



Study on the Training Needs of Court Staff on EU Law in the EU

Annexes

Prepared by the European Judicial Training Network
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Study on the Training Needs of Court Staff on EU Law in the EU

Annexes

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Annexe 1 – Simplified Calendar of Implementation

Month	Important Steps
<i>Inception Phase</i>	
Month 1 to Month 3	<ul style="list-style-type: none"> - Kick-off Meeting - Inception Report Submission to the European Commission - Confirmation of the List of National Coordinators
<i>Round 1</i>	
Month 4 to Month 6	<ul style="list-style-type: none"> - Experts' Committee, Kick-off Conference of the National Coordinators, Steering Committee: Presentation of the Project and Workshops on Questionnaire 1 - Launch of Questionnaire 1 - Analysis of the Data - Information Sharing with Stakeholders - Update on the State of Play of the Project to the European Commission
<i>Round 2</i>	
Month 7 to Month 12	<ul style="list-style-type: none"> - Experts' Committee: Discussion of the Analysis of Questionnaire 1 and Presentation of Questionnaire 2 - Presentation of Questionnaire 2 to the National Coordinators - Steering Committee - Launch of Questionnaire 2 - Analysis of the Data - Experts' Committee: Discussion of the Analysis of Questionnaire 2 - Information Sharing with Stakeholders - Update on the State of Play of the Project to the European Commission

Round 3	
Month 13 to Month 16	<ul style="list-style-type: none"> - Progress Report Submission to the European Commission - Experts' Committee: Discussion of the Analysis of Questionnaire 2 and Presentation of Questionnaire 3 - Launch of Questionnaire 3 - Questions and Answers Session with the National Coordinators during the Completion Period of Questionnaire 3 - Analysis of the Data - Information Sharing with Stakeholders - Update on the State of Play of the Project to the European Commission
Review Phase	
Month 17 to Month 20	<ul style="list-style-type: none"> - Draft Study 1: Review by the Experts' Committee - Draft Study 2: Review by the Steering Committee - Draft Study 3: Submission to the European Commission and Final Review - Update on the State of Play of the Project to the European Commission
Closing Phase	
Month 21	<ul style="list-style-type: none"> - Information to Stakeholders - Information to EJTN Members - Presentation to EJTN General Assembly and to the Court Staff Training Providers - Close of the Project

Annexe 2 – Questionnaire 1, Part A

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

Country: ...

Name of the organisation:

Name of the contact point (National Coordinator/data collector) for this study: ...

Email:

Describing the profession or category of Court Staff

- 1- Name used in the national judicial system for this specific profession or category
- 2- What would be its most accurate translation in English?
- 3- Is there any statutory basis for this post?
(if possible include the URL to the statutory basis if published online – you can also send it as an attachment)

Access to the category or profession of Court Staff

In this Questionnaire, we ask you to provide us with a description of the access route to the profession or category of Court Staff.

- 4- The main access conditions:
 - What are the prerequisites for accessing the profession/category?
 - When the prerequisites include a degree or diploma in law, do these include aspects of EU law?
- 5- Main recruitment procedure:
 - What is the primary recruitment process?
 - At what level are the recruitment decisions taken?
- 6- Alternative access routes:
 - Are there alternative access routes to the category/profession?
 - You can describe your national system here if you wish to detail the various alternative routes available in your jurisdiction.

Responsibilities, duties and tasks

7- What are the main responsibilities, duties and **tasks of the category/profession?**
Please tick all the different options.

- Specific competences regarding judicial decisions
- Procedures
- Management
- Administrative tasks
- Service (guarding, cleaning, etc.)
- Assistance to the judiciary in drafting decisions
- Others:

Please describe these in a succinct manner.

8- The category/profession of court staff described in this answer has different roles.
Please tick all the different options.

- Civil law and procedures
 - Cross-border civil procedures
- Commercial law and procedures
 - Cross-border commercial procedures
- Criminal law and procedures
 - Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts
 - E-justice (organisation of Information Technology & Communication, videoconferencing)
 - Data protection

- Authentication of judicial and extra-judicial documents
- Court programming/management of court agendas
- Human Resources/personnel issues
- Budget
- Health & safety, building administration

Organisation of the category/profession

- 9- Please indicate the contact details of the structure/institution in charge of the overall organisation of the profession. Please indicate a website if applicable.

- 10- Please indicate the contact details of professional organisations relevant for this category/profession of court staff.

Annexe 3 – Questionnaire 1, Part B

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types as follows:

TYPE 1

- 1- Performs tasks which **'require the application of EU law'**.
 - Please indicate the category (in English)
 - Brief description of the tasks that require the application of EU law. Please also provide a brief reference to any instruments of EU law relevant to these tasks, as identified in Part1A/Factsheet responses.

TYPE 2

- 2- Performs tasks which **'might require the application of EU law'**.
 - Please indicate the category (in English)
 - Brief description of the tasks which might require the application of EU law. Please also provide a brief reference to any instruments of EU law relevant to these tasks, as identified in Part1A/Factsheet responses.

TYPE 3

- 3- Does not perform tasks **'that require the application of EU law'**.
 - Please indicate the category (in English)

TYPE 4

- 4- Please list any remaining category of court staff where you are unsure which aforementioned category is appropriate.
 - Please indicate the category (in English)
 - Please explain the reasons why you are unsure which Type is appropriate.

Annexe 4 – Questionnaire 1, Model Factsheet

*QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF**FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)*

COUNTRY	COUNTRY NAME
Name of Court Staff Category (Questions 1-2)	In national language: Category
	In English: Category
	The term ‘justice staff’ covers people working in court offices or in the Public Prosecution offices. They are divided into the following groups: judicial assistants and auxiliary staff . Justice staff include the categories of high court clerk and justice clerk , as well as judicial and Public Prosecution services careers.
Statutory/Legal Basis for this Post (Question 3)	
<i>Access to the Court Staff Category</i>	
Main Access Conditions (Question 4)	
Main Recruitment Procedure (Question 5)	
Alternative Access Routes (Question 6)	

*Responsibilities, Duties, **Tasks******How to explain tasks and tasks related to EU law****(Questions 7-8)*

Please describe the tasks of each category:

1. Judicial Assistants carry out a wide range of tasks, such as:

- Communicating with a wide range of customers both over the phone and at the public counter. Responding to enquiries from members of the public, solicitors and party litigants advising them on court procedure and assisting in the completion of some court documents such as Small Claims (national procedure), European Small Claims Procedures, European Payment Order Procedure and Simplified Divorce Applications.
- Dealing with telephone queries related to the application of European Small Claims Procedures and the European Payment Order Procedure.
- Judicial Assistants are involved in the preparation of videoconferences under Article 17 (direct taking of evidence by the requesting court) of the Regulation on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters. Judicial Assistant court staff are also responsible for filling in Annexe I (form) – transmission of a request to collect evidence in another Member State.

This court staff category plays an important role in:

- Cross-border civil procedures (including family law matters)
- Cross-border commercial procedures, in particular, European Small Claims Procedures, the European Payment Order Procedure and the taking of evidence Regulation
- E-justice (forms and information)

2. Auxiliary staff carry out the chief administrative tasks and management tasks. They act as head of the Court Clerk service of a court or tribunal and apply all necessary procedures in order to ensure the smooth running of the court service. Their main tasks include:

- Supervision of files and the transmission of documents in civil procedures related, in particular, to the service of judicial and extrajudicial documents under the service of documents Regulation
- Filling in forms related to enforcement of court decisions under the Regulations Brussels I bis, Brussels I bis recast, Brussels II bis and maintenance obligations
- Administrative duties – checking and processing all applications lodged at court, i.e. civil and commercial
- Human resources, training, logistics

This court staff category plays an important role in:

- General management

- Human resources
- Cross-border civil and commercial procedures (including family law matters)
- Authentication of judicial and extrajudicial documents
- Enforcement of court decisions
- Rights of the child in accelerated procedures in matters related to parental responsibility and child abduction cases in the EU
- E-justice (organisation of Information Technology & Communication, videoconferencing)

3. High court clerks are responsible for the research and analyses of files, preparation of memos on legal questions and official versions of decisions related to criminal law procedures. High court clerks assist judges and prosecutors in matters related to the application of the European Arrest Warrant in first instance courts. For this, high court clerks have competence to complete Annexe 1 of the EAW Regulation and submit it to the General Prosecutor (national competent judicial authority) in charge of issuing the order. High court clerks also act as contact points in case the requested Member State requires further information related to the enforcement of the EAW. These tasks are under the supervision of the General Prosecutor

This court staff category plays an important role in:

- Criminal law and procedures
- Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Access to justice

4. Justice clerks provide assistance to the judiciary in drafting decisions and preparing reports for use by the criminal and civil appeal bench that will form the basis for any opinion to be delivered by the bench. This includes a précis of the relevant facts or evidence; a summary of the case and argument; a summary of the substance of the ground of appeal and its basis in law, in terms of the case and argument.

This court staff category plays an important role in:

- Criminal law and procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.) also in relation to civil procedures
- Civil and commercial matters
- Access to justice
- Rights of the victim
- Assistance to judges and/or public prosecutors

<i>Organisation of the category/profession</i>	
Organising Structure (Question 9)	
Contact Details of any Professional Organisations in Connection with this Court Staff	

Annexe 5 – Questionnaire 1, Guidelines

GUIDELINES FOR NATIONAL COORDINATORS, JANUARY 2020

At the briefing conference held in Brussels on 21 January 2020, National Coordinators asked a number of important questions regarding the management and execution of your data collector responsibilities. The Project Team has prepared the following Guidelines answering your questions. Please do not hesitate to contact the Team if you require any further advice and assistance.

1- Excluded Categories

All court staff must be initially listed in the Project. There are, however, some staff categories that will be excluded from further involvement in the Project (e.g. building maintenance and cleaning staff, security staff, court ushers) and no further information is required for these staff. We simply need to know their job titles and brief job descriptions.

