

Professional Training Programme of the Judicial Academy - 2008

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December 2007

Dear Sir/Madam,

The Judicial Academy is pleased to present to you the 2008 Professional Training Programme as the first annual training programme intended for judges, public prosecutors and other judicial officers for the purpose of easier planning of professional training activities. The Programme gives a review of almost all activities which will be conducted in this year. It defines target groups for which a specific activity is intended, as well as the manner of applying for the participation.

The Programme has been drafted primarily on the basis of the declared interest of precisely those legal experts for whom it is intended: judges, public prosecutors, and court and public prosecutor's advisors.

However, besides being based on their interest, planned activities are founded on the obligations of the Republic of Croatia stemming from international projects, particularly the European Union projects, which are to be implemented by the competent Ministry of Justice, as well as various national strategies passed by the Government of the Republic of Croatia.

Due to the dynamics of the development of judges' and public prosecutors' need for training and dynamics of the afore-mentioned projects and strategies, and as a consequence thereof, due to the necessity of also leaving room for certain training activities which were not foreseen at the moment of drafting this Programme, the Programme has not encompassed all the activities which will be the subject of the work of the Judicial Academy in 2008. Depending on the available funds and human resources, it is possible that additional activities will be added to the Academy's 2008 calendar.

You will be fully informed by the Academy in a timely manner about the new activities in writing, and also by viewing the calendar of activities which can be found on the website of the Judicial Academy (www.pak.hr).

This year too, the majority of activities will be held in the form of interactive workshops in the Academy's Regional Centres, with the addition of several seminars and round tables.

I sincerely hope that in the Programme you will recognise the themes which might be useful for the development of your career, and that you will become an active participant in the Programme's implementation, as lecturers, i.e. workshop moderators, and as participants, and in this manner contribute to the development of a life-long training system in the Croatian justice system.

Sincerely,

Štefica Stažnik
Director

How to apply for the participation in a workshop/seminar organised by the Judicial Academy?

The Judicial Academy will deliver the invitation for the participation in individual activities to court presiding judges or the Chief Public Prosecutor's Office of the Republic of Croatia. The number of judges and public prosecutors who can participate in a specific workshop or seminar will be determined in this invitation.

The invitation to the court presiding judges or the Chief Public Prosecutor's Office will be delivered as early as possible, at the latest 10 days before the activities commence.

The Academy most often sends the applications for the participation to the court presiding judges or the Chief Public Prosecutor's Office by fax, and rarely by post and then they are returned to the Academy in the same manner. The court presiding judges or the Chief Public Prosecutor's Office notifies the Academy about the participants from the court or the public prosecutor's office in question.

Subsequent applications, which also need to be carried out through the mediation of the court presiding judge or the Chief Public Prosecutor's Office will be considered insofar as there are vacancies.

Note:

All the Academy's training activities are classified under a specific branch of law, but considering the interdisciplinary nature of certain topics which will be the subject of these training activities, it is possible that judges of different courts, such as municipal and misdemeanour or municipal and commercial courts, are defined as a target group, i.e. as persons eligible to apply for the participation. For this reason, it is necessary to pay special attention to the heading "participants" during the selection and application for the participation in training activities.

This will not impede other interested persons, for example, judges of misdemeanour courts or USKOK Deputy Directors, to also apply for the participation in the area of criminal law or criminal procedure law or others, although they are not considered to be the target group, if the topics are of interest for their work.

I CIVIL LAW

1. LIABILITY FOR DAMAGES ACCORDING TO THE AMENDED CIVIL OBLIGATIONS ACT

During this training activity, we will analyse the right to indemnification of damages in the light of legal regulation of this institute of civil law according to the amended Civil Obligations Act (COA) that entered into force on 1 January 2006. The aim is to provide basic information regarding changes which have been introduced in the area of indemnification and legal liability by the amended COA, and to eliminate ambiguities when applying provisions of the amended COA by resolving hypothetical situations and discussing disputable issues, as well as to exchange opinions and experience of the participants.

The provisions of the COA of 1978 and the COA of 2005, regulating liability for damages, followed by changes which are, in relation to the former regime, implemented by the amended COA in the matter of liability for non-material damages, as well as in the matter of liability for damages caused by faults on a product, will be presented during the workshop.

Professional training model:

- Workshop

Date and venue:

- 30 January – JA RC Osijek
- 12 February – County Court in Bjelovar
- 22 February – Municipal Court of Solin (temporary)
- 20 February – JA RC Zagreb

Participants (up to 25 participants per workshop):

- Civil judges of municipal, county and commercial courts
- Public prosecutors of civil-administrative departments

Workshop lecturers:

- Judges of the Supreme Court of the Republic of Croatia, county and commercial courts

Workshop duration:

- One day

2. INTEREST ACCORDING TO THE AMENDED CIVIL OBLIGATIONS ACT

The amended Civil Obligations Act entered into force on 1 January 2006, but the application of some of its provisions has been postponed for two years since the date of its entry into force.

The provisions, whose application has been postponed until 1 January 2008, are precisely the provisions regulating interest. Therefore, and having in mind the complexity of the new regime regarding issues referring to interest, legal regulation of this institute of civil law will be analysed according to the amended Civil Obligations Act during this workshop.

Professional training model:

- Workshop

Date and venue:

- 5 March – JA RC Zagreb
- 6 March – JA RC Zagreb
- 11 March – JA RC Osijek
- 14 March – JA RC Rijeka
- 18 March – Municipal Court of Solin (temporary)
- 21 March – JA RC Varaždin

Participants (up to 25 participants per workshop):

- Civil judges of municipal, county and commercial courts
- Public prosecutors of civil-administrative departments

Workshop lecturers:

- Judges of the Supreme Court of the Republic of Croatia, county and commercial courts

Workshop duration:

- One day

3. INDEMNIFICATION OF NON-MATERIAL DAMAGES – MEDIA ACT, NON-MATERIAL DAMAGES OF CORPORATE ENTITIES

The new Media Act entered into force on 18 May 2004. This Act replaced two acts: the previous Media Act and the Public Information Act. Issues regulated by this Act have always attracted attention of both professional and broader social circles, since one of the important issues regulated by this Act is the liability for damage indemnification which is incurred by the publishing of information.

In addition, different interpretations of the Media Act appeared in practice, the main reason for which lies primarily in its insufficiently precise and consistent legal wording. Nevertheless, other reasons exist as well, such as the lack of theoretical works regarding these issues and the lack of legal and scientific methodology in the observation of certain legal provisions in practice.

That is why the manner of solving cases when different rights collide will be analysed within this workshop. We will also try to give an answer to additional important questions related to the Media Act. Moreover, pursuant to the new COA, legal governance will be presented, as well as dilemmas related to the new institute of equitable pecuniary indemnification for damage to reputation and other identity rights of a corporate entity.

Professional training model:

- Workshop

Date and venue:

- 2 April – RC J Varaždin
- 8 April – Municipal Court of Solin (temporary)
- 10 April – JA RC Osijek
- 17 April – JA RC Zagreb
- 18 April – JA RC Zagreb
- 25 April – JA RC Rijeka

Participants (up to 25 participants per workshop):

- Civil judges of municipal, county and commercial courts
- Public prosecutors of civil-administrative departments

Workshop lecturers:

- Judges of the Supreme Court of the Republic of Croatia, county and commercial courts

Workshop duration:

- One day

II CIVIL PROCEDURE LAW

1. CIVIL PROCEDURE COSTS AND DETERMINATION OF VALUE OF A DISPUTE

During this workshop, participants will be introduced to the basic elements of determining civil procedure costs and the value of a dispute. Participants will work in groups and will discuss major cases from practice and determine possible solutions in order to provide elementary information on the changes introduced by the amended Civil Procedure Act of 2003 regarding civil procedure costs and determination of the value of a dispute. They will, then, discuss certain incomplete legal provisions which lead to different, inconsistent court practice.

