



Strasbourg, 31 janvier 2005

RES/LISB/Bu/ Quest (2004) 3 e

Council of Europe Co-Operation Programme to strengthen the Rule of Law

1st meeting of the Bureau of the European Network for the Exchange of Information between Persons and Entities responsible for the Training of Judges and Public Prosecutors

(LISBON NETWORK)

(Web site of the Lisbon Network: www.coe.int/lisbon-network)

Palais de l'Europe (Room 7) Strasbourg, 16 (10h00) – 17 (13h00) December 2004

QUESTIONNAIRE “C” ON THE ROLE OF TRAINING INSTITUTIONS AS REGARDS IN-SERVICE TRAINING OF JUDGES AND PROSECUTORS

Questionnaire “C” on the role of training institutions as regards in-service training of judges and prosecutors¹

I. Please indicate the measures taken with a view to enabling judges and prosecutors to exercise their right to in-service training (for example, days of leave for that purpose, etc.);

According to the Law on Courts and the Law on Public Prosecutors Office, judges and prosecutors have a right and duty to continuing training.

II. Is in-service training of judges and prosecutors compulsory or optional?

In-service training is optional.

III. If in-service training is not compulsory as a general rule, please specify if there are areas /and/or subject matters in which in-service training is nevertheless compulsory; If so, please give details;

In-service training is optional, and there are no subject matters in which in-service training is compulsory.

IV. Is the judge or prosecutor free to choose the training actions in which he/she wishes to participate? Does he/she have to justify his/her choice? Is it possible for the judicial hierarchy and/or the training institution to oppose to the wish expressed by the judge or the prosecutor concerned and for what reason?

The judges and prosecutors are free to choose the available training activities and they don't need to justify their choice.

Theoretically, the presidents of the courts may prevent a judge to participate at the training, due to, for example his/her _caseload, but this is not a common practice.

V. Please identify the committees and / or trainers that develop in-service training programmes and the authority that approves planning;

The Annual Curriculum is proposed by the CCE/MJA Executive Director, and adopted by the CCE/MJA Board. Last year, the CCE/MJA has established working committees for different legal matters.

VI. Please give the following statistics: number of activities per year (if possible, please specify the average duration of activities); number of training hours offered per year per magistrate; budgetary resources;

There are 650 judges and each of them had opportunity to attend multiple training programs. During 1999-2004, the CCE/MJA organized total of 113 seminars and workshops, including 4 Regional Conferences, with total of

¹ Members of the Lisbon Network are invited to send their replies to the Secretariat by E-mail (valerie.schaeffer@coe.int) for 31 March 2005 at the latest.

4.064 participants: 2.830 judges, 499 legal assistants and 735 representatives from other institutions and organizations that have interest on a certain topic (including public prosecutors). Namely, the CCE/MJA organized:

1999 – 14 seminars on 11 topics with total of 527 participants: 352 judges, 35 legal assistants and 140 representatives from other institutions and organizations;

2000 - 19 seminars on 12 topics with total of 690 participants: 456 judges, 173 legal assistants and 61 representatives from other institutions and organizations;

2001 - 13 seminars on 8 topics with total of 553 participants: 409 judges, 72 legal assistants and 72 representatives from other institutions and organizations;

2002 - 13 seminars on 6 topics with total of 621 participants: 495 judges, 57 legal assistants and 69 representatives from other institutions and organizations;

2003 - 25 seminars on 16 topics with total of 652 participants: 466 judges, 24 legal assistants and 162 representatives from other institutions and organizations; and

2004 - 29 seminars on 16 topics with total of 1021 participants: 652 judges, 138 legal assistants and 231 representatives from other institutions and organizations.

The duration of the seminars and workshops are usually 1,5 days, although depending on the topic, the CCE/MJA is organizing workshops with duration of 3 to 5 days.

Depending of topic, the training hours are usually 9-10 hours per seminar for the seminars whose duration is 1,5 days.

In 2004, the CCE/MJA started with implementation of training program for the administrative court staff. A total number of 408 participants attended this program.

The CCE/MJA provides computer and foreign language courses as well. There were total of 276 judges, prosecutors and administrative staff of the courts at the computer classes.

52 judges and prosecutors attended French language classes and 142 judges and prosecutors attended English language classes.

VII. Please specify and describe the in-service training methods (seminars, workshops, traditional lectures, distance learning, audiovisuals);

The CCE/MJA is practicing seminars, conferences and workshops, small group discussion, using audiovisuals, like: LCD Projectors, Overhead Projector, flipcharts, etc.

In the framework of TEMPUS Program and cooperation with the Bologna University, the CCE/MJA participated in realization of a special regional

distance-learning program “How the one becomes a judge”, with participation of 10 macedonian judges. T

VIII. Please give details about the training environment (dedicated structures, court buildings, conference centres in hotels and the like);

The seminars are held at the conference centres in hotels and at the courthouses conference rooms.

Computer and foreign language classes are held at the CCE/MJA premises.

IX. What are the contents of training initiatives (role of cultural and social themes; role of ancillary sciences; management techniques);

The workshops are dedicated to a legal topics that are most relevant for everyday work of judges and prosecutors, the recent changes of the laws, international conventions, EU Law, management, etc.

X. What are the contents and the modalities of training to support change of functions?

The CCE has organized seminars on “New Judges Orientation”, for newly elected judges.

XI. How is the assessment of programmes and methods done (questionnaires, interviews)?

It is established practice CCE/MJA to distribute questionnaires to all participants at the end of the training programs, which are analysed by the CCE/MJA and used in the development at the CCE/MJA Curriculum.

XII. What are the modalities of the evaluation of trainers?

The CCE/MJA evaluates the quality of the presentations delivered by the trainers and the method of presentation of the topic.

XIII. What is the impact of participation to training on participants' career?

At the moment, the participation at the trainings might be taken into consideration into career development. However, at the moment there is no legal provision, which may be change it the on-going reform process.

XIV. Is there for each judge and prosecutor a file describing the in-service actions in which he/she participated?

The CCE/MJA has developed and maintains electronic database for judges in which their participation at the training activities organized by the CCE is recorded.

XV. Are judges and public prosecutors offered individual training programmes concerning their personal professional development?

No, due to the financial constrains.