



## **A question of structural inclusion – How accessible are electronic processes for people with disabilities?**

### **A matter of structural inclusion – How Accessible Are Electronic Legal Proceedings for Persons with Disabilities?**

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#### **SUMMARY**

This research arises from the author's personal – but not subjective – concern, namely, the difficulties in accessing/handling tools related to the management of linked activities to procedural practice. Consultations and movements may be obstructed by barriers computer science that, in disagreement with the ideal model (“universal design”), challenge the effectiveness of fundamental rights, especially in regions historically marked (and objectively) by inequalities – such as Latin America. Thus, the purpose of considering, through qualitative research guided by bibliographic review and phenomenological reflection about both the legal and social facets existing in the virtualization of Normative Science (must-be) is an urgent need for a civilization that intends to be truly accessible and protective of vulnerable communities.

**Keywords:** Electronic Process. People with Disabilities. Inclusion. Justice.

#### **ABSTRACT**

This research stems from a personal—though not merely subjective—concern of the author: the difficulties in accessing and handling tools related to the management of activities linked to procedural practice. Queries and procedural actions may be hindered by digital barriers that, diverging from the ideal model (“universal design”), challenges the effectiveness of fundamental rights, especially in regions historically marked by inequality—such as Latin America. Therefore, the purpose of reflecting, through a qualitative investigation guided by bibliographic review and phenomenological reflection on both the legal and social aspects of the virtualization of Normative Science (*ought-to-be*), emerges as an urgent necessity for a civilization that genuinely aims to be accessible and protective of vulnerable communities.

**Keywords:** Electronic Process. Persons with Disabilities. Inclusion. Justice.

## INTRODUCTION

Law 13,146 (BRAZIL, 2015) represented a milestone in the enshrinement of rights already listed by different legal instruments and international treaties. The so-called “Statute of Person with Disability” in Brazil represents a symbol and improvement of a microsystem protective legal system that, by insisting on the phenomenon of inclusion of those whose characteristics sensory, mental or physical, has received a series of recognitions. The Judiciary, *exempli gratia*, organized events and, to this day, on specific occasions, mentions the practices accessibility and awareness.

In this analysis, of a theoretical and reflective nature, we seek to understand and situate the panorama of integral promotion with respect to the process, due process but, above all, the digital process that is already an inseparable part of the itinerary in the legal practice of scholars legal operators and the need for effective jurisdictional protection and means alternative methods for conflict resolution.

Firstly, the consequences of the deficiency in access to justice were observed digital. As representatives of a segmented group (the “vulnerable” or vulnerable), those who have reduced cognitive or physiological functions and face challenges adaptive through contact with structured barriers from attitudes, technologies and support to development of activities considered “normal” may remain in a condition of permanent disadvantage, if equalization mechanisms are not provided.

Then, some computer systems were highlighted, aiming to understand if and how accessibility tools were available. Contact with companies in the sector and colleagues was significant for data collection, since there was no robust production of specialized literature on the subject matter.

Countries like Brazil, Argentina and Mexico have in common the fact that they are nations in development. Therefore, mentioning them as “observation cases” seemed intuitive and, as a hypothesis launched, it was assumed that there was, on the internet, a higher quality of “clues” about the inclusion – or exclusion – in their computerized justice systems.

The subsequent two items discuss the influence of the Inter-American system of human rights Human Resources and the Public Prosecutor's Office in the construction of public policies and guiding elements of “universal design”

## 1 PEOPLE WITH DISABILITIES AND ACCESS TO DIGITAL JUSTICE

The digitalization of judicial processes represents a significant advance in efficiency of the justice system. However, for people with disabilities, this transformation can pose new accessibility challenges. Digital accessibility is essential to ensure the full exercise of fundamental rights as set out in the Convention on Rights of Persons with Disabilities (UN, 2006).

Accessibility is a fundamental right that aims to guarantee equality of opportunities for all people, regardless of their physical or mental conditions. sensory. Piovesan (2013) highlights that disability results from the interaction between people with environmental and attitudinal limitations and barriers that prevent their full participation in society.