There are other staff members who are on the margins of the Project because their need for training in EU law is not immediately apparent. This group would include, for example, receptionists, typists, IT staff, court archivists. For this group of court staff, we ask simply that you complete a single Q1A/Factsheet headed **General Staff** with a basic description of their tasks. Please also complete a single basic **1B Questionnaire** covering all the categories of **General Staff** mentioned in the Q1A/Factsheet.

2- Relationship Between Questionnaire 1A and Factsheets

What we are interested in receiving from you is a set of appropriately detailed Factsheets that collectively give us all the information that we require to proceed to Stage Two of the Project: *the identification of court staff training needs in EU law*. We are therefore providing you with blank (or previously submitted) Factsheets for you to complete and/or update. We are also providing you with a blank **Questionnaire 1A**. This is intended to give you a structured pathway to obtaining the information that you will be entering in each Factsheet. You will note that the numbered paragraphs of Q1A match the numbered boxes in the blank Factsheets.

Questionnaire 1B is simply a continuation of Q1A and should be submitted together with the relevant Factsheet.

3- Same Job Title, Different Tasks

There may be circumstances where a court staff member has the same title/category as another court staff member (e.g. Greffier, court clerk) but their tasks differ. This may be because they operate at different levels of court jurisdiction, or in specialist courts (Family, Labour, Commercial, etc.) If this is the case, we invite you to complete a single Factsheet (following the guidance in Q1A) listing the different tasks of each category of court staff working with the same title, indicating at the same time the court or tribunal in which each category is working (e.g. High Court, Market Court, General Court). This may create longer Factsheets than the average, but we consider this to be the most efficient method of capturing the information required by the Project Team. We attach an example of such a Factsheet below (from page 4 onwards). Please ensure that all the tasks are highlighted in **Bold**.

4- How Much Information do we Need?

What we want, above all, is information that is simple, precise, and clear. Use the **model Factsheet** we have provided as your template.

5- Different Title, Same Tasks

It is sometimes the case that a court staff member carrying out tasks in Court A is given a different title (Category) from a court staff member carrying out identical or similar tasks in Court B. If this is the case, we suggest you complete one Factsheet covering both categories, indicating that the discrepancy is in the title only, not the tasks.

6- Language

Please provide all your responses in English, the only exception being when a link (URL) providing additional information is not available in English.

7- Advice on How to Get Help

You should not consider yourself to be alone in carrying out your tasks as data collectors, and we urge you to consult a range of individuals/organisations in order to obtain information that is not directly available to you, e.g. your Ministry of Justice, court directors and managers, existing court staff, current court staff trainers, lead prosecutors and national professional organisations. We encourage you to make use of the letter of support from the European Commission when approaching such persons.

8- Time Extensions

It is very important for the smooth running of the Project that you use your best endeavours to adhere to our strict timetable of deadlines. If you anticipate this may cause you a problem for whatever reason, please do contact Chrystelle as early as possible to discuss the problem.

The Project Team is hugely indebted to you all for agreeing to carry out the critical task of Data Collection on behalf of your national jurisdictions. You will be well aware that ultimately the success of the Project can only be as good as the quality of the data you provide. However, at the same time, we hope you will share our expectation that the ultimate beneficiaries of this work will be the court staff themselves, due to the greater quality and quantity of training in the use of EU law to which this Project is designed to lead.

Annexe 6 – Questionnaire 1, Factsheet Summary

This Annexe comprises the following information:

- Definition of Type and Functions: Page 18
- Global Statistics: Page 20

1- DEFINITION OF TYPE AND FUNCTIONS

a. Type:

- i. 1 – Court staff performing tasks which ‘require the application of EU law’
- ii. 2 – Court staff performing tasks which ‘might require the application of EU law’
- iii. 3 – Court staff not performing tasks ‘that require the application of EU law’

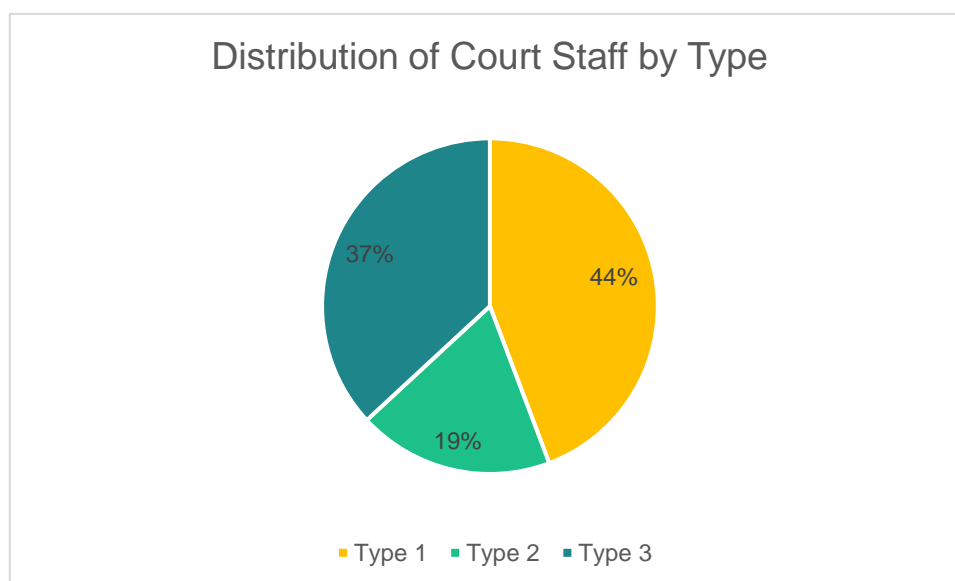
b. Four groupings of court staff categorised on the basis of their key Functions (F1-F4)

GROUP F1 Court staff with functions primarily related to the administration and management of the courts.	GROUP F2 Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.	GROUP F3 Court staff whose tasks include some judicial functions.	GROUP F4 Court staff whose tasks include procedural functions of a cross-border nature.
<ul style="list-style-type: none"> - General management - HR - E-justice - Organisation of legal registries - Providing information about access to justice and legal aid - ICT system and maintenance 	<ul style="list-style-type: none"> - Cross-border judicial cooperation in <ul style="list-style-type: none"> o civil o commercial o criminal and o family cases. - Involvement in research and analysis 	<ul style="list-style-type: none"> - Enforcement of court decisions - Service of judicial and extra-judicial documents - Taking of evidence - Judicial decisions in specific cases (e.g. under a given value) 	<ul style="list-style-type: none"> - Cross-border judicial cooperation in <ul style="list-style-type: none"> o civil o commercial o criminal and o family cases - (e.g. completing requests to courts in other countries or receiving such

<ul style="list-style-type: none"> - Budget and bookkeeping - Court programming - Secretariat - Collecting documents and statistical data - Organising files and correspondence tasks related to the management of courts 	<ul style="list-style-type: none"> - Preparing memos on legal questions - Preparing official version of decisions 	<p>and/or fields of law</p>	<p>requests from other countries)</p> <ul style="list-style-type: none"> - In procedures with cross-border impacts, court staff have to fill in forms or prepare the forms that will be signed by the judge - Observance of procedural rights in criminal cases (e.g. Human rights, Access to justice) - In procedures with cross-border impacts, court staff have to fill in forms under their responsibility or prepare the forms that will be signed by the judge - Rights of the child Administrative law and procedures - Competition law and procedures - Environmental law and procedures
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2- GLOBAL STATISTICS¹

Approximate Number of Court Staff	Total	
Type 1	128,234	44%
Type 2	54,688	19%
Type 3	106,891	37%
TOTAL	289,813	100%



¹ The summary numbers are based on the information available and provided by the National Coordinators. For some categories, the approximate numbers were not available. In addition, while the numbers received for some countries were very precise, only approximate numbers could be provided for other countries. This is why the total numbers in the global statistics remain approximate. For Denmark (Prosecution Service), the approximate number of court staff combined Type 2 and Type 3; this is why this number is not included in this overview.

Annexe 7 – Questionnaire 1, Country Packages

This Annexe comprises Questionnaire 1 summary information and Factsheets by country:

- Austria: Page 22
- Belgium: Page 28
- Bulgaria: Page 49
- Croatia: Page 88
- Cyprus: Page 106
- Czechia: Page 124
- Denmark: Page 138
- Estonia: Page 147
- Finland: Page 198
- France: Page 214
- Germany: Page 229
- Greece: Page 272
- Hungary: Page 279
- Ireland: Page 312
- Italy: Page 335
- Latvia: Page 399
- Lithuania: Page 489
- Luxembourg: Page 542
- Malta: Page 552
- Netherlands: Page 574
- Poland: Page 585
- Portugal: Page 628
- Romania: Page 665
- Slovakia: Page 679
- Slovenia: Page 690
- Spain: Page 723
- Sweden: Page 756

AUSTRIA

1- GENERAL INFORMATION

Answering institution(s)	Austrian Federal Ministry of Justice (Bundesministerium für Justiz)
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF²

In the table below, an overview of the Court staff in Austria is presented, including their Type and, when applicable, Functions³.

