

Fabian Seigfried

Die virtuelle Teilnahme an der Hauptverhandlung im Zivilprozess - quo vadis?

Bestandsaufnahme und Zukunftsperspektiven der Verhandlung im Wege der Bild- und Tonübertragung



The call for modernisation and, in many cases synonymous, digitalisation of civil proceedings seems to be omnipresent these days. While the means of communication in the oral hearing initially was immaterial in the discussion, this changed immediately once the Covid-19 pandemic began. According to Section 128a of the German Code of Civil Procedure (ZPO), parties to civil proceedings can participate virtually in the oral hearing from a location other than the courtroom by means of simultaneous image and sound transmission. This opens a wide range of opportunities for accelerated, process-efficient, environmentally friendly, and modern digitalised civil litigation. The potential of this development must be further explored in the future. In particular, interdisciplinary expertise on communication conditions, the principles of civil procedure, and the needs of trial practice should be authoritative for said exploration.

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