In the legal context, digital accessibility is crucial to ensure that people with disabilities can exercise their rights on equal terms. Resolution No. 401 of the National Council of Justice (CNJ) establishes guidelines for accessibility in systems electronic judicial review, including description of images, videos, zoom tools and high contrast.

According to the Diagnosis on Accessibility and Inclusion of People with Deficiency in the Judiciary (2025), most Brazilian courts are in an intermediate phase in the implementation of accessibility measures. About 62.2% of portals are already compliant with accessibility standards, although there are variations between different branches and courts. However, problems such as missing labels on forms and lack of alternative texts for images still compromises the user experience with visual impairment. Furthermore, 81% of the units do not have mechanisms for assisting Libras, and 42.3% of the responses indicated the absence of accessible printed materials. The lawyer Ana Cláudia Mendes de Figueiredo, from the Brazilian Network for the Inclusion of People with Disability (Rede-In), highlights that, even with the insertion of legal devices that expand the rights of people with disabilities, the implementation of these rights is far from being achieved. It emphasizes the need for continuous training and awareness-raising actions to promote greater interaction and engagement, as well as including people with disabilities in the bodies teachers, enriching training with practical experiences and perspectives.

To improve accessibility in electronic procedural systems, it is recommended to implementation of the following assistive technologies:

- **Screen readers:** Software such as JAWS and NVDA allow people with visually impaired people access digital content through voice synthesis.
- **Speech recognition software:** Tools like Nuance Dragon NaturallySpeaking allows you to transcribe speech into text, making it easier to interact with electronic systems.
- **Text magnification and high contrast:** Features that allow you to adjust the size of the text. text and color contrast are essential for people with low vision.
- **Integration with Libras:** Inclusion of Libras interpreters and videos with translation simultaneous communication is essential for accessibility for deaf people.
- **OCR (Optical Character Recognition) Software:** Technologies that transform images of text into digital text, allowing screen readers transmit the content in a synthesized voice. The Superior Court of Justice (STJ) uses OCR-based software, allowing visually impaired people to access 100% of the procedural documents in its collection.

The Web Content Accessibility Guidelines (WCAG), developed by the World Wide Web Consortium (W3C), are a set of recommendations for making content accessible digital technologies for people with disabilities. The most widely used versions are WCAG 2.1 and the recent WCAG 2.2. The guidelines are organized into four main principles, known by the acronym POUR: 1) Perceivable; 2) Operable; 3) Understandable; 4) Robust The information and components of the User interfaces must be presented to users in a way that they can perceive.

- **Alternative Texts (WCAG 1.1.1):** Images of documents scanned into the system process management (eg, PDFs in SAJ, PJe, e-Proc) must include textual descriptions accessible to screen readers.
- **Captioning for Multimedia (WCAG 1.2.2):** Recordings of hearings or Video conferences must have subtitles for accessibility for users with disabilities auditory.
- **Color Contrast (WCAG 1.4.3):** The interface of systems such as PJe and e-Proc must have adequate contrast for people with low vision.

Interface components and navigation must be operable by any user.

- Keyboard Navigation (WCAG 2.1.1): All features of management systems procedural elements must be accessible via the keyboard, without requiring a mouse.
- Avoid Seizure-Causing Content (WCAG 2.3.1): Visual content should avoid quick flashes to avoid triggering seizures in people with epilepsy.
- Sufficient Reading Time (WCAG 2.2.1): System sessions (eg, PJe, SAJ) should allow time extension for users who need more time to read and respond to documents.

The information and operation of the user interface must be understandable.

- Page Language (WCAG 3.1.1): The primary language of the interface must be properly declared so that screen readers can make the correct interpretation.
- Help and Guidance (WCAG 3.3.5): Petition forms and digital documents must include clear guidelines on completion and submission.
- Identifiable Error (WCAG 3.3.1): If the user makes an error in a form electronic, the system must clearly indicate where the error occurred and suggest corrections.

Content must be robust enough to be interpreted by a wide variety of user agents, including assistive technologies.

- Compatibility (WCAG 4.1.2): Process management systems must be compatible with assistive technologies such as screen readers (NVDA, JAWS) and voice browsers.
- Heading Structure (WCAG 4.1.3): Pages should have well-defined headings structured (H1, H2, H3) so that visually impaired people can navigate efficiently.