Category	Type	Functions	Approximate numbers
Court Officer	Type 1	Functions 3	914
Bailiff	Type 3	N/A	335
Court Clerk	Type 3	N/A	2,558
District Prosecution Officer	Type 3	N/A	173
Employees in the Administration of the Justice System	Type 3	N/A	501
Other Staff (e.g. Accounting Officers, Training Centre Employees, Service Centre Employees, Typing Service Employees, Drivers)	Type 3	N/A	1,793

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’

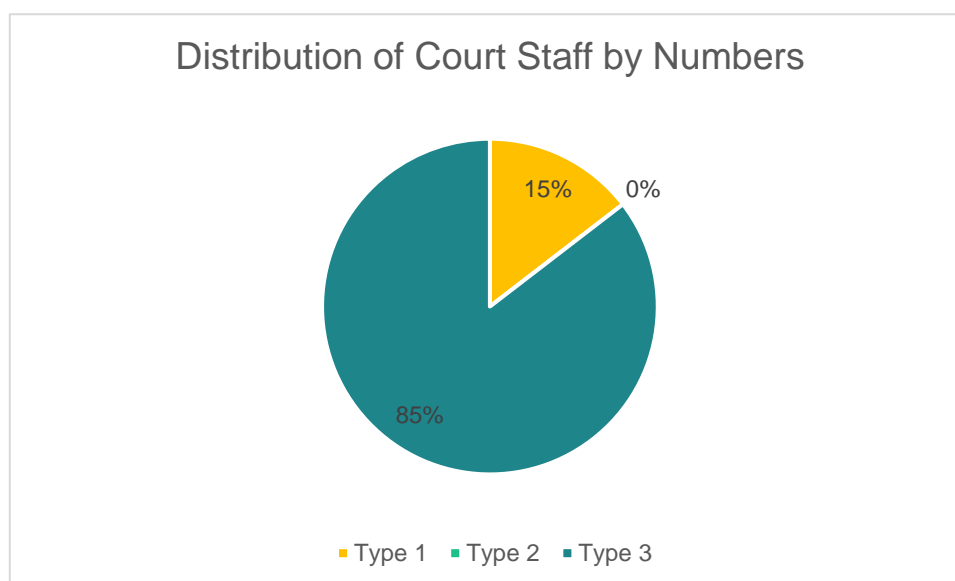
² Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

³ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	914	15%
Type 2	0	0%
Type 3	5,360	85%
TOTAL	6,274	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Austria, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	AUSTRIA
Name of Court Staff Category	In German: Rechtspfleger
	In English: Court Officer
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Austrian Federal Constitution, Article 87a (Bundes-Verfassungsgesetz – B-VG) - Statute on Court Officers (Rechtspflegergesetz)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Secondary school leaving examination (Matura) <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	<p>Recruitment procedure: The recruitment procedure takes place at regional level (Courts of Appeal)</p> <p>The candidates must submit their applications to one of the Presidents of the four Courts of Appeal, depending on the envisaged location of operation.</p> <p>Candidates have to pass several training courses before being appointed.</p> <p>The training includes the following elements:</p> <ul style="list-style-type: none"> - Modular basic training for legal professions (including examination) - A basic course comprising all areas of law (including examination) - A specialist course comprising primarily the subjects relevant for the speciality of the court officer (including examination)

Alternative Access
Routes

Transfer routes from other professions: No

Responsibilities, Duties, Tasks

General Tasks of all categories of Court Officers

The court officers carry out duties in specific fields of law. Within their areas of competence, they carry out the proceedings entirely by themselves: they hear the parties, witnesses and give all decisions including the final decision/judgment.

The scope of competences of court officers in each of these categories varies notably; in some fields, their competences are exclusive (order of payment procedures), in others rather comprehensive (e.g. enforcement proceedings and land register), in others rather limited (e.g. rights of the child).

The exact competences are listed in Articles 16 to 22 Statute on Court Officers (Rechtspflegengesetz).

Every court officer is assigned to a judge. Whenever legal difficulties arise, the court officer is obliged to present the case to the judge (Article 10 para. 1, Statute on Court Officers).

The court officers have competences in the following proceedings/fields of law:

- Enforcement matters, insolvency matters and civil procedure matters
- Non-litigious cases
- Land Register matters and Ship Register matters
- Company Register matters

- Special tasks in enforcement matters, insolvency matters and civil procedure matters
 - o Order for payment cases (jurisdiction of the court officer until the defendant appeals against the decision – from this point on the competence shifts to a judge)
 - o Enforcement cases
 - o Insolvency cases (only regarding natural persons; legal persons do not fall under the jurisdiction of the court officer)

- Special tasks in non-litigious cases
 - o Child maintenance proceedings
 - o Estate proceedings when a person's estate is worth less than 200,000 euros
 - o Monitoring the management of financial assets, capital and debts up to an amount of EUR 150.000 of children and wards
 - o Safeguarding proceedings

- Special tasks in Land Register matters and Ship Register matters
 - o Registration of property rights, liens, easements and many other rights for legal and natural persons in the land register, in the ship register and in the document filing register
 - o Cancellation of such rights
 - o Implementation of division plans
 - o Material and formal examination of the applications and the submitted documents
 - o Implementation of land consolidation and consolidation procedures
 - o Execution of entries in the land register, in the ship register and in the document filing file ordered by judges from other departments, such as compulsory lien, compulsory auction or notes from the adult representative

- Special tasks in Company Register matters
 - o Legal entity entries in the company register
 - o Registration of changes or deletions of registered facts
 - o Material and formal examination of the applications and the submitted documents
 - o Enforcing the timely submission of the annual financial statements of corporations and other companies subject to disclosure

Aspects of EU law: All four branches of court officers have to apply EU law.

Organisation of the category/profession

Organising Structure	Austrian Federal Ministry of Justice Bundesministerium für Justiz Museumstraße 7 1070 Wien
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Court Officer performs tasks which ‘require the application of EU law’.

- Regulation No 4/2009
 - child maintenance (for decisions in maintenance proceedings)
- Regulation No 650/2012
 - European certificate of succession (inheritance proceedings)
- Regulation No 1206/2001
 - Taking of evidence (for maintenance proceedings)
- Regulation No 1393/2007
 - Service of documents (for maintenance proceedings)
- Regulation No 805/2004
 - European Enforcement Order
- Regulation No 1896/2006 and Regulation No 2015/2421
 - European Payment Order
- Regulation No 861/2007 and Regulation No 2015/2421
 - European Small Claims Procedure
- Directive No 1132/2017/1132
 - Relating to certain aspects of company law
- etc.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	AUSTRIA
Name of Court Staff Category	In German: Gerichtsvollzieher
	In English: Bailiff
Statutory/Legal Basis for this Post	- Austrian Enforcement Regulation (Exekutionsordnung – EO; mainly Articles 24 to 32)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - No special qualifications required <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	Recruitment procedure: The recruitment procedure falls within the competence of the presidents of the four Courts of Appeal, depending on the envisaged location of operation of the bailiff.
Alternative Access Routes	Transfer routes from other professions: It is possible to transfer from other professions.
<i>Responsibilities, Duties, Tasks</i>	
<p>The general task of bailiffs is the enforcement of court decisions. This task includes the following activities:</p> <ul style="list-style-type: none"> - Issuing listings for executions of properties that are not registered in the Land Registry - Transferring real estate to the administrator for the purpose of administration and collection of the proceeds - Issuing descriptions and appraisals of properties to be auctioned as well as their accessories 	

- Transferring auctioned real estate and accessories to the purchaser by handing over possession (including the possible removal of persons and unsold moveable objects from the real estate)
- Seizure of moveable property
- Initiating the custody of seized objects and, if it is necessary, transferring to the auction hall before sale
- Confiscation of cash found at the seizure as well as receiving voluntary payments
- Determining the auction date and implementing the public auction
- Seizure of claims resulting from bills of exchange and endorsable papers
- Issuing the transfer declaration when transferring claims resulting from endorsable papers or claims whose assertion is linked to the possession of the bond created as evidence for the claim, as well as the transfer of the bond to the creditor
- Receiving objects handed over by third-party debtors
- Removing certain moveable objects including securities which the obligated person had to hand over, as well as the removal of documents and tools for the purpose of handing over objects which, by their nature, do not allow physical handover
- Removing persons and moveable objects; transferring possession of properties or parts thereof to the creditor, as well as the possession of objects of mining property or of ships
- Removing the resistance of the obligated party in order to take action which the obligated party is obliged to consent to
- Executing compulsory attendance and detention
- Participating in the enforcement of preliminary injunctions
- Issuing listings for executions of moveable objects held by the tenant or the leaseholder
- Issuing the inventory in bankruptcy proceedings
- Approving the list of assets
- Expulsion of persons according to the Violence Protection Act
- Removing children and foster children on grounds of neglect

Aspects of EU law: The tasks of bailiffs are not directly affected by EU law (TYPE 3).

Organisation of the category/profession

Organising
Structure

Austrian Federal Ministry of Justice
Bundesministerium für Justiz
Museumstraße 7
1070 Wien

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

*QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING
KNOWLEDGE OF AND TRAINING IN EU LAW*

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Bailiff does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	AUSTRIA
Name of Court Staff Category	In German: Kanzlei-Mitarbeiter
	In English: Court Clerk
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Act on Contractual Public Employees (Vertragsbedienstetengesetz 1948) - Civil Service Law 1979 (Beamten-Dienstrechtsgesetz 1979 – BDG 1979)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: No special qualifications required</p> <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	Recruitment procedure: The recruitment procedure falls within the competence of the presidents of the four Courts of Appeal depending on the envisaged location of operation of the Court Clerk.
Alternative Access Routes	Transfer routes from other professions: Yes – judicial officers ('Rechtspfleger') can become court clerks without additional training.
<i>Responsibilities, Duties, Tasks</i>	
<p>General tasks:</p> <ul style="list-style-type: none"> - Administrative tasks - Assistance to judges, public prosecutors, court officers, bailiffs and district prosecution officers <p>Special tasks:</p> <ul style="list-style-type: none"> - Receiving post 	

