procedural deadlock. For example, if an enforcement officer attempts service at the debtor’s registered address, only to learn during the process that the debtor has moved to a different jurisdiction, the originating court must annul the enforcement decision and related procedural steps, then transfer the case file to the court with territorial jurisdiction over the new address. If the new court disputes jurisdiction, the conflict is escalated to the Supreme Court for resolution. These problems are endemic: whenever an authority acts on outdated residence data, a cascade of delays and procedural repetition—as illustrated in this example inevitably follows. Such inefficiencies persistently obstruct proceedings.

For this work, we will consider situations in which the different addresses are within the territories for which different basic courts, i.e., enforcement officers, are competent. Also, for the same reason, we will ignore whether the error was the enforcement creditor's, the debtor's, the court's, or the enforcement officer's. Those questions are important for legal remedies for restoring the previous state.

If the debtor changes residence after the enforcement motion is filed but before the decision is served, the debtor may not be found at the address stated in the motion. Once the acting court establishes that the debtor's new residence falls within another court's territory, it typically declares a lack of territorial jurisdiction, annuls the enforcement decision and subsequent procedural steps, and forwards the file to the court at the new residence. If the receiving court refuses jurisdiction, the matter escalates into a jurisdictional conflict decided by the Supreme Court. The legal handling of these scenarios is confirmed in Supreme Court practice (Decision R1 486/2015), yet the procedural overhead burdens courts and delays enforcement.

According to the Annual Report on the work of the courts in the Republic of Serbia for the year 2023 (for the period 01.01.2023–31.12.2023), the Civil Department of the

Supreme Court resolved 906 cases concerning delegation and conflict resolution of jurisdiction (R and R1 registers) and received 987 new cases of this type. While the report does not specify how many of these cases pertain exclusively to enforcement and security of interests, the substantial volume of jurisdiction-related disputes indicated by these figures suggests that conflicts over territorial competence remain a significant source of procedural workload in the courts. This pattern reinforces the relevance of the present analysis, as it implies that inefficiencies arising from jurisdictional conflicts may materially affect judicial efficiency and cycle times in enforcement proceedings.

TABLE 1.

Case Resolution Timeline	Expected duration (days)
Delivery of documents to the court A	1
Court A declares itself incompetent	2
Court A sends documents to Court B	2
Court B declares itself incompetent	2
Court B sends documents to the Supreme Court	2
The Supreme Court forms a case and decides	2
The Supreme Court delivers a decision	2
Total	13

Estimated cycle times are based on practitioner experience from service attempts and registry-office case-file handling, as reported in Table 1.

B. Service of process

Service on an enforcement debtor who is a natural person is effected at the debtor’s registered permanent or temporary residence, as recorded in the official identity-document registry maintained by the Ministry of Internal Affairs (MOI).

If the service of process fails, the document shall be posted within three days on the electronic bulletin board of the court which rendered the writ of enforcement based on the enforceable or credible document, and in case of the writ of enforcement based on the credible document, the service of process is repeated one more time after the expiry of the time limit of eight days from the previous service of process. If the service of process is repeated, the writ is posted on the court's electronic bulletin board within 3 days.

