



DIJUF

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NEWSLETTER OF THE GLOBAL NETWORK: "CHILD SUPPORT WORLDWIDE"

Dear network members and child support experts all over the world,

We are pleased to inform you about the following news in the field of international maintenance recovery.

Report on the May 2024 meeting of the Child Support Forum now available

The May 2024 meeting of the Child Support Forum on the topic of "International Maintenance Recovery by Public Bodies" was a real success, with over 80 participants joining from 19 different countries. We would like to thank all attendees and will be happy to implement your ideas for additional discussion topics in future meetings.

The report on the May 2024 meeting is now available [here](#).

Open Online Meeting on "International Maintenance Recovery on the Basis of Authentic Instruments" on January 29th, 2025 3-5pm CEST

The Child Support forum is pleased to invite every interested stakeholder to a new open meeting on the issue of "International Maintenance Recovery on the Basis of Authentic Instruments".

The payment of child maintenance is not always ordered by a court. Maintenance debtors may commit themselves to make these payments in an enforceable deed, also called "authentic instrument". The enforceable deeds are usually established by public notaries or public authorities. They should not be confused with administrative orders, as they are based on a voluntary declaration by the maintenance debtor. In case of non-payment, enforcement can be carried out in the State of origin, in the same way as a court decision.

Regarding cross-border cases, the recognition and enforcement of child maintenance claims on the basis of authentic instruments is mentioned in certain provisions. However, the lack of international awareness as regards their nature leads to difficulties when it comes to their implementation. The meeting aims to provide information on these two topics and to allow an exchange between the stakeholders involved on both levels, the establishment and the enforcement of authentic instruments.

To register, click [here](#).



INCSS

Report of the Federal Office of Justice (Bundesamt für Justiz), German Central Authority: Launch of iSupport as secure digital communication solution for cross-border child maintenance cases

The Federal Office of Justice is now using the new “iSupport” electronic communications system in cross-border maintenance matters. In a world first, a pilot was carried out with Sweden in early 2024, which saw the first applications transmitted successfully – an important first practical step in the digitalisation of international judicial matters. As a result, cross-border applications and requests to make maintenance claims have been expedited.

The Federal Office of Justice is making use of the new iSupport electronic communication system for cross-border maintenance matters.

In its role as Germany’s Central Authority in cross-border maintenance matters, the Federal Office of Justice has been successful in implementing the iSupport communications system, as developed on behalf of the Hague Conference on Private International Law (HCCH). It allows communication between Central Authorities that is swift, simple and secure. Exchanging data and documents electronically speeds up the application process and communication across borders. As such, it is having an immediate positive impact on creditors, who receive the child maintenance payments much quicker.

The EU supported the project, both financially by funding the majority of the development, and by offering assistance in implementing iSupport in Sweden. From the beginning of the project, the German Federal Office of Justice has taken an active role in the development of the programme, by being part of leadership and working groups, carrying out testing, and offering financial support together with the German Federal Ministry of Justice. The secure online communication is based on the latest e-CODEX (e-Justice Communication via Online Data Exchange) technology, which also forms the basis for electronic judicial cooperation within the EU. Furthermore, the system is in keeping with the requirements of the EU Digital Services Act passed in late 2023. Other Member States are working hard to join Germany and Sweden as part of the iSupport network.

Since the beginning of September 2024, incoming and outgoing applications made as per the EU Maintenance Regulation between the Central Authorities of Sweden and Germany have been transmitted using iSupport. Applications, forms and supporting documents can all be sent and received within a matter of moments. The system offers benefits not only because documents are sent purely digitally, but because forms can be filled in electronically and produced automatically, and where necessary, translated into the country’s official language and supplemented with data, leading to cases being dealt with more quickly and requiring fewer resources. iSupport is the ideal solution to the problem of daily waves of e-mails received by many caseworkers, which, in many cases, do not comply to any one unified standard and therefore cause a lot of extra administrative work.

iSupport will be the subject of a dedicated workshop on the opening day of the next EJM meeting in October 2024 in Budapest, which will no doubt raise even more awareness of the project within EU circles. Speakers from both Germany and Sweden will take the opportunity to report on their positive experiences using the system. This should give the iSupport project an extra boost, not only with respect to the current tests being carried out in some other countries, but also with regard to expanding the operation of iSupport to further MemberStates interested in the project.