- Electronic registration of written submissions and creation of files
- Numbering of incoming documents
- Scanning documents
- Labelling file covers
- Submitting files to the decision-making body (judge, prosecutor, registrar)
- **File processing**
 - Filing entries in the electronic register / preparing documents
 - Numbering the pages of files
 - Forwarding files (to the writing department, experts, interpreters, courts)
 - Announcing court hearings
 - Administrating the translation of files or parts thereof
 - Allocating lay judges
 - Electronic register queries (e.g. central registry, criminal records, etc.)
 - Clearing up and storing files
 - Returning original documents
 - Notifying short-term postponements of hearings
- **Calculating, levying and transferring of**
 - Court fees
 - Lay judges' fees
 - Travel expenses and loss of earnings for witnesses and parties
 - Monitoring deadlines (calendar, notice of deadlines)
- **Front office**
 - By phone / in person
 - Record logs
 - Granting inspection of files in certain cases
 - Making copies
- **Edit lists (checklist, enforceability list, delivery list)**
- **Monitoring post deliveries**
 - Printing and filing return slips

Aspects of EU law: The tasks of court clerks are not directly affected by EU law (TYPE 3)

Organisation of the category/profession

Organising
Structure

Austrian Federal Ministry of Justice
Bundesministerium für Justiz

	Museumstraße 7 1070 Wien
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Court Clerk does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	AUSTRIA
Name of Court Staff Category	In German: Bezirksanwalt
	In English: District Prosecution Officer
Statutory/Legal Basis for this Post	- Public Prosecutor's Act (Staatsanwaltschaftsgesetz - StAG)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <p>The district prosecution officers do not have to hold a law degree or an equivalent degree but must have a school leaving certificate (Matura).</p> <p>After having passed the court office examination (which corresponds to the examination of court officers) district prosecution officers are initially trained on the job and thereafter they must attend a special training course for district prosecution officers in criminal law.</p> <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	<p>Recruitment procedure: The recruitment procedure takes place at a regional level. The district prosecution officers are selected from among the court clerks by the four Senior Public Prosecutor's Offices (in German: Oberstaatsanwaltschaften)</p>
Alternative Access Routes	<p>Transfer routes from other professions: Transfers from other professions are possible but not common practice</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>'Bezirksanwälte' – the agents of public prosecutor's offices – are law-trained judicial officers who are allowed to act for the public prosecutor's offices under the supervision of a public prosecutor (quite similar to the Austrian court officers [Rechtspfleger]). They</p>	

are appointed to permanent positions, recruited and trained by the Presidents of the Courts of Appeal, similar to the court clerks.

Their main tasks include activities in the following areas:

- **Criminal procedures**

The district prosecution officers are allowed to act for the public prosecutor's offices under the supervision of a public prosecutor at the level of District Courts ('Bezirksgerichte'), where cases with a maximum penalty of **one year** of imprisonment are heard.

Thus, the district court officers carry out preliminary proceedings, are responsible for investigations and represent the prosecution during court hearings.

Furthermore, district prosecution officers have to deal with:

- **Criminal law and procedures (including cross-border criminal procedures)**
- **Procedural rights in criminal procedures**
- **Human rights**

Aspects of EU law: The tasks of district prosecution officers are not directly affected by EU law (TYPE 3). EU directives regarding the procedural rights of suspected or accused persons have been implemented into national law.

Organisation of the category/profession

Organising Structure	Austrian Federal Ministry of Justice Bundesministerium für Justiz Museumstraße 7 1070 Wien
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – District Prosecution Officers does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Employees in the Administration of the Justice System (Mitarbeiter*innen in der Justizverwaltung)	Administrative activities for the courts and public prosecution offices in the following areas: <ul style="list-style-type: none"> - Personnel matters - Interpreter, expert and notary matters - Administration of travel expenses - Complaint management - Initial and continuing training - Statistics - International contacts - Economics (procurement and construction matters) - Budget - IT - Librarianship - Enforcement - Official liability matters - etc. 	501
Other Staff (Mitarbeiter*innen der Allgemeinen Verwendung) e.g. Accounting Officers, Training Centre Employees, Service Centre Employees, Typing Service Employees, Drivers	<ul style="list-style-type: none"> - Basic training - Fees - Accounting - Certifications - Auditing - Service centres - Matters of family and juvenile court assistance - Typing service - Telephone operation service - Internal mail service - Helpdesk 	1,793

	<ul style="list-style-type: none">- File storage- Depository- Auction service- Motor service- Cleaning services- Staff representatives- etc.	
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BELGIUM

1- GENERAL INFORMATION

Answering institution(s)	Institut de Formation Judiciaire Instituut voor Gerechtelijke Opleiding
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁴

In the table below, an overview of the Court staff in Belgium is presented, including their Type and, when applicable, Functions⁵.

Category	Type	Functions	Approximate numbers
<i>The Registry</i>			
Chief Clerk	Type 1	Functions 1/2/4	58
Clerks and Administrative Experts	Type 1	Functions 1/2/4	1,526
Clerks: Heads of Service	Type 1	Functions 1/2/4	118
Assistants	Type 2	Functions 1/2/4	1,187
Employees	Type 2	Functions 1/2/4	926
<i>Secretariat of the Public Prosecutor</i>			
Principal Secretary	Type 1	Functions 2/4	40
Secretaries and Administrative Experts	Type 1	Functions 2/4	795
Assistants	Type 2	Functions 2/4	899
Employees	Type 2	Functions 2/4	753

Additional information:

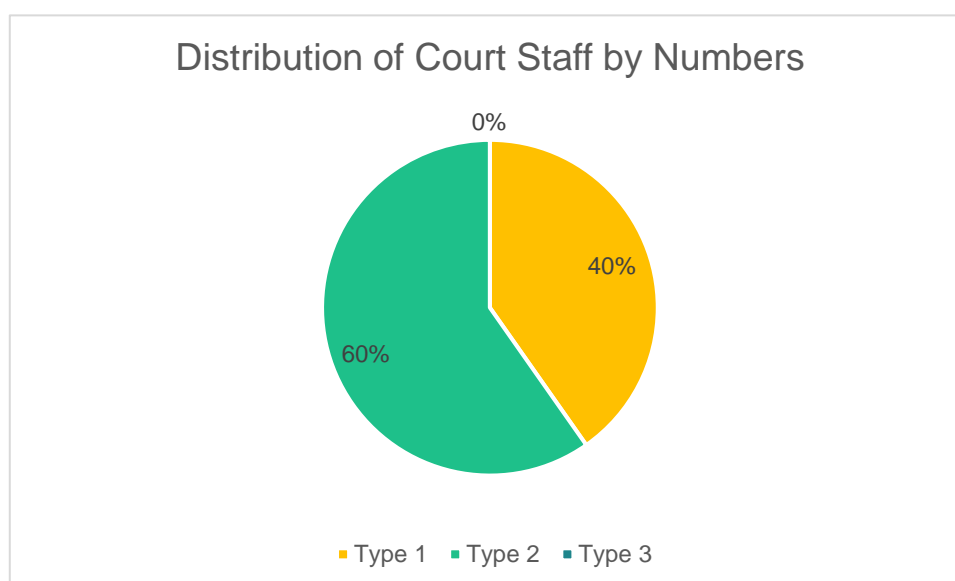
⁴ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁵ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	2,537	40%
Type 2	3,765	60%
Type 3	0	0%
TOTAL	6,302	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Belgium, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	BELGIUM
Name of Court Staff Category	<p>In French: Le greffe</p> <p>Sous-catégories :</p> <ul style="list-style-type: none"> - Greffiers en chef - Greffiers-chefs de service - Greffiers et experts administratifs - Assistants - Collaborateurs <p>In English: The Registry</p> <p>Sub-categories:</p> <ul style="list-style-type: none"> - Chief Clerk - Clerks-Heads of Service - Clerks and Administrative Experts - Assistants - Employees
Statutory/Legal Basis for this Post	<p>Articles 157 to 161 (general provisions) and 163 to 171 (provisions of the members of the registry – description of the tasks), Articles 262 to 264 and 272bis (provisions on the conditions to access the registry – levels A and B), Articles 268 to 272ter (provisions on the conditions to access the registry for levels B, C and D), Articles 274 to 275bis (selection procedure), Articles 276 to 278 (provisions on the career development), Articles 287bis and 287quinquies and sexies and 291 bis (additional provisions on the conditions for selection) of the Belgian judicial code</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Level A: to hold a university degree and to pass an exam (comparative selection) organised by the appropriate federal office in charge of the recruitment of civil servants + to receive a positive evaluation at the end of a probation period

	<ul style="list-style-type: none"> - Level B: to hold a degree of higher studies and to pass an exam (comparative selection) organised by the appropriate federal office in charge of the recruitment of the civil servants + to receive a positive evaluation at the end of a probation period - Level C: to hold a degree of secondary school and to pass an exam (comparative selection) organised by the appropriate federal office in charge of the recruitment of the civil servants + to receive a positive evaluation at the end of a probation period - Level D: to pass an exam (comparative selection) organised by the appropriate federal office in charge of the recruitment of the civil servants + to be positively evaluated at the end of a probation period. <p>Subject to completing several years of service and after passing an exam, it is possible to change from level D to C, from level C to B and from B to A (or to change functions in level A).</p>
Main Recruitment Procedure	Exam (comparative selection organised by the federal office in charge of the recruitment of the civil servants) + Promotion from one level to another
Alternative Access Routes	By means of temporary contracts (cashflow) or by means of indefinite contract due to lack of candidates. There is also the possibility for the state-appointed members of the federal administration to be recruited (transfer of staff)

Responsibilities, Duties, Tasks

The principal clerk has to **manage the clerk office** of the court under the authority of the judge, head of the court.

The main tasks of the clerks relate to **contact with the public**, preparing the work of the judge, **filling in some forms**, registers, producing **statistics**, etc.

The chief clerk has to manage the registry under the authority of the judge.

The main tasks of the clerks relate to **contact with the public** (they are supposed to provide the public with general or practical information (not advise) on European procedures such as European payment order, small claims, European Enforcement Order, etc.), the **preparation of the work** of the judge. Concerning some procedures with cross-border impacts, they have to **fill in forms** under their responsibility or prepare the forms that will be signed by the judge (cf. Service Regulation, Taking of Evidence Regulation, Maintenance Regulation), carry out some duties relating to some European procedures (Brussels I bis recast, Brussels II bis Regulation, taking of evidence Regulation, videoconferencing, etc.), take some steps in order to preserve the time limit for lodging an appeal, etc.