### **3 THE LATIN AMERICAN SCENARIO – notes**

#### **6.1 Brazil**

In Brazil, the Electronic Judicial Process (PJe) is widely used. Although there are efforts to make it accessible, there are still significant challenges. Users with visually impaired people report difficulties in navigating and reading documents, due to the lack of compatibility with screen readers and the presence of documents in image format. The Public Ministry of the State of São Paulo (MPSP) implemented accessibility features in



your portal, such as keyboard navigation and integration with the VLibras Suite, promoting greater inclusion for people with hearing impairments.

Below are the main national repositories and procedural movement systems are analyzed synthetically.

### I - SAJ (Justice Automation System)

- **Accessibility:** Although SAJ offers features such as keyboard navigation and integration with screen reading tools, visually impaired users report difficulties in browsing and reading documents, due to lack of compatibility with screen readers and the presence of documents in image format.
- **Necessary Improvements:**
  - o Improve compatibility with screen readers.
  - o Ensure that all documents are in accessible formats.
  - o Implement high contrast and font size adjustment features.

### II - PJe (Electronic Judicial Process)

- **Accessibility:** PJe is widely used in Brazil and has ongoing efforts to improve accessibility. However, there are still significant challenges, such as the lack of adequate resources for the visually impaired and the need for improvements in compatibility with assistive technologies.
- **Necessary Improvements:**
  - o Full compliance with Web Accessibility Guidelines (WCAG).
  - o Continuous training of developers and staff on accessibility.
  - o Implementation of usability tests with users with disabilities.

### III - e-Proc (Electronic Judicial Process System)

- **Screen Reader Compatibility:** e-Proc is recognized for its good compatibility with screen readers, providing a more accessible experience for visually impaired users.
- **Keyboard Navigation:** Provides efficient keyboard navigation, making it easier to use for people with motor limitations.
- **Support for Assistive Technologies:** Includes features such as automatic language translation. Libras (vLibras), expanding accessibility for deaf people.

- **Compliance with Accessibility Standards:** Presents good alignment with the accessibility guidelines, although continuous improvements are always recommended.

#### IV - Projudi (Digital Judicial Process)

- **Screen Reader Compatibility:** Presents significant incompatibilities with screen readers such as NVDA, making it difficult for users with disabilities to access visual.
- **Keyboard Navigation:** Improvements are needed to allow for smoother navigation. efficient by keyboard.
- **Support for Assistive Technologies:** Lacks adequate integration with technologies assistive, compromising accessibility.
- **Accessibility Standards Compliance:** Requires updates to meet international accessibility guidelines.OAB

#### V - Themis

- **Screen Reader Compatibility:** Specific information about the Themis's compatibility with screen readers is limited, indicating the need of more in-depth assessments.
- **Keyboard Navigation:** Details about keyboard navigation in Themis are not available. widely available, suggesting the need for improvements in this regard.
- **Assistive Technology Support:** Integration with assistive technologies in Themis is not clearly documented, pointing to possible areas of development.
- **Compliance with Accessibility Standards:** Detailed information is missing on Themis' compliance with accessibility standards, indicating the need for assessments and improvements.

### 3.2 Argentina

In Argentina, the electronic process management system, known as "Sistema de Judicial Management" (SGJ), is in the process of implementation. Although there is recognition of the importance of accessibility, significant improvements are still needed to ensure the full access of people with disabilities to judicial services. The following are worth highlighting: specific information:

#### Judicial Management System (JMS)



- **Accessibility:** The SGJ is in the process of implementation and, although there are recognition of the importance of accessibility, improvements are still needed significant to ensure full access of people with disabilities to services judicial.
- **Necessary Improvements:**
  - o Development of interfaces compatible with screen readers.
  - o Implementation of keyboard navigation features.
  - o Training of employees on digital accessibility.

### 3.3 Mexico

Mexico uses the "Sistema Integral de Seguimiento de Expedientes" (SISE) for the process management. Despite advances in digitalization, accessibility for people with disability is still limited, with few resources adapted to the specific needs of this public.