The workshop participants will review legal provisions on civil procedure costs and the value of a dispute, the criteria for the determination of necessary costs, civil procedure costs calculation method, lawyers' fees and the compensation of costs for lawyers' work, the compensation of costs when a motive for a civil action has not been provided, co-litigation, withdrawal of a civil action and the exemption from the previous obligation to bear costs.

Professional training model:

- Workshop

Date and venue:

- 21 February – JA RC Zagreb
- 4 March – JA RC Osijek
- 19 March – County Court in Bjelovar
- 26 March – JA RC Zagreb

Participants (up to 25 participants per workshop):

- Judges with up to five years of service and court advisors of municipal and commercial courts

Workshop lecturers:

- Judges of county and municipal courts

Workshop duration:

- One day

This workshop makes part of a five-day cycle of the training of judges with five years of service and court advisors of the Municipal Court of Zagreb, as well as the Commercial Court of Zagreb.

2. TECHNIQUES OF WRITING FIRST-INSTANCE RULINGS IN CIVIL CASES

This workshop will emphasise the issues which, in the opinion of judges and prosecutors, are considered key issues for the conducting of fast and better quality work in the drafting of first-instance rulings. After the presentation of the relevant legislation governing the subject matters and the presentation of the legislative situation after the introduction of the Amendments to the Civil Procedure Act (CPA) of 2003, as well as the judicature on the technique of drafting first-instance rulings in a civil procedure, the participants will, in groups, solve practical examples with the aim of defining potential problems in the application of the CPA provisions, with the possibility of discussing certain points of view and with the aim of attempting to resolve disputed issues and exchanging experience.

Professional training model:

- Workshop

Date and venue:

- 19 February – JA RC Zagreb

Participants (up to 25 participants):

- Judges with up to five years of service and court advisors of the Municipal Civil Court of Zagreb and the Commercial Court of Zagreb

Workshop lecturers:

- Judges of county and municipal courts

Workshop duration:

- One day

This workshop makes part of a five-day cycle of the training of judges with five years of service and court advisors of the Municipal Court of Zagreb and the Commercial Court of Zagreb.

3. PREPARATION AND MANAGEMENT OF THE MAIN HEARING IN CIVIL CASES

The theme of this workshop is the organisation and work planning of the hearing judge in civil matters. The preparation of the main hearing does not involve only the administration of documents for the hearing, but should also be focused on consideration of the following issues: (a) What is the subject matter of a lawsuit? (b) Which objectives are to be achieved? (c) Which actions are necessary and most adequate in order to fully conduct the main hearing within the legal framework? After the presentation of regulations which govern the preparation for the main hearing in civil procedure, the participants will have the opportunity to exercise specific phases of preparation and managing a main hearing in civil procedures. The emphasis will be placed on the pre-examination of the complaint, delivery of the complaint to the defendant's reply, preliminary hearing, scheduling of the main hearing and features of individual procedures.

Professional training model:

- Workshop

Date and venue:

- 18 February – JA RC Zagreb

Participants (up to 25 participants):

- Judges with up to five years of service and court advisors of the Municipal Civil Court of Zagreb and the Commercial Court of Zagreb

Workshop lecturers:

- Judges of county and municipal courts

Workshop duration:

- One day

This workshop makes part of a five-day cycle of the training of judges with five years of service and court advisors of the Municipal Court of Zagreb and the Commercial Court of Zagreb.

4. IMPLEMENTATION OF EXPERT EVALUATION AND IDENTIFICATION OF TASKS FOR EXPERTS IN CIVIL PROCEDURE

Defining the conducting of expert evaluation and tasks for experts is one of the issues that judges almost never come across until they start working on a specific court case. The provisions of the Civil Procedure Act (CPA) which regulate this area and with which the judges work during their legal education are sufficient only to acquire the knowledge on the existence of expert evaluation as one of the types of evidence in a civil procedure and as to when expert evaluation can be conducted. However, in order to use this institute in a quality manner and to meet the demands of all participants in the procedures in which expert evaluation is conducted (given the high percentage of such procedures in practice), it is necessary to become acquainted with other regulation governing this area. We primarily think here of the Ordinance on Permanent Court Experts (together with the Tariff List), the Courts Act, the Court Rules of Procedure and others, which will be discussed during this workshop, as well as the manner of application thereof.

Professional training model:

- Workshop

Date and venue:

- 3 October – JA RC Rijeka
- 9, 22 and 23 October – JA RC Zagreb
- 15 October – Municipal Court of Solin (temporary)
- 17 October – JA RC Varaždin
- 29 October – JA RC Osijek

Participants (up to 25 participants per workshop):

- Judges of county, commercial, municipal and misdemeanour courts

Workshop lecturers:

- Judges of county, commercial, municipal and misdemeanour courts

Workshop duration:

- One day

5. CIVIL PROCEDURE COST-EFFECTIVENESS PRINCIPLE AND PRESENTATION OF EVIDENCE WITH THE APPLICATION OF THE EUROPEAN CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

The cost-effectiveness principle represents a requirement for the participants of civil procedure to achieve more favourable results with as little invested time, social work and funds as possible. This principle can be seen in the Civil Procedure Act (CPA) in the provision according to which the court is obliged to try to implement the procedure without obstructions, within a reasonable time period and with low costs (Article 10 of the CPA).

However, this requirement, which is particularly emphasised during the presentation of evidence in civil procedure, is not posed to courts by only the CPA, but also by the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe, the breach of which often causes significant material costs to the Republic of Croatia.

For this reason, and in order to comply with this principle to as greater extent as possible, which is one of the most important principles of civil procedure and which greatly affects the level of citizens' trust in a country's legal system, provisions of the afore-mentioned sources regulating this matter, as well as their practical application, will be discussed during this workshop.

Professional training model:

- Workshop

Date and venue:

- 16 October – JA RC Osijek
- 21 October – Municipal Court of Solin (temporary)
- 24 October – JA RC Rijeka
- 14 November – JA RC Varaždin
- 19 November – JA RC Zagreb
- 20 November – JA RC Zagreb

Participants (up to 25 participants per workshop):

- Judges with up to five years of service and court advisors of municipal and commercial courts

Workshop lecturers:

- Judges of county and municipal courts

Workshop duration:

- One day

1 Triva, Siniša; Dika, Mihajlo: "Civil Procedure Law", *Official Gazette*, Zagreb 2004, p. 144.

III CRIMINAL LAW

1. ECONOMIC CRIMINAL OFFENCES (Articles 292 and 337 of the Criminal Code)

The participants of this workshop are provided with the opportunity to become acquainted, through the presentation of individual economic criminal offences, with their meaning within the Croatian legal system. This implies that criminal law repression of economic criminal offences represents an attempt to secure the protection of the economy as supra-individual, legally protected good and the normal functioning of the economy.