Depending on the internal organisation of each court, these tasks can be taken on by different categories of the registry staff but under the supervision or responsibility of the clerk.

<i>Organisation of the category/profession</i>	
Organising Structure	Ministry of Justice (Service public federal Justice / Federale Overheidsdienst Justitie), Directorate-General for Judicial Order, Boulevard de Waterloo, 115 – 1000 Brussels National council of the chief clerks
Contact Details of any Professional Organisations in Connection with this Court Staff	Collège des cours et tribunaux, Boulevard de Waterloo, 70 – 1000 Brussels

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Chief Clerk, Clerk-Head of Service, Clerk, Administrative Expert, Assistant perform tasks which ‘require the application of EU law’.

- Information for the public:
 - Brussels I Regulation (Registry of the court of first instance, registry of the court of appeal), Small claims Regulation (Registry of the justice of the peace), European payment order Regulation (Registry of the justice of the peace, registry of the court of first instance), Maintenance Regulation (registry of the justice of the peace, registry of the family court), European Enforcement Order Regulation (Registry of the justice of the peace, registry of the court of first instance), Matrimonial matters and matters of parental responsibility Regulation (Registry of Family court), Serving documents Regulation (Registry of the justice of the peace, registry of the court of first instance, registry of the labour courts, registry labour court of appeal, registry of the court of appeal), Taking Evidence Regulation (Registry of the justice of the peace, registry of the court of first instance, registry of the labour court, registry of the labour court of appeal, registry of the court of appeal).

TYPE 1 – Chief Clerk, Clerk-Head of Service, Clerk perform tasks which ‘require the application of EU law’.

- Issuing of certificates, filling in the forms:
 - Regulation (EU) n°606/2013 on mutual recognition of protection measures in civil matters (chief registrar of family or juvenile court and

labour court), Maintenance regulation (registry of the justice of peace, registry of the family court, registry of the court of appeal).

TYPE 2 – Chief Clerk, Clerk-Head of Service, Clerk performs tasks which ‘might require the application of EU law’.

- Preparation of the work of the judge
 - Brussels I Regulation (Registry of the court of first instance, registry of the court of appeal), Small claims Regulation (Registry of the justice of the peace), European payment order Regulation (Registry of the justice of the peace, registry of the court of first instance), European Enforcement Order Regulation (Registry of the justice of the peace, registry of the court of first instance), Matrimonial matters and matters of parental responsibility Regulation (Registry of Family court).

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	BELGIUM
Name of Court Staff Category	<p>In French: Le secrétariat de parquet</p> <p>Sous-catégories :</p> <ul style="list-style-type: none"> - Secrétaires en chef - Secrétaires et experts administratifs - Assistants - Collaborateurs <p>In English: The Secretariat of the Public Prosecutor and the Support Services</p> <p>Sub-categories:</p> <ul style="list-style-type: none"> - Principal Secretary - Secretaries and Administrative Experts - Assistants - Employees
Statutory/Legal Basis for this Post	<p>Articles 157 to 161 (general provisions), Articles 172 to 178/1 (provisions on the members of the secretariat of the public prosecutor services – description of the tasks), Articles 262 to 264 and 272bis (provisions on the conditions to access the registry – levels A and B), Articles 265 to 267 (provisions on the conditions to access to the secretariat of the public prosecutor – level A: principal secretary and secretary-head of service; level B: secretary), Articles 268 to 272ter (provisions on the conditions to access the registry and the secretariat of the public prosecutor for levels B, C and D), Articles 274 to 275bis (selection procedure), Articles 276 to 278 (provisions on the career development), Articles 287bis and 287quinquies and sexies and 291 bis (additional provisions on the conditions of the selection) of the Belgian judicial code</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Level A: to hold a university degree and to pass an exam (comparative selection) organised by the appropriate federal office in charge of the recruitment of the civil

	<p>servants + to receive a positive evaluation at the end of a probation period</p> <ul style="list-style-type: none"> - Level B: to hold a degree of higher studies and to pass an exam (comparative selection) organised by the appropriate federal office in charge of the recruitment of the civil servants + to receive a positive evaluation at the end of a probation period - Level C: to hold a degree of secondary school and to pass an exam (comparative selection) organised by the appropriate federal office in charge of the recruitment of the civil servants + to receive a positive evaluation at the end of a probation period - Level D: to pass an exam (comparative selection) organised by the appropriate federal office in charge of the recruitment of the civil servants + to receive a positive evaluation at the end of a probation period. <p>Subject to completing several years of service and after passing an exam, it is possible to change from level D to C, from level C to B and from B to A (or to change functions in level A)</p>
Main Recruitment Procedure	Exam (comparative selection organised by the federal office in charge of the recruitment of the civil servants) + Promotion from one level to another
Alternative Access Routes	At the central level by the Ministry of Justice (<i>Service public fédéral Justice/Federale Overheidsdienst Justitie</i>), Directorate-General for Judicial Order after consulting the inspector of finance.

Responsibilities, Duties, Tasks

The support services are responsible for **delivering opinions, supporting the judge**, head of the court in various fields such as legal aid, human resources, logistics, IT management)

The secretary of the public prosecutor **assists the prosecutor** (literature search, archives, etc.). The principal clerk has to **manage the clerk office** of the court under the authority of the judge, head of the court. The main tasks of the clerks relate to **contact with the public**, preparing the work of the judge, **filling in some forms**, registers, producing **statistics**, etc.

This court staff category plays a role in the application of the:

- *Council Framework Decision of 13 June 2002 on the European Arrest Warrant and the surrender procedures between Member States: **mainly executing an EAW**: contacts with Europol/SIRENE (Schengen Information System) or directly with the issuing authorities, analysis of the EAW, looking for a translator, file*

processing (arrest, judge, hearing, flight plan, surrender, etc.), contacts with police officers, jails and other partners of the Prosecutor's Office, etc.

- *Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition of judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union: **mainly executing a certificate*** (mutual recognition of judgments in criminal matters imposing custodial sentences, mutual recognition of probation measures and alternative sanctions decisions, etc.) analysis of the certificate, contacts with the issuing authorities (asking for clarifications or for missing documents, etc.), check or the criminal records, the nationality and the legal residence of the person, check if the offences are punishable in Belgium by a custodial sentence, looking for a translator, communication of the decision of the recognition of the certificate (and, if applicable, of the enforcement of the sentence), organisation of the transfer of sentences person (flight plan, police officers, etc.), etc.
- *Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition of judgments and probation decision with a view to the supervision of probation measures and alternative sanctions* see above Council Framework Decision 2008/909/JHA
- *Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition of confiscation orders* see above Council Framework Decision 2008/909/JHA
- *Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition of financial penalties* see above Council Framework Decision 2008/909/JHA
- *Directive 2014/41/UE of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters: **executing an EIO***: acknowledge receipt (Annexe B), contacts with the issuing authorities (asking for clarifications or for missing documents, etc.), analysis of the investigative measure(s) requested and the evidence to be obtained, looking for a translator, research related to an earlier EIO, decision or recognition, execution of the mission with police officers (for example information on bank accounts, hearing of a witness, expert, victim, detained or accused person or third party in the territory of Brussels, etc.) or transferring to an investigative judge depending on the mission (interception of telecommunications, search warrant, etc.), organisation of hearing by videoconference, deadline monitoring, transfer of evidence, etc.; **executing** a freezing, seizure or confiscation order analysis of the order, contacts with the issuing authorities (asking for clarification or for missing documents, etc.), identification of the competent judicial authority (investigative judge), information on bank accounts, subsequent treatment of the frozen/seized property, etc.

Organisation of the category/profession

Organising
Structure

Ministry of Justice (Service public federal Justice / Federale Overheidsdienst Justitie), Directorate-General for Judicial Order, Boulevard de Waterloo, 115 – 1000 Brussels

www.just.fgov.be

www.tribunaux-rechtbanken.be

Contact Details of any Professional Organisations in Connection with this Court Staff	Support Service public prosecution service, Boulevard de Waterloo, 76 – 1000 Brussels
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QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Secretariat of the Public Prosecutor (all the levels under the general supervision of the principal secretary) performs tasks which ‘require the application of EU law’.

- In order to execute a European Arrest Warrant, a European Investigation Order, a freezing, seizure or confiscation order, a certificate (mutual recognition of judgments in criminal matters): analysis of the order, filling in some forms, contact with the issuing authorities, etc.

BULGARIA

1- GENERAL INFORMATION

Answering institution(s)	National Institute of Justice
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁶

In the table below, an overview of the Court staff in Bulgaria is presented, including their Type and, when applicable, Functions⁷.

Category	Type	Functions	Approximate numbers
Judicial Assistant	Type 1	Functions 2/4	279
Prosecutorial Assistant	Type 1	Functions 2/4	128
Administrative Secretary	Type 2	Functions 1	198
Court Administrator	Type 2	Functions 1	141
Court Clerk/Administrator	Type 2	Functions 1/2/4	2,941
Court Secretary	Type 2	Functions 1	1,755
Expert	Type 2	Functions 1/2/3/4	517
Head of Unit	Type 2	Functions 1/4	272
Accountant, Cashier, Courier, Guard	Type 3	N/A	Not available
Court Archivist	Type 3	N/A	176
Director of Department, Head of Sector	Type 3 ⁸	N/A	9 ⁹
Information Protection Officer	Type 3	N/A	14 ¹⁰

⁶ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁷ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

⁸ Except for GDPR training.

⁹ Numbers do not include prosecutor's offices due to lack of data.

¹⁰ Number do not include prosecutor's offices due to lack of data.