#### Comprehensive File Tracking System (SISE)

- **Accessibility:** SISE is used for procedural management in Mexico. Although advances in digitalization, accessibility for people with disabilities is still limited, with few resources adapted to the specific needs of this audience.
- **Necessary Improvements:**
  - o Implementation of assistive technologies, such as screen readers and voice recognition software. voice recognition.
  - o Development of accessible and responsive interfaces.
  - o Promotion of public policies aimed at digital inclusion in the system judiciary.

## 4 THE ELECTRONIC PROCESS – Advances, potential and models

Drawing a synthetic approach comparison between process management systems and digital manipulation of cars, it is possible to obtain the following general picture:

System Developer Focus		Accessibility	States of Greater Presence
SAJ Softplan	Process Management	Limited for disabled people visuals	SP, SC, MS
PJe CNJ	Legal Proceedings	In evolution, but with barriers	National
e-SAJ Softplan	Process Electronic	Judicial Moderate	SP, SC, MS
Projudi TJPR	Small Claims Courts	Not very accessible	PR, MT, BA
e-Proc TRF4	Federal Justice	Affordable and simple	Southern Region
Themis MP and Public Defenders	Procedural Management	In the process of adaptation	National

#### System Screen Readers Keyboard Navigation Assistive Technologies Standards Compliance

SAJ Limited	Limited	Limited	Needs improvements
PJe Good	Good	In Improvement	In Alignment
e-Proc Excellent	Excellent	Good	Aligned
Projudi Disabled	Disabled	Disabled	Needs improvements
Themis Undefined	Indefinite	Indefinite	Indefinite

It is recommended that measures be taken urgently to improve the systems.

It should be noted that practically all of them, except the one that predominates in the South region, have serious violations of international accessibility standards, which demonstrates a curious irony between the discourse and financing of the bodies providing legal protection and reality practice inhospitable to guaranteeing the fundamental right to information with transparency.

- 1. OCR Implementation:** Adopt Optical Character Recognition Technologies to make image documents accessible to screen readers.
- 2. Continuous Training:** Promote regular training for developers and system operators on digital accessibility.
- 3. Usability Testing:** Conduct tests with users with disabilities to identify and fix accessibility barriers.
- 4. WCAG Compliance:** Align all systems with Accessibility Guidelines for Web Content (WCAG) 2.1.

**5. Integration with Assistive Technologies:** Ensure systems are compatible

with tools such as screen readers, voice browsers and sign language translators.

Accessibility in case management systems is essential to guarantee the right of access to justice for all people, regardless of their abilities. It is imperative that the responsible bodies prioritize digital inclusion, promoting continuous improvements in systems used.

Are they memorable success models?

- **Brazil:** The Superior Court of Justice (STJ) uses OCR-based software (Optical Character Recognition), allowing visually impaired people access 100% of the procedural documents in their collection.
- **Mexico:** Mexico's Supreme Court of Justice has digitized millions of physical files and built a legal search engine for citizens using language models made with artificial intelligence and Azure cognitive services, facilitating access to legal information.

## 5 THE INTER-AMERICAN SYSTEM AND ITS PROTAGONISM

The Inter-American Human Rights System is composed of two main bodies: the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights Human Resources (Inter-American Court of Human Rights). Each uses different systems to manage processes and cases. The Inter-American Human Rights System, through the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities, establishes that States must adopt measures to eliminate discrimination and promote full integration of people with disabilities into society.

The Inter-American Commission on Human Rights (IACHR) emphasizes the need to guarantee the full legal capacity of people with disabilities, promoting their autonomy and active participation in society.

The IACHR uses the **Individual Petitions System Portal**, a digital platform that allows: Submission of petitions and requests for precautionary measures; Monitoring the status of cases in progress; Communication between the parties and the Commission; Access to documents related to the cases. (ORGANIZATION OF AMERICAN STATES, 2025)

This portal is part of a comprehensive document management system of Commission, facilitating the processing and monitoring of petitions and precautionary measures. The Inter-American Court of Human Rights has developed a **Case Law Database**, which: Uses intelligence artificial for analysis and organization of information; Includes descriptions and metadata for facilitate the research; It is subject to an ongoing editorial process to ensure the quality and updating of data. This database allows access to sentences, resolutions and other relevant documents, promoting transparency and access to legal information.