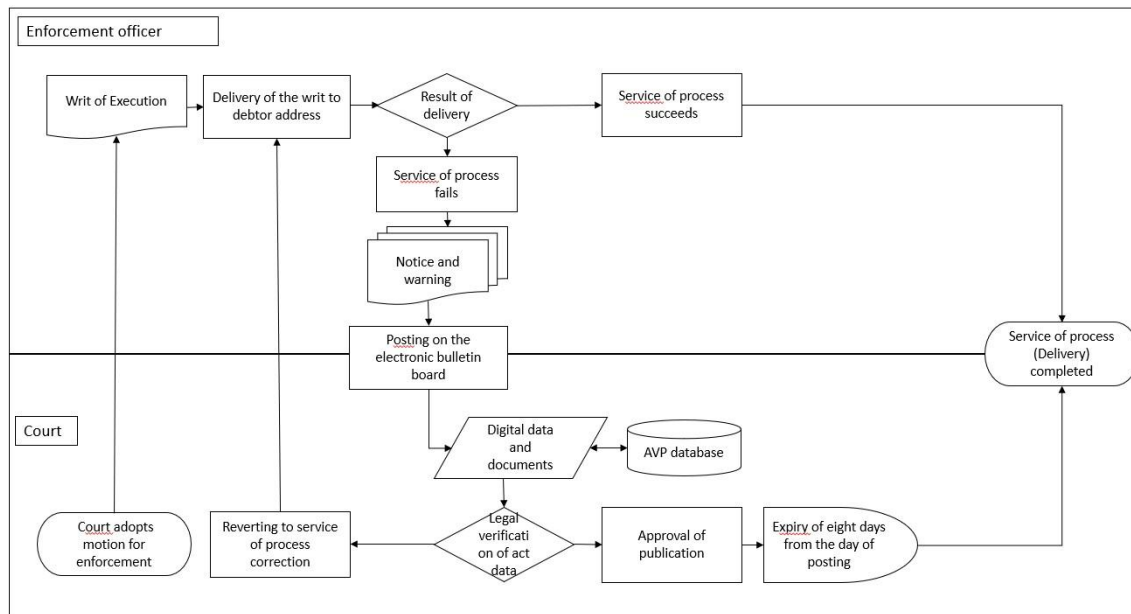


Fig. 1. Flowchart of the process of delivery of the writ

If delivery fails, the courier leaves a notice informing the debtor that the document will be posted on the court's electronic notice board within 3 days. That service is deemed complete 8 days after posting.

What are the reasons for service of process failure? First, directly *contra legem*, it is a situation in which the address of the enforcement debtor on the writ of enforcement is not the one recorded with the authority responsible for identity document records. It can be an oversight by the creditor, such as outdated service user databases, or by the debtor if he changed his address and did not notify the court, or if he used the wrong information.

The information that differed from the information in the identity documents was already in the first entry to the court, namely, the motion for enforcement. The court can notice incorrect information when acting on the motion for enforcement, and the enforcement officer can notice incorrect information when they receive the writ of enforcement. It can be done by accessing the electronic database of identity document records through the Judicial Information System, as described in more detail in the paper by the author of this article (Đilas & Kuzmanovic, 2023). A unique citizen's registration number can be used as a search criterion when checking address information for the enforcement debtor and the enforcement creditor. We believe that this is a good practice on the part of the authorities referred to, as evidenced by certain court decisions (Supreme Court of Cassation, decision Spp 3/2020, 13.10.2020).

Before the eBoard, if the enforcement debtor received a decision on enforcement at an address different from the one listed in the register of personal documents and subsequently filed a complaint, it would have been appropriately considered served, precluding any objection to territorial jurisdiction, as the debtor's residence was registered within the jurisdiction of another court. This is the opinion of prominent authors on this matter, as stated by

Bodiroga (2019, p. 64). For example, if it was about one address in the judgment, and it was changed afterwards. Therefore, the acting court would continue the proceedings. The opposite point of view was also present in judicial practice, for example, in the decision of the Second Basic Court in Belgrade, IPV (Iv) 296/18 (see Bodiroga, 2019, p. 64).

Since the electronic notice board is unique to each court and the same for all courts, there is no qualitative difference from when the writ was displayed on a physical notice board in an individual court, according to the residence of the enforcement debtor. There is no need to transfer the case to other courts due to such delivery problems. Because the letter will be displayed on the court's unique electronic noticeboard, it is considered delivered. The court that started the procedure can continue the proceedings so that, if physical delivery cannot be made, it is published in writing on the eBoard. Delivery is considered completed after 8 days from publication. This approach reduces the number of conflicts over territorial jurisdiction and, consequently, the time spent on the entire procedure, which arises solely from the impossibility of delivering documents physically.

III. CONCLUSION

The document concludes that, although digital transformation is streamlining judicial processes in Serbia, the full potential of eJustice services remains limited by existing legal frameworks and jurisdictional constraints. There is clear technical capacity to reduce the influence of territorial jurisdiction through centralized data management, as evidenced by the nationwide operation of the eBoard platform and its ability to provide consistent access and notification regardless of geographic location. However, Supreme Court decisions, such as R1 486/2015, illustrate that practical barriers arise when legislative provisions do not explicitly accommodate these capabilities, leading to continued case transfers and jurisdictional conflicts. Therefore, the realization of comprehensive automation

capable of enhancing legal certainty, efficiency, and service delivery depends on normative reforms that recognize and leverage these technological advancements.

Beyond efficiency, the centralised design of the eBoard can improve legal certainty and trust by making procedural information predictable and verifiable for all stakeholders. To fully realise these benefits, it is recommended that policymakers revise procedural rules to explicitly acknowledge the legal validity of eBoard publication nationwide and provide clear guidelines for its use in situations where physical service fails. Additionally, implementing mandatory accessibility standards and robust fall-back channels, such as alternative notification procedures for parties unable to access digital services, would ensure that the transition to a unified national system preserves both procedural fairness and practical inclusivity.

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