Secretary General	Type 3 ¹¹	N/A	5
Specialist - Junior, Senior, Chief	Type 3	N/A	Not available
Summoner	Type 3	N/A	663

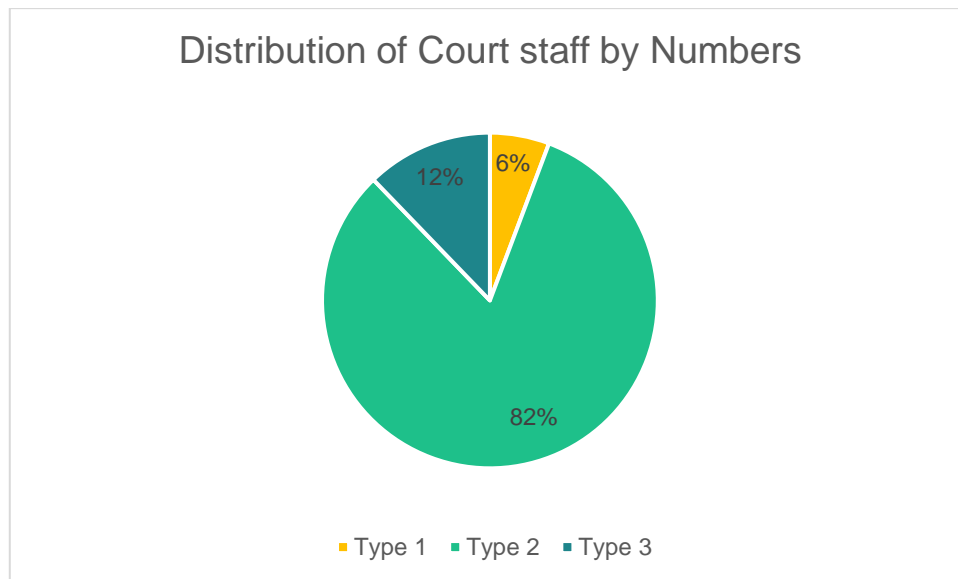
Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	407	6%
Type 2	5,824	82%
Type 3	867	12%
TOTAL	7,098	100%

¹¹ Except for GDPR training.



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Bulgaria, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	BULGARIA
Name of Court Staff Category	In Bulgarian: Съдебен помощник
	In English: Judicial Assistant
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Judicial System Act (JSA) – Chapter II, Art. 244 – 247 (amended and supplemented 7 February 2020). - Regulations on the administration of the courts (since 22 August 2017). - Regulations on the administration of the Supreme Administrative Court (since 30 July 2019). - Regulations on the administration of the Supreme Court of Cassation (since 20 December 2016). - Classifier of positions in the administration of the courts on the grounds of Art. 341, para. 1 of the JSA (updated 1 January 2020).
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - University degree, Master's in Law (Art 245, para. 1 in connection with Art. 162, para. 1 of the JSA). - Completed 6 months of mandatory state internship and a licence to practice (Art 245 in connection with Art. 162, para. 1 of the JSA); - Successfully passed competition for court staff (Art 245, para. 1 of the JSA).
Main Recruitment Procedure	<p>When a candidate who has not worked inside the judicial system is applying, completion is compulsory (Art. 343, para. 1 of the JSA). The procedure consists of:</p> <ul style="list-style-type: none"> - Preliminary selection through an application form; - Competition comprising a written and oral part on national law; - Appointment by the administrative head of the court from the rating given by the competition commission in descending order.

Alternative Access Routes	Art. 343, para. 2 of the JSA: Upon the appointment of a judicial officer to another position at the Supreme Judicial Council, the Inspectorate with the Supreme Judicial Council, the National Institute of Justice or at the same judicial authority, as well as upon the transfer of any such officer, a competition shall not be held.
<i>Responsibilities, Duties, Tasks</i>	
<p>Responsible for assisting the judges, administrative heads and deputy administrative heads in the district, administrative and courts of appeal, also in Regional Court of Sofia, Supreme Administrative Court and Supreme Court of Cassation, including the completion of the following tasks:</p> <ul style="list-style-type: none"> - Drafting legal acts and judicial instruments (e.g. on service of documents, on taking of evidence, on jurisdiction and the recognition and enforcement of judgments, on creating a European Enforcement Order for uncontested claims, on European order for payment and on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility, on European Small Claims Procedure (ESCP), etc.); - Conducting a verification of conformity of appeals, protests and petitions for cancellation; - Monitoring of compliance with statutory deadlines, legal requirements on the content of the cases and requirements on the legitimacy of the parties; - Assisting in institution of cases, case-law analysis and in international correspondence; - Giving opinions on cases and preparing reports and opinions on legal issues; - Perusing, analysing and summarising case-law and opinions in the legal doctrine and carrying out comparative legal research in a specified matter; - Examining law enforcement practice and informing the administrative head or/and their deputies in case of any contradictions; - Drawing up opinions on letters and alerts concerning legal matters received at the court; - Preparing materials for the participation of the administrative head in conferences, discussions and other professional events (an exclusive task for judicial assistants at Supreme Court of Cassation). 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Supreme Judicial Council of the Republic of Bulgaria (SJC) represents the judiciary, ensures and stands up for the independence thereof and is in charge of the overall organisation of the profession and appointment of magistrates and court staff. The SJC provides financial and technical support for the operation of the courts, prosecutor's offices, investigating authorities and the National Institute of Justice without interfering in the implementation of their activities.</p>

	<p>http://www.vss.justice.bg/en</p> <p><i>Supreme Judicial Council</i> 12, Ekzarh Yosif St 1000 Sofia Bulgaria</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>National Institute of Justice (NIJ) is in charge of the initial (excluding Judicial and Prosecutorial Assistants) and continuing training of magistrates and court staff in Bulgaria.</p> <p>http://nij.bg</p> <p><i>National Institute of Justice</i> 14, Ekzarh Yosif St 1000 Sofia Bulgaria</p> <p>Association of the Administration in the Bodies of the Judiciary (in Bulgarian: CAOCB) is an independent, voluntary, professional organisation bringing together the employees of the administration of the Supreme Judicial Council, the Inspectorate of the Supreme Judicial Council, the National Institute of Justice and the bodies of the judiciary. The association was created to protect the professional, social, material and intellectual interests of court staff.</p> <p>http://saosv.org/wps/portal/saosv/home</p> <p><i>Association of the Administration in the Bodies of the Judiciary</i> 23 Neofit Rilski St 1000 Sofia Bulgaria</p>

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judicial Assistant performs tasks which ‘require the application of EU law’.

- Assists judges in connection with the cross-border cooperation instruments and procedures;
- Drafts legal acts and judicial cross-border cooperation instruments in civil, commercial and criminal matters (e.g. on service of documents, on taking of evidence, on jurisdiction and the recognition and enforcement of judgments, on

creating a European Enforcement Order for uncontested claims, on European order for payment and on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, on European Small Claims Procedure (ESCP), on the European Arrest Warrant (EAW), on the hearing of witnesses, on extradition, etc.);

- Prepares legal research on national and EU law;
- Provides a two-way informational link between the respective judicial institution and Europol and Eurojust;
- Complies with the General Data Protection Regulation (GDPR) and assists judges in drafting and preparing judicial documents and cases in this regard.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	BULGARIA
Name of Court Staff Category	In Bulgarian: Прокурорски помощник
	In English: Prosecutorial Assistant
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Judicial System Act (JSA) – Chapter II, Art. 244 – 247 (amended and supplemented 7 February 2020). - Regulations on the administration of the Prosecutor’s Office of Republic of Bulgaria (since 10 December 2013, amended and supplemented 7 February 2020). - Classifier of positions in the administration of the Prosecutor’s Office of the Republic of Bulgaria on the grounds of Art. 341, para. 1 of the JSA (updated 1 January 2020).
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - University degree, Master’s in Law (Art 245, para. 1 in connection with Art. 162, para. 1 of the JSA). - Completed 6 months of mandatory state internship and a licence to practice (Art 245 in connection with Art. 162, para. 1 of the JSA); - Successfully passed competition for court staff (Art 245, para. 1 of the JSA).
Main Recruitment Procedure	<p>When a candidate who has not worked inside the judicial system is applying, the completion is compulsory (Art. 343, para. 1 of the JSA). The procedure consists of:</p> <ul style="list-style-type: none"> - Preliminary selection through an application form; - Competition comprising a written and oral part on national law; - Appointment by the administrative head of the court from the rating given by the competition commission in a descending order.