Special Commission on the practical operation of the 1965 Hague Service Convention and the 1970 Hague Evidence Convention

The Special Commission on the Service and Evidence Conventions met from 2 to 5 July 2024. The application of both these instruments poses benefits for maintenance claims as well as

for the establishment of parentage. One of the main topics was the issue of digitalisation. The Special Commission recalled, among other things, that the spirit and letter of the Conventions do not constitute an obstacle to the usage of IT, and that the application and operation of the Conventions can be further improved by relying on such technology even if the evolutionary use of IT could not be foreseen at the time the Conventions were adopted. It was also pointed out that there is no obligation to provide assistance in locating an addressee to be served under the Service Convention. Nevertheless, the SC acknowledged that some Contracting Parties have employed a variety of practices to assist, as a requested State, in circumstances when the address is incomplete or incorrect. Some even reported about assistance being given when the address is unknown. The SC encouraged Contracting Parties to provide such assistance consistent with their legal and structural capabilities, when able to do so. The SC also encouraged Contracting Parties to indicate in their Country Profiles whether they would provide such assistance and information about different possibilities to locate the addressee. Such assistance would also be relevant for the purposes of serving maintenance debtors and determining their place of residence.

The detailed conclusions and recommendations are available [here](#).

Practice Guide on the Application of Regulation (EC) No. 4/2009 on maintenance obligations

Following various requests from our readers, we would like to draw your attention to a Practice Guide on the Application of the Maintenance Regulation published by the European Commission. The guide was written by Professor Costanza Honorati, in cooperation with the European Judicial Network (EJN) Contact Points of Italy and in consultation with the EJN in Civil and Commercial Matters. In addition to an explanation of the provisions of the Regulation, the Guide contains a list of judgments, orders and opinions of the CJEU referring to the Maintenance Regulation and the 2007 Hague Protocol (Annex II) as well as a list of other judgments of the CJEU referring to legislation other than the Maintenance Regulation and the 2007 Hague Protocol (Annex III).

The practice guide can be downloaded [here](#).

Interfaces between National and EU Law, Time Limits in Cross-Border Civil Proceedings

The book published by Giovanni Chiapponi (University of Florence; previously Bologna University and Max Planck Institute in Luxembourg) aims to explore possible solutions to remove the obstacles to the free circulation of judgments in the civil justice area, which arise from the remarkably different national rules on procedural time limits. To overcome some of the weaknesses of the current legal framework governing the cross-border enforcement of judgments and strengthen the parties' procedural rights, the book intends to determine whether and to what extent time limits can be harmonised at EU level. The book does not focus on the cross-border recovery of maintenance obligations but raises a very challenging issue for practitioners in this field.

European Account Preservation Order – A Multi-jurisdictional Guide with Commentary on Regulation (EU) No. 655/2014

Even if it is rarely used in the practice of the cross-border recovery of child maintenance, child maintenance obligations fall within the scope of Regulation (EU) No. 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial

matters. The Regulation can be an efficient instrument for securing maintenance claims, for instance in cases where the debtor moves frequently.

The book, edited by Nicolas Kyriakides (University of Nicosia), Heikki A. Huhtamäki (Lawyer, academic) and Nicholas Mouttotos (University of Bremen), provides insights into the implementation of the Regulation in each Member State, but also on the European Account Preservation Order and the common law practice.

CSW-Newsletter – get involved!

Thank you for your feedback on the latest contributions!

You are kindly invited to continue sharing information with us regarding:

- Your national child support law and public supporting instruments,
- Private international law developments related to child support,
- The practice of cross-border recovery of child support in your State,
- Any events or publications related to the cross-border recovery of child support.



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