Workshop goals:

- To show the legislative situation in the Republic of Croatia regarding key economic criminal offences;
- To specify practical issues and discuss possible solutions
- To acquire practical knowledge in the application of the existing criminal legislature on economic relations, particularly by accepting the amendments to the Companies Act as the legal framework of these relations
- To exchange opinions and experience regarding the existing court practice

Professional training model:

- Workshop

Date and venue:

- 5 May – JA RC Varaždin
- 8 May – JA RC Osijek
- 16 May – JA RC Rijeka
- 28 May – Municipal Court of Solin (temporary)
- 05 June – JA RC Zagreb
- 06 June – JA RC Zagreb

Participants (up to 25 participants per workshop):

- Judges of criminal law departments of municipal and county courts and investigation judges
- Public prosecutors and deputies of criminal and civil-administrative departments of municipal and county public prosecutors' offices

Workshop lecturers:

- Judges and public prosecutors

Workshop duration:

- One day

2. ACT ON THE LIABILITY OF CORPORATE ENTITIES FOR CRIMINAL OFFENCES

One of the tasks of the National Programme for the Suppression of Corruption 2006 – 2008 is permanent coordination of the application of the European Council Convention against Corruption, since the Republic of Croatia is a member of the GRECO Initiative – the group of Member States of the Council of Europe against Corruption which monitors and evaluates the situation with regard to the level of corruption in individual countries.

The Republic of Croatia has ratified all international instruments against corruption and a legal framework has been established within the framework of anti-corruption activities. Therefore, by passing the Act on the Liability of Corporate Entities for Criminal Offences, a criminal liability of corporate entities for criminal offences has been established.

The objectives of the workshop are, among other things, to present the grounds for the liability of corporate entities and the uniformity of the procedure, to acquire knowledge about: the drafting of the indictment and factual background description of the case, the manner of managing the main hearing and particularities of the criminal prosecution of corporate entities. Examples from practice are prepared and will be discussed by the participants encompassing various types of criminal offences and possible situations depending on whether only a corporate entity has been indicted or both a corporate entity and a natural person.

Professional training model:

- Workshop

Date and venue:

- 25 January – JA RC Osijek
- 1 February – JA RC Rijeka
- 8 February – JA RC Varaždin

Participants (up to 25 participants per workshop):

- Judges and public prosecutors of municipal and county courts and public prosecutors' offices and investigation judges

Workshop lecturers:

- Judges of county courts and a deputy of the municipal public prosecutor

Workshop duration:

- One day

3. PRISON SENTENCE EXECUTION ACT – AMENDMENTS

The application of the Prison Sentence Execution Act with its latest amendments (OG 86/07) has opened a number of questions in practice, particularly those related to the termination of prison sentence, the application of the institute for the protection of rights (so-called court protection) and discretionary rights of judges governed by this Act, issues related to the pronouncement of criminal sanctions of first-instance courts and many other topics.

The training activity dealing with these issues gives the participants an opportunity to jointly indicate problems in the practice of applying this Act and to discuss possible solutions, particularly judges who pronounce sentences, judges of first-instance criminal law departments and representatives of the Prison System Directorate of the Ministry of Justice.

Professional training model:

- Round table

Date and venue:

- 17 March – JA RC Zagreb

Participants (up to 25 participants):

- Judges who pronounce sentences, judges of first-instance criminal law departments of county and municipal courts and representatives of the Prison System Directorate of the Ministry of Justice.

Foreseen duration of the round table:

- Six hours

4. PREVENTING AND COMBATING MONEY LAUNDERING

The need for continuous professional training in the area of combating against money laundering is an unquestionable necessity for judges and public prosecutors as a response to the appearance of organised crime and corruption and as its most adequate tool.

The elaboration of the following teaching module elements has been foreseen for this workshop:

- Money laundering prevention system;
- Financial investigations in money laundering cases;
- International cooperation in the sector of money laundering.

The aim of this workshop is to present to the participants the national legislation and international instruments in this sector, to identify problems which arise in such cases and to discuss possible solutions, as well as to motivate the participants to use all available mechanisms of international cooperation.

Work in the workshop is conducted through theoretical elaborations, introduction of the content of each programme element and by active work of the participants on practical targeted cases.

Professional training model:

- Workshop

Date and venue:

- 2 and 3 April – JA RC Osijek
- 9 and 10 April – Municipal Court of Solin (temporary)
- 14 and 15 April – JA RC Zagreb
- 23 and 24 April – JA RC Rijeka
- 28 and 29 April – JA RC Varaždin

Participants (up to 25 participants per workshop):

- Judges of criminal law departments of municipal and county courts and investigation judges
- Public prosecutors of criminal law departments of municipal and county public prosecutors' offices and Deputy Directors of USKOK

Workshop lecturers:

- Public prosecutors, representative of the Money Laundering Prevention Office, representative of the police

Workshop duration:

- Two days

5. PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

In compliance with the National Strategy for the Development of the Intellectual Property System of the Republic of Croatia 2005-2010, the workshop discusses the importance of increasing awareness of intellectual property rights with the objective of their protection and strengthening in compliance with European Union standards.

The objectives of this workshop are to show the existing legislation and to indicate the forthcoming amendments thereof regarding the protection of intellectual property rights; to indicate potential problems and discuss possible solutions; to acquire practical knowledge regarding adequate actions in cases which refer to the protection of the intellectual property rights and experience on the protection of copyright and related rights and industrial property rights.

Professional training model:

- Workshop

Date and venue:

- 1 October – JA RC Zagreb
- 7 October – JA RC Varaždin
- 14 October – Municipal Court of Solin (temporary)
- 20 October – JA RC Rijeka
- 28 October – JA RC Osijek

Participants (up to 25 participants per workshop):

- Judges of commercial courts, judges of municipal and misdemeanour courts
- Public prosecutors of municipal and county public prosecutors' offices

Workshop lecturers:

- Judges and public prosecutors and experts in this sector from other government institutions

Workshop duration:

- One day

6. CONFISCATION OF PECUNIARY GAIN ACQUIRED BY A CRIMINAL OFFENCE

This special criminal law measure is a reflection of the principle of lawfulness in criminal legislation. It eliminates the main motive for committing criminal offences to acquire pecuniary gain, but also has a strong preventive significance.

After a theoretical introduction into the matter of confiscating pecuniary gain, the workshop participants will solve cases from court practice, and will also discuss practical problems that they come across in their work.

Workshop objectives:

- To define the term pecuniary gain in criminal procedure and the importance of its confiscation, and especially to present international conventions which are related to this matter, indicating particularly the conventions signed by the Republic of Croatia;
- To specify decisions in criminal procedure based on which pecuniary gain may be confiscated;
- To define the relationship between pecuniary gain and associated claim for damages, at the same time indicating their volume, their possible overlap, etc.;
- To show the procedure and manner of determining the amount of pecuniary gain in the procedure – evidence standards, paying special attention to costs, situation in the event of a co-perpetrator, as well as the confiscation of property benefit from a third party and to discuss practical problems regarding this matter;
- Particularly, to present measures of insurance of the confiscation of pecuniary gain (according to the Criminal Procedure Act and Act on USKOK) and discuss practical problems.