Alternative Access Routes	Art. 343, para. 2 of the JSA: Upon the appointment of a judicial officer to another position at the Supreme Judicial Council, the Inspectorate to the Supreme Judicial Council, the National Institute of Justice or at the same judicial authority, as well as upon the transfer of any such officer, a competition shall not be held.
<i>Responsibilities, Duties, Tasks</i>	
<p>Assisting the prosecutors, administrative heads and deputy administrative heads and heads of units in the district and prosecutor's offices of appeal*, including the completion of the following tasks:</p> <ul style="list-style-type: none"> - Drafting legal acts and prosecutorial instruments (e.g. European Arrest Warrant (EAW), European Investigation Order (EIO), etc.); - Perusing, analysing and summarising case-law and opinions in the legal doctrine and carrying out comparative legal research in a specified matter; - Drawing up opinions on letters and alerts concerning legal matters received at the prosecutor's office; - Preparing of written submissions on specific issues; - Participating in the drafting of internal acts; - Responding to inquiries from Europol and Eurojust. <p>-----</p> <p>* At the Office of Prosecutor General, the Supreme Administrative Prosecutor's Office and the Supreme Prosecutor's Office of Cassation there are also few prosecutorial assistants, who perform specific/limited tasks within the scope of the overall tasks described.</p>	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Supreme Judicial Council of the Republic of Bulgaria (SJC) represents the judiciary, ensures and stands up for the independence thereof and is in charge of the overall organisation of the profession and appointment of magistrates and court staff. SJC provides financial and technical support for the operation of the courts, prosecutor's offices, investigating authorities and the National Institute of Justice without interfering in the implementation of their activities.</p> <p>http://www.vss.justice.bg/en</p> <p><i>Supreme Judicial Council</i> <i>12, Ekzarh Yosif St</i> <i>1000 Sofia</i> <i>Bulgaria</i></p>

<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	<p>National Institute of Justice (NIJ) is in charge of the initial (excluding Judicial and Prosecutorial Assistants) and continuing training of magistrates and court staff in Bulgaria.</p> <p>http://nij.bg</p> <p><i>National Institute of Justice</i></p> <p><i>14, Ekzarh Yosif St</i></p> <p><i>1000 Sofia</i></p> <p><i>Bulgaria</i></p> <p>Association of the Administration in the Bodies of the Judiciary (in Bulgarian: CAOCB) is an independent, voluntary, professional organisation bringing together the employees of the administration of the Supreme Judicial Council, the Inspectorate of the Supreme Judicial Council, the National Institute of Justice and the bodies of the judiciary. The association was created to protect the professional, social, material and intellectual interests of court staff.</p> <p>http://saosv.org/wps/portal/saosv/home</p> <p><i>Association of the Administration in the Bodies of the Judiciary</i></p> <p><i>23 Neofit Rilski St</i></p> <p><i>1000 Sofia</i></p> <p><i>Bulgaria</i></p>
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QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Prosecutorial Assistant performs tasks which ‘require the application of EU law’.

- Assists prosecutors in connection with the cross-border cooperation instruments and procedures;
- Drafts judicial acts and judicial cross-border cooperation instruments in criminal matters (e.g. on the European Investigation Order (EIO), on the European Arrest Warrant (EAW), on the hearing of witnesses, on extradition, on the freezing of bank accounts, etc.);
- Prepares legal research on national and EU law;
- Provides a two-way informational link between the respective judicial institution and Europol and Eurojust;
- Complies with the General Data Protection Regulation (GDPR) and assists prosecutors in drafting and preparing of judicial documents and cases in this regard.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	BULGARIA
Name of Court Staff Category	<p>In Bulgarian: Административен секретар</p> <p>In English: Administrative Secretary (Specialised Administration)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Regulations on the administration of the courts (since 22 August 2017). - Regulations on the administration of the Supreme Administrative Court (since 30 July 2019). - Regulations on the administration of the Supreme Court of Cassation (since 20 December 2016). - Regulations on the administration of the Prosecutor's Office of Republic of Bulgaria (since 10 December 2013, amended and supplemented 7 February 2020). - Classifier of positions in the administration of the courts on the grounds of Art. 341, para. 1 of the JSA* (updated 1 January 2020); - Classifier of positions in the administration of the Prosecutor's Office of the Republic of Bulgaria on the grounds of Art. 341, para. 1 of the JSA (updated 1 January 2020). <p>-----</p> <p>* Judicial System Act (JSA)</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - University degree (Bachelor's degree););.). - At least 5 years of professional experience. - (optional) Technical expertise (MS Office, office equipment).
Main Recruitment Procedure	<p>Competition procedure conducted by the administrative head of the court and prosecutor's office (Art. 343, para. 1 and Art. 357, para. 3 of the JSA) which consists of:</p> <ul style="list-style-type: none"> - Preliminary selection through an application form;

	<ul style="list-style-type: none"> - Practical test; - Interview with the recruitment commission; - (optional) Interview with the administrative head of the court/prosecutor's office.
Alternative Access Routes	Art. 343, para. 2 of the JSA: Upon the appointment of a judicial officer to another position at the Supreme Judicial Council, the Inspectorate to the Supreme Judicial Council, the National Institute of Justice or at the same judicial authority, as well as upon the transfer of any such officer, a competition shall not be held.

Responsibilities, Duties, Tasks

- Manages, organises and supervises the activities of the specialised administration in courts;
- Manages, organises and supervises the activities of the court clerks in the Registry Service, experts and computer specialists in the prosecutor's offices;
- Monitors the record-keeping and proper storage of the judicial books;
- Keeps records in the Integrated Information System for Combating Crime (IISCC, ЕИСПП in Bulgarian);
- Prepares reports on the activity of the specialised administration;
- Monitors, arranges and stores all incoming and outgoing administrative documents from other judicial institutions and government institutions;
- Monitors the preparation of the finalised court cases about to be archived;
- Gathers and summarises statistical data;
- Receives and reports complaints, alerts and proposals to the administrative head;
- Organises the reception of citizens by the administrative head;
- Collects, processes and stores personnel files;
- Organises internships for law trainees;
- Organises the work of the jury and the initial training of the jury.
- (optional) Carries out the activity of protecting classified information;
- (optional) Manages the public procurement procedures at the judicial institution.

Note: In judicial institutions where no Court Administrator has been appointed, the Administrative Secretary performs the functions of a Court Administrator (Regulations on the administration of the courts, Art. 5, para. 2). The specific responsibilities and tasks of the Court Administrator are as follow:

- Plans, organises and manages court staff in a court/prosecutor's office;
- Responsible for managing the administrative activity of the respective judicial institution and ensuring an organisational connection between the administrative

<p>head/Prosecutor General and the magistrates with the court staff from the general and specialised administration;</p> <ul style="list-style-type: none"> - Organises the allocation of activities between different units of the administration and the monitors fulfilment of the duties of the court staff; - Provides overall guidance in terms of human resources, financial and business activities of the respective judicial institution; - Monitors document circulation, record-keeping and archival activity; - Prepares the staffing schedule of the administration for approval to the respective administrative head; - Implements programme solutions for the purposes of long-term planning, budget policy, finance, automation, equipment supplies and public relations; - Participates in the court staff evaluation committee; - Organises the promotion of or suggests penalties for court staff; - Organises initial and continuing training of court staff; - Plans and monitors activities in relation to the construction, maintenance and repair of the court building and other court-run buildings.

Organisation of the category/profession

Organising Structure	<p>Supreme Judicial Council of the Republic of Bulgaria (SJC) represents the judiciary, ensures and stands up for the independence thereof and is in charge of the overall organisation of the profession and appointment of magistrates and court staff. SJC provides financial and technical support for the operation of the courts, prosecutor's offices, investigating authorities and the National Institute of Justice without interfering in the implementation of their activities.</p> <p>http://www.vss.justice.bg/en</p> <p><i>Supreme Judicial Council</i> <i>12, Ekzarh Yosif St</i> <i>1000 Sofia</i> <i>Bulgaria</i></p>
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>National Institute of Justice (NIJ) is in charge of the initial (excluding Judicial and Prosecutorial Assistants) and continuing training of the magistrates and court staff in Bulgaria.</p> <p>http://nij.bg</p> <p><i>National Institute of Justice</i> <i>14, Ekzarh Yosif St</i> <i>1000 Sofia</i> <i>Bulgaria</i></p> <p>Association of the Administration in the Bodies of the Judiciary (in Bulgarian: CAOCB) is an independent, voluntary,</p>

professional organisation bringing together the officers of the administration of the Supreme Judicial Council, the Inspectorate of the Supreme Judicial Council, the National Institute of Justice and the bodies of the judiciary. The association was created to protect the professional, social, material and intellectual interests of court staff.

<http://saosv.org/wps/portal/saosv/home>

Association of the Administration in the Bodies of the Judiciary

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1000 Sofia

Bulgaria

National Association of Judicial Officers (in Bulgarian: HCCC) is a national, independent and voluntary organisation of judicial officers in the Republic of Bulgaria. The association has set objectives to improve the professional qualifications of judicial officers to effectively assist the activities of the judiciary and the administrative servicing of citizens and to assist the implementation of the established principles, standards and good practices for the training of judicial officers.

<http://www.nsss-bg.org>

National Association of Judicial Officers

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Bulgaria

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Administrative Secretary performs tasks which ‘might require the application of EU law’.

- (optional*) Manages human resources in the respective judicial institution and takes a leading role in the process of planning of the court staff positions, organising the assessment and the appointment of court staff, organising the continuing training of court staff, participating in the court staff evaluation committee;
- (optional*) Manages public procurement procedures and submits the European Single Procurement Document (ESPD) electronic form;
- Complies with the anti-discrimination principles;

- Complies with the General Data Protection Regulation (GDPR) and ensures its proper implementation within the judicial institution.

* In the judicial institutions where no Court Administrator has been appointed, the Administrative Secretary performs the functions of a Court Administrator (Regulations on the administration of the courts, Art. 5, para. 2)

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	BULGARIA
Name of Court Staff Category	<p>In Bulgarian: Съдебен администратор</p> <p>In English: Court Administrator (Specialised Administration)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Judicial System Act (JSA) – Art. 357 (amended and supplemented 7 February 2020). - Regulations on the administration of the courts (since 22 August 2017). - Regulations on the administration of the Supreme Administrative Court (since 30 July 2019). - Regulations on the administration of the Supreme Court of Cassation (since 20 December 2016). - Regulations on the administration of the Prosecutor's Office of Republic of Bulgaria (since 10 December 2013, amended and supplemented 7 February 2020). - Classifier of positions in the administration of the courts on the grounds of Art. 341, para. 1 of the JSA* (updated 1 January 2020). - Classifier of positions in the administration of the Prosecutor's Office of the Republic of Bulgaria on the grounds of Art. 341, para. 1 of the JSA (updated 1 January 2020). <p>-----</p> <p>* Judicial System Act (JSA)</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - University degree master's in public administration, Economics or Law; - At least 8 years of professional experience. - (optional) Technical expertise (MS Office, office equipment).
Main Recruitment Procedure	Competition procedure conducted by the administrative head of the court / Prosecutor General which consists of:

	<ul style="list-style-type: none"> - Preliminary selection through an application form; - Practical test; - Interview with the recruitment commission; - (optional) Interview with the administrative head of the court/prosecutor's office.
Alternative Access Routes	Art. 343, para. 2 of the JSA: Upon the appointment of a judicial officer to another position at the Supreme Judicial Council, the Inspectorate with the Supreme Judicial Council, the National Institute of Justice or at the same judicial authority, as well as upon the transfer of any such officer, a competition shall not be held.

