

Country: Uruguay

1. THE MOST CRITICAL PHASE OF THE CRISIS

**As long as measures to prevent the spread of Covid-19 restrict freedom of movement:
What are the effects of the Covid-19 crisis on civil justice?**

Uruguayan Civil Justice had suffered an important impact since the outbreak of Covid 19.

The first case of Covid 19 in Uruguay was detected on Mrch 13, 2020. Quite immediately several measures were adopted and the Supreme Court of Justice decided a special judiciary sanitary holiday in which courts were ordered to function in a very limited schedule.

Unfortunately, due to this special sanitary holiday, ongoing proceedings were nearly frozen since to date there is no possibility of celebrating hearings, neither any procedural step, by digital or remote technology.

In this sense, the Uruguayan Bar Association and other relevant institutions in the legal field recently presented a bill to Congress for the implementation of TIC´s in judicial proceedings, in order to enable the usage of said technologies and overcome the situation.

In addition, another draft law intended to clarify the situation regarding deadlines in ongoing proceedings and substantive matters has been submitted to Congress and is currently being discussed. This action was well regarded by legal practitioners since it will bring certainty.

All the judicial activity has been affected including the enforcement of judicial orders.

However, the Courts are entitled to take upon request of the interested party any act as they deem fit. This possibility is awarded mainly to those who can evidence that the situation creates a risk of frustration of their rights. Therefore the interested party must adequately justify the request.

The exercise of advocacy has been clearly impacted due to the special sanitary holiday and due to general restrictions. However, there are multiple situations which do not need to be discussed in court and are being successfully handled using available technology.

2. FORECAST: AFTER THE CRISIS AND LONG-TERM EFFECTS

What are the consequences of the Covid 19 pandemic once the pandemic has abated, in the gradual return to a new normality and what are the long-term effects?

Once the pandemic is tackled and the quarantine is lifted, the judicial activity will return to its normal operation, the schedules, terms, and deadline will run normally again and the hearings will be celebrated.

Neither the measures already adopted nor those which are being studied foresee any possibility of remaining in force once the sanitary emergency is over. However, the use of technologies which is to be implemented will probably survive the crisis.

After the crisis, we estimate a significant increase in bankruptcy and insolvency cases. However, we do not expect the same increase in anti-corruption prosecutions; the latter are not common in Uruguay since corruption is not significant. Finally, the practice of third parties funding claims is not regular in Uruguay so no changes are foreseen in this regard.

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