Professional training model:

- Workshop

Date and venue:

- 19 February – JA RC Osijek
- 21 February – Municipal Court of Solin (temporary)
- 28 February – JA RC Rijeka
- 27 February – JA RC Zagreb
- 28 February – JA RC Zagreb
- 12 March – JA RC Varaždin

Participants (up to 25 participants per workshop):

- Judges of municipal and county courts and investigation judges
- Public prosecutors of municipal and county public prosecutors' offices

Workshop lecturers:

- Judges and public prosecutors of county courts and county public prosecutors' offices

Workshop duration: One day

IV CRIMINAL PROCEDURE LAW

1. WITNESS PROTECTION IN CRIMINAL PROCEDURE AND VICTIM ASSISTANCE

This workshop discusses the importance of witness protection in a criminal procedure from two basic aspects – on the one hand, guaranteeing the rights of a witness to testify freely and without fear, and on the other hand, to secure the obtaining of valid testimonies from a witness.

The objectives of this workshop are to show the legislation with regard to witness protection according to the provisions of the Criminal Procedure Act, the Witness Protection Act, the Act on USKOK, and the Act on the Protection against Domestic Violence; to identify potential problems and discuss possible solutions; to acquire practical knowledge regarding appropriate procedure in cases in which witness protection is required; to exchange opinions and experience in providing aid to victims of criminal offences, particularly injured minors and victims of criminal offences against personal dignity and morality.

Professional training model:

- Workshop

Date and venue:

- 2 June – JA RC Varaždin
- 9 June – JA RC Zagreb
- 11 June – Municipal Court of Solin (temporary)
- 1 July – JA RC Rijeka
- 3 July – JA RC Osijek

Participants (up to 25 participants per workshop):

- Judges and public prosecutors and advisors of municipal and county courts and public prosecutors' offices

Workshop lecturers:

- Judges and public prosecutors of criminal law departments of county courts and public prosecutors' offices and investigation judges

Workshop duration:

- One day

2. ILLEGAL EVIDENCE IN CRIMINAL PROCEDURE

Issues regarding illegal evidence are key to conducting a misdemeanour procedure and passing of a lawful decision, and are among the most important and the most difficult issues for criminal judges. Provisions regulating illegal evidence are often too broadly defined and their application necessitates court interpretation.

During this workshop, the legality of a defendant's testimony and technical recording of the facts will be examined, and an answer will be provided to questions when breaches of procedure lead to illegality of these two types of evidence and which legal effects are produced by the prohibition of use thereof in a criminal procedure.

The programme will be carried out through both individual and group work on examples from practice, mostly of the Supreme Court of the Republic of Croatia, and from the case law of other domestic courts and the European Court of Human Rights.

Workshop objectives:

- To show legal grounds, purpose and meaning of regulations regarding illegal evidence;
- To elaborate legal criteria for the identification of (il)legality of individual evidence;
- To discuss practical problems and possible solutions of defendant's testimony legality and technical records of facts;
- To show the case law of the Supreme Court of the Republic of Croatia.

Professional training model:

- Workshop

Date and venue:

- 3 November – JA RC Rijeka
- 10 November – JA RC Varaždin
- 12 November – Municipal Court of Solin (temporary)
- 13 November – JA RC Zagreb
- 27 November – JA RC Osijek

Participants (up to 25 participants per workshop):

- Judges of municipal and county courts and investigation judges
- Public prosecutors of the municipal and county public prosecutors' offices

Workshop lecturers:

- Judges of county courts

Workshop duration:

- One day

3. CUSTODY – LEGAL GROUNDS AND PROCEDURE

The topic of this workshop is material and procedural law prerequisites for the determination of custody.

Constitutional principles regulating the determination of custody are the principle of proportionality, the presumption of innocence, the right to a fair trial and the right to appear before a court.

Workshop objectives:

- To present international and constitutional custody standards;
- To determine the purpose of custody and the meaning of protection mechanisms;
- To elaborate material and legal assumptions for custody;
- To present the procedure for determining, extending, cancelling and controlling custody;
- To discuss practical problems in the determination of custody grounds and the determination of custody duration;
- To show the case law of the Croatian Constitutional Court and the Croatian Supreme Court.

Professional training model:

- Workshop

Date and venue:

- 1 April – JA RC Zagreb
- 11 April – JA RC Rijeka
- 16 April – Municipal Court of Solin (temporary)
- 21 April – JA RC Varaždin
- 24 April – JA RC Osijek

Participants (up to 25 participants per workshop):

- Judges of municipal and county courts and investigation judges
- Public prosecutors of the municipal and county public prosecutors' offices

Workshop lecturers:

- Judges of county courts

Workshop duration:

- One day

4. EXTRADITION AND INTERNATIONAL COOPERATION IN CRIMINAL MATTERS

During this workshop the participants will have an opportunity to become acquainted with relevant legal regulations and the main modalities of international criminal law assistance.

Workshop objectives:

- To present legal sources of international assistance in criminal cases (international criminal law assistance);
- To show the main modalities of international criminal law assistance, such as extradition, “minor” international criminal law assistance, handover and takeover of criminal procedure, the takeover of execution of foreign criminal sentence and transfer of a convict;
- To discuss practical issues of agreed and non-agreed extradition (proceeding according to the international arrest warrant, international communication channel, request for arrest due to extradition, custody due to extradition, decision-making regarding the request on extradition, positive and negative assumptions (obstructions) for extradition, control of a court decision on the request on extradition, refusal or approval of extradition);
- To discuss practical issues of “minor” criminal law assistance, such as delivery of invitations and submissions to foreign countries, performing certain procedure actions to the request of a foreign country, reporting on criminal offences and pronounced sentences;
- To discuss practical issues of handover and takeover of criminal procedure and take-over of execution of foreign criminal sentence, i.e. transfer of a convict to a foreign country.

Professional training model:

- Workshop

Date and venue:

- 3 March – JA RC Rijeka
- 7 March – JA RC Varaždin
- 13 March – Municipal Court of Solin (temporary)
- 20 March – JA RC Zagreb
- 27 March – JA RC Osijek

Participants (up to 25 participants per workshop):

- Judges and public prosecutors of county courts and public prosecutors’ offices, particularly investigation judges and representatives of the Directorate for International Legal Assistance and Cooperation of the Ministry of Justice

Workshop lecturers:

- Judges of county courts

Workshop duration: One day

5. IMPLEMENTATION OF EXPERT EVALUATION IN CRIMINAL PROCEDURE

During this workshop, the legislation regarding the implementation of expert evaluation will be presented to participants. Problems will be identified through elaboration of specific and hypothetical cases in practice and afterwards possible solutions will be discussed.

The participants will have an opportunity to acquire practical knowledge about the legal framework of the need to implement expert evaluation, types of expert evaluation, and real possibilities of other expert professions for providing expert answers during a criminal procedure.

Professional training model:

- Workshop

Date and venue:

- 10 September – JA RC Varaždin
- 16 September – JA RC Osijek
- 23 September – Municipal Court of Solin (temporary)
- 29 September – JA RC Zagreb
- 30 September – JA RC Zagreb
- 2 September – JA RC Rijeka

Participants (up to 25 participants per workshop):

- Judges of municipal and county courts and investigation judges
- Public prosecutors of municipal and county public prosecutors' offices

Workshop lecturers:

- Judges and public prosecutors of criminal law departments of county courts and public prosecutors' offices
- Permanent court experts

Workshop duration:

- One day

V ENFORCEMENT LAW

1. ENFORCEMENT ON REAL ESTATE

Enforcement for the compensation of all types of claims is one of the critical points in the Croatian judicature. This is particularly the case with the enforcement for vacation and handover of real estate.

