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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 “A” ON THE STRUCTURAL AND FUNCTIONAL
FEATURES OF TRAINING INSTITUTIONS OF JUDGES AND
PROSECUTORS**

*Prepared and adopted by the Bureau of the Lisbon Network at its first meeting
(Palais de l'Europe, Strasbourg, 16- 17 December 2004)*

Questionnaire “A” on the structural and functional features of training institutions of judges and prosecutors¹

Risposte da dare ancora:

II d (numero dei componenti il personale amministrativo della IX)

IV (proporzione percentuale tra i 16 del Comitato Scientifico ed il personale amministrativo della IX)

I. What is (are) the name (s) of the training institution (s) of judges and prosecutors in your country? Please indicate whether the training of judges and that of prosecutors takes place or not within the same training institution; does (do) the training institution(s) of judges /prosecutors ensure both initial and in-service training? National and decentralised training?

The training Institution of judges and prosecutors in Italy is the Consiglio Superiore della Magistratura Rome, Piazza dell’Indipendenza 6 (High Council for the Justice).

It ensures both initial and in-service training.

It ensures also decentralised training.

II. For each training institution, please indicate:

a) the number of full- time trainers

CSM has no full-time trainers.

b) the number of part- time trainers

16 are the members of the Scientific Committee, that is the Board of trainers of the CSM, formed from judges/prosecutors (12) and university professors (4).

c) the number of occasional trainers

The occasional trainers are the reporters, whose number depends on the various training activities; they are judges, prosecutors and university professors, lawyers.

d) the number of administrative and managerial staff

They are 16 (15, plus the administrative head of the staff).

e) the origin of funding

CSM funding are provided in the yearly budget of the Ministry of the Justice.

f) the link with the Ministry of Justice, the High Council of Magistrates, etc..

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.

As to judicial training activities and apart from various occasions of collaboration and partnership in seminars, there is no particular, legal link with the Ministry of Justice in this field.

g) taking into account, in particular, item f) above, if it should be considered as an autonomous/independent training institution

The CSM is totally autonomous in the exercise of its training activities.

h) the links between the training institutions if there are more than one (co-operation, coordination, subordination, etc...);

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III. What are the procedure and the criteria for the appointment of managerial staff and instructors of the training institution (s)? Are the criteria for the appointment of the trainers identical for a) full-time, part-time and occasional trainers? b) trainers responsible for initial training and those responsible for in-service training?

The managerial staff is appointed by public examinations, concerning graduates in law as to the highest officers. The highest authority is the President of the IX Commission, that is the CSM department in charge of the direction of judicial training activities, formed from five CSM Members, who are either judges / prosecutors (elected by all national judges and nd/or members of the management?

The proportion is 1/1 (16 members of the Scientific Committee and 16 members of the managerial staff).

V. If persons other than judges or prosecutors fulfil the task of trainers, what are their original professions? Please also give details on their proportion;

As said above , the proportion is then 1/4).

VI. Are retired judges and prosecutors or other retired law practitioners invited to act as trainers or members of the management?

NO, they are not.

VII. What choice has been done between full-time instructors, part-time instructors or occasional instructors that furthermore have judicial functions?

The decision has been to exclude full-time instructors; both part- time instructors (members of the scientific committee) and the majority of occasional instructors (reporters in seminars) have judicial functions.

VIII. If judges or prosecutors are part-time or occasional trainers, is the burden of their work within their jurisdiction alleviated?

The burden of judicial work is partially alleviated (30% off).

IX. Please specify the modalities of the **training of trainers** who perform their training mission –full-time or part-time- within the framework of the training institution(s) or in Courts (content, educational methods, duration, periodicity, etc...);² Is training of trainers compulsory?

² See the conclusions of the meeting of the Lisbon Network held in Budapest, 25-26 October 1999, on the theme "The training of trainers".

Generally, each year one or two conferences are aimed at training of trainers. The participation is not compulsory for future trainers, but it is a title to be considered in the evaluation of would be trainers.

X. Please specify what initiatives are taken to assure vicinity between trainers and trainees at regional and local level as well as to develop communication (including through the Internet);

The vicinity between trainers and trainees is assured at the level of the 26 District of Court of Appeal (one or two for each Region). In each District is settled the Office of the “Referenti distrettuali per la formazione” (District reference persons for judicial training) formed from two or more (up to 5) judges and prosecutors appointed by the CSM. These offices are financed by the CSM that approve as well their yearly programmes.

XI. Please specify what initiatives are taken to assure participation of the training institution in international co-operation in the field of training (exchanges between training institutions, periodicity of these exchanges, organisation of / participation. in international seminars, co-operation with International Organisations / Institutions (Council of Europe, the European Commission, etc...)).

CSM is active in partnerships concerning the Eu Commission civil and criminal judicial training programmes (being promoter of average to 34 programmes a year) and coordinates the activities of EJTN Website Working Group.

CSM has signed protocols of collaboration as to judicial training with various foreign institutions, as for instance ENM (France) and Argentina.

A stable collaboration is settled with the Albanian judicial training centre, to which the Csm provides Italian judges and prosecutors as supporters of the organization of the training activities.