Although both systems represent advances in digitalization and process management within the framework of the Inter-American Human Rights System, specific information on accessibility features, such as screen reader compatibility, keyboard navigation, or assistive technology support, are not detailed in the available sources. It is recommended that future developments of these platforms take into account international guidelines accessibility to ensure full access to all users, including people with deficiency.

The IACHR, in turn, operates the **Individual Petitions System Portal**, a digital platform that allows: **Sending petitions and requests for precautionary measures:** Individuals, groups or organizations can submit complaints of rights violations humans. **Monitoring the status of cases:** Parties can check the progress of your petitions. **Communication with the Commission:** Facilitates the exchange of information and documents between petitioners and the IACHR. **Access to relevant documents:** Provides decisions, reports and other documents issued by the Commission. This portal is an integral part of the IACHR document management system, aiming at transparency and efficiency in processing of cases.

The Inter-American Court of Human Rights has developed a Case Law Database, which: Uses artificial intelligence: For analysis and organization of information, facilitating research and access to precedents. **Incorporates descriptives and metadata:** Improving categorization and search for specific themes. **It is subject to a permanent editorial process:** Ensuring the update and accuracy of the information provided. This database is a tool essential for researchers, lawyers and others interested in jurisprudence interamerican.

While both platforms represent significant advances in digitalization and process management within the Inter-American Human Rights System, there is a lack of specific information about accessibility features, such as: Reader Compatibility screen; Keyboard navigation; Support for assistive technologies.

It is recommended that future updates to these platforms consider the guidelines international accessibility standards, such as those established by the Accessibility Guidelines for Web Content (WCAG), to ensure full access to all users, including people with disabilities.

## **5 THE PUBLIC PROSECUTOR'S OFFICE AND ITS INCLUSIVE CONSTITUTIONAL MISSION**

The Brazilian Public Prosecutor's Office, a permanent institution provided for in article 127 of the Federal Constitution of 1988, has as its fundamental mission the defense of the legal order, of democratic regime and unavailable social and individual interests. In a society plural and marked by historical inequalities, the commitment to the inclusion of people with disability must be understood as a natural extension of the constitutional duty to promotion of human dignity and material equality. In this context, the role of the Public Prosecutor's Office is not limited to its external oversight role of public policies.

The inclusive constitutional mission also encompasses its internal duty to ensure the accessibility and promote diversity in its staff. In other words, the Public Prosecutor's Office It is necessary not only to demand that public and private institutions comply with the legislation on accessibility and inclusion, but must also be a living example of respect and promotion the rights of persons with disabilities.

In recent years, the Public Prosecutor's Office has implemented important measures to ensure access for people with disabilities to their staff. Several public tenders carried out by State Public Ministries and the Federal Public Ministry already ensure reservation of places, as provided for in Law No. 8,112/1990 and Law No. 13,146/2015 (Statute of the Person with Disabilities). In addition, adaptations in the test and service locations specialized during the competitions have been carried out as a way to promote equality of conditions.

Concrete examples of inclusion can be observed in several units of the Public Prosecutor's Office. The Federal Public Prosecutor's Office (MPF), for example, already has prosecutors and civil servants with disabilities who perform their duties with excellence, demonstrating that diversity does not compromise institutional quality, but, on the contrary, strengthens it. In São Paulo, the State Public Prosecutor's Office has established partnerships with institutions specialized for the inclusion of people with intellectual disabilities in functions administrative, promoting autonomy and employability.

Despite these advances, the institution still faces significant obstacles to becoming make it fully accessible. Architectural, informational and attitudinal barriers still exist in many Public Prosecutor's Office headquarters. Digital accessibility of internal systems, such as process control, payroll and institutional communication, still lacks adjustments that guarantee full use by people with visual or hearing impairments, example.

Another relevant challenge is related to institutional culture. Although there are standards and guidelines for promoting inclusion, the absence of continuing education programs on accessibility and inclusion can compromise the effectiveness of actions. Many servers and members are not yet adequately prepared to deal with the specific needs of colleagues or users with disabilities, which creates constraints and limitations in service. Furthermore, there is an urgent need to expand dialogue with entities representatives of people with disabilities. Active listening and participation of these entities in the formulation of internal policies are fundamental so that inclusion measures do not become limited to formal compliance with legislation, but result in concrete transformations and effective.