This workshop provides judges and court advisors with an opportunity to have a professional debate on the issue, share experience among themselves and make additional effort in overcoming difficulties occurring in their everyday work. This, of course, is directed at achieving more quality work and avoiding needless frustrations that frequently accompany this type of enforcement, but also at the projection of a positive image of the Croatian judiciary both at home and abroad.

This workshop aims to demonstrate the relation between the legislation and the Enforcement Act, point out the potential problems and their possible solutions, and provide the participants with the opportunity to acquire practical knowledge and skills necessary to act properly in cases involving enforcement for vacation and handover of real estate.

Professional training model:

- Workshop

Date and venue:

- 22 February – JA RC Zagreb¹

Participants (maximum 25 participants per workshop):

- Judges with up to five years of service and municipal and commercial court advisors

Workshop lecturers:

- County and municipal court judges

Workshop duration:

- One day

¹ This workshop makes part of a five-day training cycle organised for judges with up to five years of service and court advisors at the Municipal Civil Court of Zagreb and the Commercial Court of Zagreb.

2. ENFORCEMENT ON REAL ESTATE – DETERMINING THE VALUE OF REAL ESTATE, ENFORCEMENT

Enforcement on real estate is a type of enforcement that in practice may take a longer period of time, and very often neither of the parties in the enforcement procedure is satisfied with the outcome.

Problems occurring in court practice are also due to the fact that the Enforcement Act was significantly amended on several occasions (in 1999, 2003 and 2005) and that very often it is not clear which acts should be applied in particular cases.

This workshop aims to point out the provisions of the Enforcement Act that are applied in the case of enforcement on real estate and the way in which these provisions should be properly applied, with particular regard to the transitional and closing provisions of the acts through which the Enforcement Act was actually amended. Special emphasis will be placed on determination of the value of real estate and the auction court hearing.

Professional training model:

- Workshop

Date and venue:

- 18 September – JA RC Zagreb

Participants (maximum 25 participants per workshop):

- Judges and county, commercial and municipal court advisors

Workshop lecturers:

- County and municipal court judges

Workshop duration:

- One day

VI LAND REGISTRY LAW

1. INDIVIDUAL CORRECTION PROCEDURE

Individual correction procedure is an institute of the Land Registry Law that was introduced into our juridical system by virtue of the entry into force of the Land Register Act (*Official Gazette* 91/97), i.e. on 1 January 1997. Although this Act has been in force for 11 years now, in practice it has not become as effective as it should be. The reasons for this lay in the absence of unequivocal criteria for the justification of reasons for the application of individual correction procedure, and customary court practice with regard to the application of the said procedure.

This workshop aims to point out the dilemmas occurring in court practice and offer the answers to practical questions that frequently arise from the application of Article 200 of the Land Register Act.

Professional training model:

- Workshop

Date and venue:

- 6 May – Municipal Court of Solin (temporarily)
- 13 May - JA RC Osijek
- 15 May - JA RC Zagreb
- 26 May - JA RC Varaždin
- 29 May - JA RC Rijeka

Participants (maximum 25 participants per workshop):

- Judges, court advisors and land registry officers at municipal courts
- Public prosecutors at civil law departments

Workshop lecturers:

- County and municipal court judges

Workshop duration:

- One day

VII COMPANY LAW

1. MARKET COMPETITION AND THE ROLE OF JUDGES AND PUBLIC PROSECUTORS IN THE IMPLEMENTATION OF THE MARKET COMPETITION PROTECTION ACT IN THE REPUBLIC OF CROATIA

Alongside the State aid, the PHARE 2005 Project "Strengthening of Capacity to Manage and Enforce the EU Competition and State Aid Policies" also comprises a segment of competition whose aim is to enable more efficient implementation of competition regulations. According to the current situation in the Republic of Croatia, jurisdiction over misdemeanour proceedings for violations committed within the competition area is divided among misdemeanour courts, commercial courts, public prosecutors' offices and the Agency for the Protection of Market Competition. Each of these bodies takes particular actions, and thus leads to inadequate efficiency of judges and their impossibility to obtain further professional specialisation that is necessary in this area. The intention of the project is to put all the disputes regarding competition under the jurisdiction of one specialised body. This would lead to the establishment of equal conditions for all participants in the proceedings, and the prevention of division of jurisdiction and possible divergences.

The aim of this seminar is to provide the participants with an introduction to the European competition law, European and national framework, primacy of European law, comparison with other laws, prohibition of competition in case of agreements and concerted practice in accordance with Article 81, paragraph 1 of the Treaty Establishing the European Community.

Professional training model:

- Seminar

Date and venue*:

- 21 and 22 January – JA RC Zagreb
- 11 and 12 February - JA RC Zagreb
- 25 and 26 February
- 10 and 11 March
- 7 and 8 April
- 28 and 29 April
- 12 and 13 May
- 2 and 3 June
- 23 and 24 June
- 8 and 9 September
- 22 and 23 September

- 6 and 7 October
- 20 and 21 October

Participants:

- Judges at county courts, the Administrative Court, the High Commercial Court and the High Misdemeanour Court of the Republic of Croatia, commercial and misdemeanour courts
- Deputy county public prosecutors

Seminar lecturers:

- A representative of the Agency for the Protection of Market Competition
- Foreign experts

Seminar duration:

- Two days

*To be determined subsequently

2. ROLE OF JUDGES IN STATE AID CONTROL – ADVANCED SEMINAR

Within the context of the expected accession of the Republic of Croatia into the European Union, European legislation will gradually become increasingly implemented by both governmental institutions and judicial institutions. European rules on State aid control, in accordance with the provisions of the Treaty Establishing the European Community, will also become applied by Croatian judges.

In the case of State aid control, the current situation in Croatia is such that the Administrative Court is the only one competent for the settlement of legal disputes and protection of decisions taken by the Agency for the Protection of Market Competition. Apart from that, there is a great number of questions regarding the interpretation of rules on State aid control within the framework of the proceedings instituted by commercial and misdemeanour courts.

The Judicial Academy provides support to the PHARE 2005 Project that deals with State aid and competition, and provides judges with additional education. This education is provided in the form of introductory and advanced seminars.

This seminar will provide participants with an overview of the State aid system (introductory), current role of the judiciary in the Croatian State aid system and projections for future development (introductory), role of national judges within the framework of legal protection: return of State aid (introductory), proceedings before the European Court of Justice (advanced), proceedings before the Administrative Court (advanced), return of State aid by German national courts and their decisions (advanced), return of State aid by means of administrative procedure (advanced).

Professional training model:

- Seminar

Date and venue:

- 29 January – JA RC Osijek

Participants:

- Judges of the Croatian Administrative Court, High Commercial Court, High Misdemeanour Court, commercial and misdemeanour courts

Seminar lecturers:

- A representative of the Agency for the Protection of Market Competition
- Representatives of the Federal Ministry of the Economy and Labour of the Republic of Austria, the German Federal Ministry of Finance and the German Federal Ministry of the Economy and Technology

Duration of seminars:

- Introductory – 3 hours
- Advanced – 5 hours

VIII LABOUR LAW

1. TRANSFER OF A LABOUR CONTRACT TO A NEW EMPLOYER

The transfer of a labour contract to a new employer is an institute of labour law that has been significantly amended during the eleven years of its application. The most significant amendments were made in 2003. Through these amendments, this institute became entirely and in detail regulated by law in accordance with the Council Directive 2001/23/EC of 12 March 2003.

However, many questions regarding the application of the Labour Act provisions that regulate this area have remained open. Many difficulties arise from the assessment whether a company or just one of its parts, including labour contracts, has really been transferred and what legal consequences of this transfer are.

