



Strasbourg, 31 January 2005

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

**1<sup>st</sup> 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](http://www.coe.int/lisbon-network))**

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

**QUESTIONNAIRE “B” ON THE ROLE OF TRAINING INSTITUTIONS IN RECRUITMENT AND INITIAL TRAINING OF JUDGES AND PROSECUTORS**

**Questionnaire “B” on the role of training institutions in recruitment and initial training of judges and prosecutors<sup>1</sup>**

- I. What are the ways of acceding (and the respective related procedures) to the functions of judge and prosecutor (examination, selection based on a file, etc.)?

**All response will present only the acceding procedure for judges !!!**

*1<sup>st</sup> step – competition based on certain criteria – older than 30, degree in law, 5 year work experience;*

*2<sup>nd</sup> step – psychological and legal tests, individual interviews;*

*3<sup>rd</sup> step – internship program based on the previous work experience. Internship takes place in different institutions of judicial system of the country;*

*4<sup>th</sup> step – 4 week initial training that covers main law areas, EU law, Human Rights, skills development component – psychology, ethics, communication skills, etc.*

- II. How, following which periodicity and by whom is the assessment of vacancies to be filled done?

*The needs are analyzed and prognoses are done on an ongoing basis by the Courts Administration and the Ministry of Justice.*

- III. What are the bodies which proceed to the selection of the candidates to the initial training for the function of judge or prosecutor? According to the way of acceding to the function of judge or prosecutor (cf. question I. above), please specify: **a)** the qualification of the persons proceeding to the selection: members of these selection bodies are they: i) exclusively judges and prosecutors? ii) in majority judges and prosecutors? iii) in majority persons who are neither judge nor prosecutor? and **b)** the selection procedure; do members of these selection bodies benefit from a specific training, for instance in the field of assessment techniques? If so, please give details;

*The acceding process is organized and supervised by the Courts Administration. Specialists involved in the selection are already prepared to do the selection and to interpret the received data.*

- IV. What qualifications are requested from candidates (university degrees, previous professional experience)?

*See answers above, in the question I.*

- V. In the case of a selection done by way of an examination, what are the selection modalities (multiple choice questionnaire, written and oral examinations, psychological tests, etc...)?

*See answers above, the question I. Examination includes different approaches – multiple choice questionnaire,*

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<sup>1</sup> Members of the Lisbon Network are invited to send their replies to the Secretariat by E-mail ([valerie.schaeffer@coe.int](mailto:valerie.schaeffer@coe.int)) for 31 March 2005 at the latest.

VI. What is the value of passing of initial examination (access to initial training as a tool for further selection, or as a tool to begin the professional career)? What are the consequences on curricula and assessment of training?

*The court system receives higher and better qualified judges. The initial training assessment provides necessary information to tailor a special 2 week intensive training program for young judges (work experience less than 1 year). It also provides suggestions (feedback from candidates to the judges position) how to improve or reshape the 4 week training program for candidates.*

VII. Please give information on:

a) the framework of initial training;

*4 week (20 days) training for candidates to the judges position in district court is composed of 4 major blocks – 6, 5 days are dedicated to the criminal law; 6,5 days are dedicated to the civil law; 3 days for international law (EU law and human rights), and, 4 days legal theory (legal argumentation, interpretation of legal texts, etc.) and skills development (communication, psychology, ethics).*

*4 week training for candidates to the judges position at the district administrative court is organised to present and discuss with the candidates different aspect of the administrative law, principles of the administrative law and interpretation of it, EU law, competencies of different EU institutions, administrative process in the court, also legal theory, communication skills, communication with mass media, ethics, stress management.*

b) the duration of initial training;

*4 weeks of intensive training*

c) the qualification and the selection of trainers;

*Judges and lawyers, experts and well recognized specialists in the field of their expertise.*

d) the method used in initial training (seminars, training periods in a jurisdiction, training period in other places, period of the curriculum during which these training periods take place);

*The training methods employed during the training depends on the topic. There are lectures, discussions, group work, moot court, observation of the court proceedings, etc.*

e) the content of the initial training programmes<sup>2</sup> and its link with university curricula;

*see part a.*

VIII. Is there an exit examination? If so, what is the value of this exit examination? Please give details about the methods of selection, the selection bodies and their membership;

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<sup>2</sup> For example: deontology, European and international law, foreign languages, international judicial co-operation, issues related to discrimination; practical studies in the field of forensic medicine, police, cadastre, social security, labour law, alternative dispute resolution (ADR), etc.; familiarization with the functioning of jurisdictions such as Supreme Courts, State Councils, etc...

*There is an exit test for candidates to the judge's position but there are no consequences based on the results.*

*The Courts Administration does the final selection.*

IX. Are there provisions for the training and tutoring for judges and prosecutors in the first years of their career (complementary training)? If so, what are the modalities?