

Romania: when will we have free legal information publicly available?

Submitted on 02 Sep 2013 by Bogdan Manolea

The legal information (legislation and jurisprudence) can be an interesting source of public information that may be re-used. Romania is no exception in this case and the special copyright status of the legal information (not copyrighted according to [art. 9 of the Copyright law](#)) is making this area even more interesting for re-usage. Even in practice, there are a good number of private companies that are re-using the legal information and highlighting an interesting way of creating new business. But the way they get the basic legal information seems to be from the prehistoric web: scrapping websites and by-passing useless DRM protection.

The legislation (normative acts) is published by the [Official Monitor, a state-owned agency](#) that publishes on paper, but also electronically. The electronic version of the Official Monitor is available on their website only for 10 days in a weird copy-protected, watermarked as "product only for information for physical persons", only available online in a PDF format. After the 10 days, a citizen would need to buy the legal text.

However, other public institutions (such as the Chamber of Deputies or Legislative Council) are also having (partial) legislation database, which can be consulted freely on the Internet. Also, private companies already publish freely (or ad-supported) the basic text of the law (and they sell the "consolidated version" of the text).

The Ministry of Justice [has started a public auction in August 2013](#) for a new project financed with European funds in total value of 4.4 million Euros that wants to implement [the Romanian version of N-lex](#). The Ministry of Justice [has explained that the project, including the technical solution, was approved back in 2009](#) - but [has failed to logically explain why the project includes buying a database of legislation, when that already exists](#) in several state-owned bodies. The public auction documentation says also "all data presented to the users will have to respect the "open data" specifications regarding the data formats for free re-use" but it is unclear what the Ministry meant exactly by "open data specifications".

The area of **case-law (jurisprudence)** is worse, or - to say the least - more complicated. The [Jurindex project](#) which published over 200,000 court decisions from period 2008-2010 is now on hold for over three years. The Romanian Legal Information Institute, a newly created foundation with members from the Superior Council of Magistracy, the Notary Association or National Association of the Romanian Bars, should continue the project, but so far little visible progress has been made.

A recent decision of the Independence Committee of the Superior Council of Magistracy [from 11 July 2013 shows some progress in technical and practical discussions](#) on how to anonymise and make all case-law publicly available, but so far a fixed date for starting the project does not seem close, with the next progress meeting taking place in October.

In this context, it seems unrealistic to believe that the free access to Romanian legal information will start before 2014 or even 2015.