During the workshop, a special emphasis will be placed on dilemmas occurring in practice and their possible solutions, bearing in mind the provisions of the above-mentioned Council Directive.

Professional training model:

- Workshop

Date and venue:

- 4 June – Municipal Court of Solin (temporarily)
- 10 June - JA RC Zagreb
- 18 June - JA RC Osijek
- 20 June - JA RC Rijeka
- 27 June - JA RC Varaždin

Participants (maximum 25 participants per workshop):

- Municipal and county court judges handling labour matters

Workshop lecturers:

- County and municipal court judges

Workshop duration:

- One day

2. COMPENSATION FOR DAMAGES ARISING FROM EMPLOYMENT – MOBBING

After amendments made in 2003, the Labour Act enabled better regulation of issues regarding the prevention of harassment and discrimination in the process of employment, during employment and upon the termination of employment. The violation of workers' rights to protection against discrimination and harassment in employment happens very frequently, and although it represents a special ground for the compensation of damages, the protection of these rights in court practice is neither sufficiently represented, nor efficient.

Another reason for this is also the fact that legal provisions are not sufficiently precise, complete or clear. This is additionally confirmed by the fact that another act is currently being drafted in order to regulate this area.

This workshop will provide the participants with an overview of the existing legal framework for the protection of workers' rights in this area and the Draft Proposal of the Act on the Prevention of Abuse at Workplace indicating also vague legal wordings and possible solutions thereof.

Professional training model:

- Workshop

Date and venue:

- 11 November – Municipal Court of Solin (temporarily)
- 12 November - JA RC Zagreb

Participants (maximum 25 participants per workshop):

- Municipal and county court judges handling labour matters

Workshop lecturers:

- County and municipal court judges

Workshop duration:

- One day

IX MISDEMEANOUR LAW

1. NEW MISDEMEANOUR ACT

As of the entering into force of the new Misdemeanour Act (1 January 2008), judges of misdemeanour courts will start applying new and different legal institutes through differently arranged regular or urgent procedures, and drafting new types of decisions. There are certain novelties that have been introduced into the appeal proceedings.

All this, naturally, creates the need for professional training that aims to bring judges up to date with the new regulation, its amendments concerning terminology and contents, potential problems and their solutions.

Professional training model:

- Seminar

Date and venue:

- 27 October – JA RC Varaždin
- 4 November - JA RC Rijeka
- 6 November - JA RC Osijek
- 7 November - JA RC Zagreb
- 18 November - Municipal Court of Solin (temporarily)
- 26 November - JA RC Zagreb
- 27 November - JA RC Zagreb

Participants (maximum 25 participants per workshop):

- Judges of misdemeanour courts

Seminar Lecturers:

- Judges of the Croatian High Misdemeanour Court

Duration of seminars:

- Six hours

X ETHICS AND DEONTOLOGY

1. CODE OF JUDICIAL ETHICS

The Code of Judicial Ethics is a set of ethical principles that are necessary for successful performance of judicial duties. Independent judiciary requires judges who perform their duties professionally and unbiasedly pursuant to law and evidence.

Through this seminar, judges will learn about the basic principles of ethics and deontology by getting an insight into the basic international and Croatian sources of principles determining the liability of judges, the contents of each of the said sources, the presentation and analysis of the Code of Judicial Ethics, comments on particular provisions of the Code, and by recognising the violations of the Code through analyses of practical examples.

It should be pointed out that the training material necessary for the seminar on judicial ethics and deontology was prepared by judges of the Croatian Supreme Court who are also the authors of the new Code of Judicial Ethics.

Professional training model:

- Seminar

Date and venue:

- 11 September – JA RC Zagreb
- 17 September - JA RC Osijek
- 24 September - Municipal Court of Solin (temporarily)
- 30 September - JA RC Varaždin
- 10 October - JA RC Rijeka

Participants (maximum 25 participants per workshop):

- Misdemeanour, municipal, county and commercial court judges

Seminar Lecturers:

- Judges of the Croatian Supreme Court

Duration:

- One day

2. ETHICS AND DEONTOLOGY OF PUBLIC PROSECUTORS

Deontological ethics of judicial experts, both judges and public prosecutors, has been a matter of discussions in various countries and international organisations for more than ten years. The reason for this may be the development of the society in which a judicial official is invited to respond to all social demands. This results in a strong demand for unbiasedness or, in a broader sense, a demand to respond to deontology. This also includes a demand for transparency, i.e. more meaningful and direct control over public service, safety and correction of economic and moral consequences caused by mistakes potentially made by judges and public prosecutors.

The role of deontology is to direct the following:

- Citizens whose trust in the institution significantly depends upon the behaviour of judicial officials while performing their duties, as well as their personal behaviour;
- Judges and public prosecutors who operate under the same principle of independent and unbiased justice;
- Judicial institutions whose credibility is related to the credibility of its employees.

Workshop objectives:

- To introduce legal and deontological principles that determine the liability of public prosecutors
- To teach public prosecutors the “Deontological Framework” through recognition of specificities of particular situations
- To interpret and simulate practical application of the principles
- To promote the principles of the Code of Ethics

Professional training model:

- Workshop

Date and venue:

- 14 April – JA RC Varaždin
- 29 April - JA RC Osijek

Participants (maximum 25 participants per workshop):

- Public prosecutors, deputies, advisors and trainees of county and municipal public prosecutors' offices

Workshop lecturers:

- Deputy Chief Public Prosecutor and county public prosecutors

Workshop duration:

- One day

XI EUROPEAN AND INTERNATIONAL LAW

1. INTRODUCTION TO THE EUROPEAN UNION LAW

The topic of this workshop has been determined in the light of the current position of the Republic of Croatia as a candidate for membership in the European Union, and the need for more thorough knowledge of the European Union law and the basic working methods of the European Court of Justice.

The main objective of this workshop is to make participants get an insight into the relevant sources of the European Community law and the European Union law, to indicate differences between the two according to their main characteristics and effects, and the manner in which the two may be differentiated from the legal sources of national law and international law, including the Council of European law.

The activities will comprise theoretical elaboration of the contents of each particular programme unit and the active work of the participants on the planned practical problem cases.

The idea behind this workshop was to provide the participants with the introductory training in the area of EU law. It is intended for all judicial officials, advisors and trainees, who have never undergone such education.

Professional training model:

- Workshop

Date and venue:

- 30 January – JA RC Zagreb
- 5 February - JA RC Zagreb
- 7 February – Municipal Court of Solin (temporarily)
- 14 February - JA RC Rijeka
- 20 February - JA RC Osijek
- 25 February - JA RC Varaždin

Participants (maximum 25 participants per workshop):

- Judges, public prosecutors, court advisors, advisors to public prosecutors and trainees

Workshop lecturers:

- Judges of the Croatian Supreme Court and county court judges
- Deputy Chief Public Prosecutors, public prosecutors and deputy county public prosecutors

Workshop duration:

- One day

2. INTERNATIONAL LEGAL AID IN CIVIL AND COMMERCIAL MATTERS WITH SPECIAL REGARD TO THE HAGUE CONVENTIONS OF 1965 AND 1970

In accordance with the need for better knowledge of the *acquis communautaire*, in the course of the accession of the Republic of Croatia to the European Union, this workshop will teach the participants the basic instruments of international cooperation in civil and commercial matters within the EU.