From an institutional point of view, the National Council of the Public Prosecutor's Office (CNMP) has a strategic role in inducing inclusive policies. Resolution No. 230/2021, which establishes the Gender, Race and Diversity Equity Policy within the Public Prosecutor's Office, can be understood as an important regulatory framework, although it still lacks regulation specifically aimed at people with disabilities.

Finally, it is necessary to recognize that the implementation of the inclusive constitutional mission requires not only good intentions and legal standards, but, above all, a commitment institutional with the transformation of the organizational culture. The Public Ministry must be

example of accessibility, inclusion and respect for diversity, not only in their speech, but in their daily practices, with allocated resources, clear goals and evaluation mechanisms continuous.

## FINAL CONSIDERATIONS

Accessibility in process management systems is essential to ensure the right of access to justice for persons with disabilities. Although there are advances, especially in Brazil, there are still significant challenges in implementing accessible resources in the systems used by the *parquet*. It is essential that countries adopt concrete measures to promote inclusion and eliminate barriers that prevent the full participation of people with deficiency in the justice system.

To conclude this work, an implementation model is presented. resources accessible in SAJ. The choice is due to the fact that this is the choice of most of the MPs (including MPCE) and the supplier company offers its own customized product, with features and buttons specially designed for use by members and employees of the agencies ministerial.

The scope of the text has been fulfilled, although there is still an ignored fascination about the role of legal experts in the construction of inclusive platforms capable of guaranteeing, in full mode, accurate information for all audiences, especially people with special needs special reading and assessment of procedural data.

## Accessibility Implementation Plan for the Justice Automation System (SAJ)

### Objective

This plan aims to ensure that the Justice Automation System (SAJ) complies with the Web Content Accessibility Guidelines (WCAG 2.1 and 2.2), promoting equal access for people with disabilities and ensuring the compliance with national and international digital accessibility standards.

### Applicable Guidelines

- WCAG 2.1 (A and AA)
- Brazilian Inclusion Law (13.146/2015)
- Decree 5,296/2004 (Accessibility in Brazil)

## Implementation Steps

### 1. Accessibility Diagnosis

- Carrying out a complete audit of the system to identify accessibility barriers.
- Assessment of compatibility with screen readers (NVDA, JAWS) and browsers by keyboard.
- Contrast and responsiveness tests of interfaces.

### 2. Adaptation of Visual Elements

- High contrast implementation for low vision users.
- Adjust font size and spacing for better reading.
- Application of description in images and graphics (alt text).

### 3. Accessible Navigation

- Full keyboard navigation guaranteed (WCAG 2.1.1).
- Addition of shortcut keys for the main system functions.

### 4. Documents and Forms

- Applying OCR to PDFs for accessibility by screen readers.
- Redesigned forms for accessible navigation.
- Inclusion of validation with audio and visual feedback for users.

### 5. User Testing

- Carrying out tests with people with disabilities to validate usability.
- Corrections based on direct user feedback.

### 6. Training and Qualification

- Training developers in accessibility practices.
- Training of legal professionals to use accessible resources.

## Recommended Technologies and Tools

- NVDA and JAWS (Screen Readers)
- Wave Accessibility Tool
- Pa11y (Automatic Validation of WCAG Standards)
- Libras 3D Avatar (Interpretation in Libras)

## Suggested Schedule

Stage	Responsible Period
Initial Diagnosis	1 month IT Team

**Visual Adaptation** 2 months **Web Development**  
**Accessible Navigation** 1 month **Front-end and Back-end**  
**Accessible Documentation** 2 months **Development and IT**  
**User Testing** 1 month **Usability Team**  
**Training and Training** 1 month **HR and IT**

#### **Evaluation Metrics**

- WCAG Compliance: Accessibility reports monthly.
- User Feedback: Biannual survey with system users.
- Navigation Success Rate: Monitoring people's interaction with deficiency.
- Usability Tests: Execution quarterly with accessibility groups.

**CLOSING - The implementation of accessibility guidelines in SAJ represents a significant step forward for digital inclusion in the justice system. Ensuring access full and equal is not only a legal requirement, but a commitment to dignity and human rights.**

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