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Wish us a happy New Year!

On January 1, 2020, an in-depth reform of French civil procedure will enter into force. This is neither the time nor the place to detail the new rules which have just been addressed in a first decree enacted in furtherance of the Law dated March 23, 2019 on justice reform.

The forthcoming significant amendments to the procedural rules applicable before the various courts will keep us lawyers very busy for a while! And this is all the more true as we will have to acclimatize in a few days to a brand new environment!

We can already mention at this stage the following changes (in no particular order): gone are the *tribunaux de grande instance* and *tribunaux d'instance* (two types of first instance courts) that will be merged and henceforth be grouped under the name of *tribunaux judiciaires*; simplification of the methods of referring cases to courts; simplification of the method of resolving objections to jurisdiction; automatic provisional enforcement of first instance judgments; extended role of the case management judge; compulsory representation by a lawyer extended to commercial courts; possibility for the judge to impose mediation on litigants under certain conditions, etc.

Just to cite a few!

What has received less attention are the provisions designed to control the explosion in the number of sites offering alternative dispute resolution mechanisms.

Article 4 of the Law of March 23, 2019 imposes on the providers of such fully private virtual services some

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obligations in terms of ethics, transparency, confidentiality and protection of personal data. In particular, it provides that online dispute resolution services cannot be based solely on the algorithmic or automated processing of personal data. Artificial intelligence should therefore not supplant human intelligence.

The World of “Black Mirror” is not for tomorrow, at least not in France!

Dear readers, wish us a happy Year 2020! It should be getting off to a strong start!

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