This topic comprises the following legal institutes:

- Submitting judicial and extrajudicial documents from one state to addressees in another state;
- Concluding and gathering evidence and other data in one state for the needs of proceedings instituted in another state;
- Collecting data on foreign law.

The activities will comprise theoretical elaboration of the contents of each particular programme unit and the active work of the participants on planned practical problem cases.

That fact that the Republic of Croatia has ratified the Hague Convention of 1965, and intends to ratify the Hague Convention of 1970 in the near future, is what makes the topic of this workshop absolutely up-to-date.

Professional training model:

- Workshop

Date and venue:

- 12 September – JA RC Rijeka
- 15 September - JA RC Zagreb
- 19 September - JA RC Varaždin
- 25 September - Municipal Court of Solin (temporarily)
- 2 October - JA RC Osijek

Participants (maximum 25 participants per workshop):

- Judges of civil law departments at municipal courts, commercial court judges, public prosecutors of civil and administrative law departments at municipal and county public prosecutors' offices

Workshop lecturers:

- Judges and public prosecutors

Workshop duration:

- One day

3. JUDICIAL COOPERATION IN CRIMINAL MATTERS IN THE EUROPEAN UNION

The topic of this workshop has been determined in the light of the current position of the Republic of Croatia as a candidate for membership in the European Union, and the need to make participants get a proper insight into the experience of other countries with regard to the application of new legal instruments in the area of judicial cooperation in criminal matters in the EU.

The activities will comprise theoretical elaboration of the contents of each particular programme unit and the active work of the participants on planned practical problem cases.

The main objective of this workshop is to familiarize the participants with the third pillar of the EU, new instruments of judicial cooperation in criminal matters (the European Arrest Warrant; the Framework Decision on the Execution in the European Union of Orders Freezing Property or Evidence; the Framework Decision on the Mutual Recognition of Financial Penalties; Joint Investigation Teams), structure and competences of the bodies involved in judicial cooperation in criminal matters in the EU, degree of alignment of the Croatian legislation with the *acquis communautaire* in this area and, at the same time, to provide a discussion on potential practical problems and their solutions.

Professional training model:

- Workshop

Date and venue:

- 17 November – JA RC Rijeka
- 21 November - JA RC Zagreb
- 25 November – Municipal Court of Solin (temporarily)
- 28 November - JA RC Varaždin
- 3 December - JA RC Osijek

Participants (maximum 25 participants per workshop):

- Judges and public prosecutors of criminal law departments at county and municipal courts, public prosecutors' offices and investigating judges

Workshop lecturers:

- Deputy Chief Public Prosecutors and deputy county public prosecutors

Workshop duration:

- One day

XII MANAGEMENT AND COMMUNICATION SKILLS

1. MANAGING COURTS

According to the Courts Act, court administration activities are carried out by the court presiding judge, whereas in cases of his or her inability or absence, the deputy court presiding judge carries out his or her duties. The court presiding judge is assisted by the presidents of the departments, court secretary or the officer that he or she appoints. However, although the activities of the court administration are carried out by court presiding judges, and although they are also performed by a number of other persons, it has to be pointed out that the persons who perform them usually get their first experience and knowledge only after their appointment to the positions that include the performance of the court administration duties.

Therefore, in 2008, the Judicial Academy, in cooperation with the Supreme Court, plans to organise two workshops intended for court presiding judges and deputy court presiding judges, as well as presidents of departments. These workshops will provide the participants with an opportunity to acquire new knowledge and experience that may make the performance of their everyday duties pertaining to court administration much easier.

Professional training model:

- Workshop

Date and venue:

- To be determined subsequently

Participants (maximum 25 participants per workshop):

- Court presiding judges, deputy court presiding judges and presidents of departments

Workshop Lecturers:

- Court presiding judges, deputy court presiding judges and presidents of departments

Workshop duration:

- One day

2. MANAGING PUBLIC PROSECUTORS' OFFICES

This topic is regularly dealt with at the annual thematic counselling for public prosecutors in Croatia, but because of its importance and frequent legal amendments, it requires constant sharing of experience and improvement of the working methods.

These are also the main reasons for the organisation of this seminar that aims to sensibilise public prosecutors to the methods of control and management of public prosecutors' offices, to put an emphasis on the new working initiatives instead of avoiding mistakes, and to provide participants with a practical explanation of the instructions for the assessment of public prosecutors and deputy public prosecutors.

Professional training model:

- Seminar

Date and venue:

- To be determined subsequently

Participants (maximum 25 participants per workshop):

- Public prosecutors
- Deputy public prosecutors – heads of departments and sections

Seminar lecturers:

- Deputy Chief Public Prosecutor and county public prosecutors

Seminar duration:

- One day

XIII TRAINING OF TRAINERS

1. LEARNING AND TEACHING OBJECTIVES

Each training activity comprises actual objectives that have been planned before and that need to be achieved in due course of time. The task of the workshop manager is to constantly monitor the progress of participants in the achievement of the set objectives and take the activities in the desirable direction.

This workshop aims at providing the workshop lecturers (i.e. trainers) with the theoretical and practical knowledge of teaching techniques with regard to the set objectives and the practical application of these techniques in the process of learning and teaching, i.e. the aim is to make the participants concentrate more successfully on the identification of objectives and the desirable outcome of their work when preparing and holding workshops; knowledge of the manner in which to develop personal sensibility to the relation between the set objectives and other elements that make teaching successful; ability to differentiate between successfully and less successfully set objectives in the process of learning and teaching; and ability to set the objectives and expected outcome of shorter training activities in an appropriate manner.

Workshop objectives:

- After attending the workshop, participants should be able to differentiate between successfully and less successfully set objectives of the training activities whose contents they find familiar.
- Participants are expected to be able to set the objectives of shorter training activities.
- When preparing future activities, participants are expected to be able to concentrate on the setting of the objectives and expected outcome, and less on their own performance and curriculum.
- Participants are expected to start developing personal sensibility to the relation between the set objectives and other elements that make teaching successful in order to develop sensibility for further improvement in teaching techniques.

Contents:

- What are teaching objectives?
- How and why do we set teaching objectives/outcome?
- Degrees of training achievements of participants
- Examples of teaching outcome
- Constructive linkages
- Exercises

Professional training model:

- Workshop

Date and venue:

- 7 February – JA RC Zagreb
- 14 February - Municipal Court of Solin (temporarily)
- 5 March – JA RC Osijek

Participants (maximum 15 participants per workshop):

- Judges – workshop lecturers (trainers)

Seminar lecturers:

- Expert for adult education

Seminar duration:

- One day

2. TEAM DYNAMICS

The application of team work in the process of education has numerous advantages as opposed to traditional teaching methods. Smaller-team teaching diminishes the dominant role of the workshop manager and activates the participants, but at the same time the preparation and conducting of team work is a very complex and demanding task to the manager himself/herself.

The aim of this workshop is to provide the workshop lecturers (i.e. trainers) with the knowledge of the organisation of team work and the skills necessary to manage team work. The knowledge and skills are very important in view of the practical and two-way orientation of training activities of the Judicial Academy.

Workshop objectives:

- To improve communication skills in team teaching;
- To differentiate between successful and unsuccessful communication styles;
- More successful management of team work;
- To improve the planning skills and the skills necessary to manage team work.

Contents:

- Main characteristics of a team;
- Processes within a team;
- Efficient communication in team work;
- Organisation of team work;
- Monitoring the effects and evaluation of team work.

Professional training model:

- Workshop

Date and venue:

- 18 February – JA RC Varaždin
- 14 February - JA RC Rijeka
- 17 March – JA RC Zagreb
- 4 April - JA RC Zagreb
- 23 April - Municipal Court of Solin (temporarily)
- 30 April – JA RC Varaždin

Participants (maximum 15 participants per workshop):

- Judges - workshop lecturers (trainers)

Workshop lecturers:

- Expert for adult education

Workshop duration:

- One day

XIV OTHER ACTIVITIES

NOTE:

After making an analysis of the needs of public prosecutors – Deputy Directors of the Office for the Suppression of Corruption and Organised Crime (USKOK) - for specialist professional training, it has been decided to develop three programmes intended to meet special working needs of USKOK.

Professional training may be organised as a workshop lasting half a day, one day or two days (3, 6 or 12 hours), or a round table that would enable participants to share attitudes and experience, and have a debate on particular expert issues and problems.

1. INTRODUCTION TO THE PRISON SYSTEM AND VISIT TO LEPOGLAVA PENITENTIARY

The Judicial Academy, in cooperation with the Prison System Directorate of the Ministry of Justice, enables criminal court judges and public prosecutors to get acquainted with the prison system by participating in an organised visit to Lepoglava Penitentiary. The programme includes introduction to general functioning of the prison system, structure of prisoners in the Penitentiary with regard to their socio-demographic and criminal characteristics, arrangement of prisoners according to the seriousness of their criminal offences, drafting of individual prison sentence programmes, resocialisation and its effects, and a tour of the Penitentiary and the agricultural land in Čret.

Date and venue:

- 19 and 20 May – Lepoglava

Participants:

- Criminal court judges and public prosecutors

Trip leaders:

- Employees of the Judicial Academy

Workshop duration:

- One day

2. FUNDAMENTALS OF FINANCIAL ACCOUNTING AND REPORTING

This workshop is intended for judges and public prosecutors who handle cases that require specific economic knowledge. It is a common practice to employ expert witnesses when handling cases involving accounting and financial business. However, judges and public prosecutors are the ones who make the final decisions. Therefore, it is necessary to make judges and public prosecutors acquire fundamental knowledge of accounting, audit and financial reporting in order to make them become more efficient and faster in decision taking.

The objective of this training is to teach the participants the basic financial reports, their elements, the basic principles of their drafting and inaccurate financial results obtained in the cases of deviation from the basic principles.

Professional training model:

- Workshop

Date and venue:

- 23 January – Municipal Court of Solin (temporarily)
- 28 January - JA RC Rijeka
- 4 February – JA RC Varaždin
- 26 February - JA RC Zagreb
- 27 February - JA RC Osijek

Participants (maximum 25 participants per workshop):

- Commercial court judges, judges of criminal law departments at municipal and county courts
- Public prosecutors of criminal law departments, and civil and administrative law departments at municipal and county public prosecutors' offices

Workshop lecturers:

- Professors of the Faculty of Economics at the University of Split

Workshop duration:

- One day

3. PSYCHOLOGICAL AND LEGAL ASPECTS OF WITNESS EXAMINATION

Since the principle of free assessment of evidence and the principle of directness enable not only logical, but also psychological assessment of evidence, this workshop, which is interdisciplinary in its nature, aims to provide an analysis of psychological cognition and skills that are necessary to judges and public prosecutors when examining witnesses and assessing trustworthiness of their testimonies in criminal and civil matters.

The knowledge of court psychology that judges and public prosecutors have to acquire refers to psychological aspects of testimony – perception, memory, motives for giving an untrue testimony, criteria for the assessment of truthfulness and trustworthiness of testimony, witness examination techniques that provide an integral and worthy testimony.

The above-mentioned issues will be dealt with in the workshop through audio and video presentations, team work and case analysis in order to demonstrate the psychological knowledge necessary to judges and public prosecutors, problems with regard to the assessment of untrue and fake testimony, examination specificities of particular groups of witnesses – victims, minutes taking, elaboration of the notion of true and trustworthy testimony, principles and the methods of witness examination.

Professional training model:

- Workshop

Date and venue:

- 8 February – JA RC Zagreb
- 20 February - JA RC Zagreb²
- 12 March - JA RC Osijeku
- 19 March – Municipal Court of Solin (temporarily)
- 31 March - JA RC Zagreb
- 30 May - JA RC Zagreb

Participants (maximum 25 participants per workshop):

- Judges with up to five years of service, municipal, commercial and misdemeanour court advisors, and deputy public prosecutors and advisors to public prosecutors

² This workshop makes part of a five-day training cycle organised for judges with up to five years of service and court advisors of the Municipal Civil Court of Zagreb and the Commercial Court of Zagreb.

Workshop lecturers:

- County and municipal court judges

Workshop duration:

- One day

4. INTRODUCTORY TRAINING OF PUBLIC PROSECUTORS

Continuous training of judges and public prosecutors, that is already organised by the Judicial Academy, becomes an uninterrupted continuity in the sense of lifelong learning of public prosecutors owing to this programme of introductory education intended for them.

The objective of this training programme is to introduce participants to the institutional and legal framework of the environment in which they will be pursuing their careers (duties), their competences and liabilities, especially with regard to the handling of cases, representation before the court and relation toward other state bodies.

The programme contains the following units:

- Relations and liabilities in the public prosecution service;
- The work of public prosecutors in pre-trial criminal proceedings;
- Public prosecutors' activities in the course of investigation, direct indictment, indictment after investigation, accusatory motion;
- The main hearing;
- Appeal and extraordinary legal remedies;
- Activities of civil and administrative law departments.

Professional training model:

- Workshop

Date and venue:

- 16 June – JA RC Zagreb
- 17 June – JA RC Zagreb
- 18 June – JA RC Zagreb
- 19 June – JA RC Zagreb
- 20 June – JA RC Zagreb
- 20 October - CSA Split
- 21 October - CSA Split
- 22 October - CSA Split
- 23 October - CSA Split
- 24 October - CSA Split

Participants (maximum 25 participants per workshop):

- Advisors to public prosecutors and deputy municipal public prosecutors with up to five years of service

Workshop lecturers:

- Deputy Chief Public Prosecutors, county public prosecutors and their deputies

Workshop duration:

- One day per each teaching unit – topic on the list above

COORDINATORS OF THE JUDICIAL ACADEMY REGIONAL CENTRES

REGIONAL CENTRE ZAGREB

Đuro Sessa
Judge at Zagreb
County Court
Dubravka Vukmanović
Deputy County Public
Prosecutor in Zagreb

REGIONAL CENTRE RIJEKA

Milena Vukelić-Margan
Judge at Rijeka
County Court
Darko Karlović
Deputy County Public
Prosecutor in Rijeka

REGIONAL CENTRE VARAŽDIN

Ljiljana Levatić-Uskoković
Judge at Varaždin
County Court
Biserka Šmer-Bajt
Deputy County Public
Prosecutor in Varaždin

REGIONAL CENTRE SPLIT

Liljana Stipišić
Judge at Split
County Court
Lendi Pezzi
Deputy County Public
Prosecutor in Split

REGIONAL CENTRE OSIJEK

Dubravka Vučetić
Judge at Osijek
County Court
Zorko Tomić
Deputy County Public
Prosecutor in Osijek

CONTACT INFORMATION OF THE JUDICIAL ACADEMY AND REGIONAL CENTRES