Responsibilities, Duties, Tasks

- Plans, organises and manages court staff in a court/prosecutor's office;
- Responsible for managing the administrative activity of the respective judicial institution and ensuring the organisational connection between the administrative head, the deputies of the administrative head and the magistrates with the court staff from the general and specialised administration;
- Organises the allocation of activities between different units of the administration and the monitors fulfilment of the duties of the court staff;
- Provides overall guidance in terms of human resources, financial and business activities of the respective judicial institution;
- Monitors document circulation, record-keeping and archival activity;
- Prepares the staffing schedule of the administration for approval to the respective administrative head;
- Implements programme solutions for the purposes of long-term planning, budget policy, finance, automation, equipment supplies and public relations;
- Participates in the court staff evaluation committee;
- Organises the promotion or suggests penalties of court staff;
- Organises initial and continuing training of court staff;
- Plans and monitors activities in relation to construction, maintenance and repair of the court building and other court-run buildings;
- Keeps records in the Integrated Information System for Combating Crime (IISCC, ЕИСПП in Bulgarian);
- (optional) Gathers and summarises statistical data;
- (optional) Carries out the activity of protecting classified information;
- (optional) Manages public procurement procedures in the judicial institution.

Note: In judicial institutions where no Court Administrator has been appointed, the Administrative Secretary performs the functions of a Court Administrator (Regulations on the administration of the courts, Art. 5, para. 2).

<i>Organisation of the category/profession</i>	
Organising Structure	<p>Supreme Judicial Council of the Republic of Bulgaria (SJC) represents the judiciary, ensures and stands up for the independence thereof and is in charge of the overall organisation of the profession and appointment of magistrates and court staff. SJC provides financial and technical support for the operation of the courts, prosecutor's offices, investigating authorities and the National Institute of Justice without interfering in the implementation of their activities.</p> <p>http://www.vss.justice.bg/en</p> <p><i>Supreme Judicial Council</i> <i>12, Ekzarh Yosif St</i> <i>1000 Sofia</i> <i>Bulgaria</i></p>
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>National Institute of Justice (NIJ) is in charge of the initial (excluding Judicial and Prosecutorial Assistants) and continuing training of the magistrates and court staff in Bulgaria.</p> <p>http://nij.bg</p> <p><i>National Institute of Justice</i> <i>14, Ekzarh Yosif St</i> <i>1000 Sofia</i> <i>Bulgaria</i></p> <p>Association of the Administration in the Bodies of the Judiciary (in Bulgarian: CAOCB) is an independent, voluntary, professional organisation bringing together the officers of the administration of the Supreme Judicial Council, the Inspectorate of the Supreme Judicial Council, the National Institute of Justice and the bodies of the judiciary. The association was created to protect the professional, social, material and intellectual interests of court staff.</p> <p>http://saosv.org/wps/portal/saosv/home</p> <p><i>Association of the Administration in the Bodies of the Judiciary</i> <i>23 Neofit Rilski St</i> <i>1000 Sofia</i> <i>Bulgaria</i></p> <p>National Association of Judicial Officers (in Bulgarian: HCCC) is a national, independent and voluntary organisation of judicial officers in the Republic of Bulgaria. The association has set objectives to improve the professional qualifications of judicial officers to effectively assist the activities of the judiciary and the administrative servicing of citizens and to assist the</p>

implementation of the established principles, standards and good practices for the training of judicial officers.

<http://www.nsss-bg.org>

National Association of Judicial Officers

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Bulgaria

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Court Administrator performs tasks which ‘might require the application of EU law’.

- Manages the human resources in the respective judicial institution and takes a leading role in the process of planning of the court staff positions, organising the assessment and the appointment of court staff, organising the continuing training of court staff, participating in the court staff evaluation committee;
- Complies with the anti-discrimination principles;
- Manages the public procurement procedures and submits the European Single Procurement Document (ESPD) electronic form;
- Complies with the General Data Protection Regulation (GDPR) and ensures its proper implementation within the judicial institution.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	BULGARIA
Name of Court Staff Category	<p>In Bulgarian: Съдебен деловодител</p> <p>In English: Court Clerk (Specialised Administration)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Regulations on the administration of the courts (since 22 August 2017). - Regulations on the administration of the Supreme Administrative Court (since 30 July 2019). - Regulations on the administration of the Supreme Court of Cassation (since 20 December 2016); - Regulations on the administration of the Prosecutor's Office of Republic of Bulgaria (since 10 December 2013, amended and supplemented 7 February 2020); - Classifier of positions in the administration of the courts on the grounds of Art. 341, para. 1 of the JSA* (updated 1 January 2020); - Classifier of positions in the administration of the Prosecutor's Office of the Republic of Bulgaria on the grounds of Art. 341, para. 1 of the JSA (updated 1 January 2020). <p>-----</p> <p>* Judicial System Act (JSA)</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Secondary school / high school diploma; - Technical expertise (MS Office, office equipment); - (optional) Knowledge of Bulgarian grammar, punctuation, spelling and stylistics; - (optional) Knowledge of the general legal framework of the judiciary (Judicial System Act) and the Regulations on the administration of the courts / Prosecutor's Office of Republic of Bulgaria; - (optional) Communication skills (for Registry Service).

Main Recruitment Procedure	<p>When a candidate who has not worked inside the judicial system is applying, completion is compulsory (Art. 343, para. 1 of the JSA). The procedure consists of:</p> <ul style="list-style-type: none"> - Preliminary selection through an application form; - Practical test; - Interview with the recruitment commission; - (optional) Interview with the administrative head of the court/prosecutor's office.
Alternative Access Routes	<p>Art. 343, para. 2 of the JSA: Upon the appointment of a judicial officer to another position at the Supreme Judicial Council, the Inspectorate with the Supreme Judicial Council, the National Institute of Justice or at the same judicial authority, as well as upon the transfer of any such officer, a competition shall not be held.</p>

Responsibilities, Duties, Tasks

- Receives, analyses, organises and maintains the incoming judicial documents in the court/prosecutor's office;
- Serves the citizens at the Registry Service (courts and prosecutor's offices);
- Serves the citizens at the Criminal Records Bureau (regional courts);
- Maintains and expedites the outgoing judicial documents to the public;
- Keeps records in the appropriate judicial books and in the electronic automated case management systems (АСУД, САС, СУСД (in Bulgarian) or EMSG in the courts and УИС (in Bulgarian) in the prosecutor's offices);
- Keeps records in the Integrated Information System for Combating Crime (IISCC, ЕИСПП in Bulgarian);
- Prepares summonses (for the first court hearing);
- Provides case reports before a Judge-Rapporteur;
- Maintains a calendar for timetabled cases;
- Executes court orders issued in closed and operating court hearings;
- Monitors the expiry of the procedural time limits;
- Erases personal data in accordance with the general and personal data protection regulations of the judicial acts to be provided to the public as ordered by a judge/prosecutor.
- Performs all kinds of inquiries (internal and external) on ongoing (non-archival) cases;
- Prepares finalised court cases about to be archived;
- (optional*) Works on cross-border cooperation instruments in civil, commercial and criminal matters through filling in electronic forms on the Judicial Atlas (European e-Justice Portal).

* court clerks in the courts only	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Supreme Judicial Council of the Republic of Bulgaria (SJC) represents the judiciary, ensures and stands up for the independence thereof and is in charge of the overall organisation of the profession and appointment of magistrates and court staff. SJC provides financial and technical support for the operation of the courts, prosecutor's offices, investigating authorities and the National Institute of Justice without interfering in the implementation of their activities.</p> <p>http://www.vss.justice.bg/en</p> <p><i>Supreme Judicial Council</i></p> <p><i>12, Ekzarh Yosif St</i></p> <p><i>1000 Sofia</i></p> <p><i>Bulgaria</i></p>
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>National Institute of Justice (NIJ) is in charge of the initial (excluding Judicial and Prosecutorial Assistants) and continuing training of magistrates and court staff in Bulgaria.</p> <p>http://nij.bg</p> <p><i>National Institute of Justice</i></p> <p><i>14, Ekzarh Yosif St</i></p> <p><i>1000 Sofia</i></p> <p><i>Bulgaria</i></p> <p>Association of the Administration in the Bodies of the Judiciary (in Bulgarian: CAOCB) is an independent, voluntary, professional organisation bringing together the employees of the administration of the Supreme Judicial Council, the Inspectorate of the Supreme Judicial Council, the National Institute of Justice and the bodies of the judiciary. The association was created to protect the professional, social, material and intellectual interests of court staff.</p> <p>http://saosv.org/wps/portal/saosv/home</p> <p><i>Association of the Administration in the Bodies of the Judiciary</i></p> <p><i>23 Neofit Rilski St</i></p> <p><i>1000 Sofia</i></p> <p><i>Bulgaria</i></p> <p>National Association of Judicial Officers (in Bulgarian: HCCC) is a national, independent and voluntary organisation of judicial officers in the Republic of Bulgaria. The association has</p>

set objectives to improve the professional qualifications of judicial officers to effectively assist the activities of the judiciary and the administrative servicing of citizens and to assist the implementation of the established principles, standards and good practices for the training of judicial officers.

<http://www.nsss-bg.org>

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QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Court Clerk performs tasks which ‘might require the application of EU law’.

- (optional) Assists judges or/and Judicial Assistants in applying the cross-border cooperation instruments in civil, commercial and criminal matters through filling in electronic forms at the Judicial Atlas (European e-Justice Portal). The Court Clerk must recognise and properly apply the regulations and the appropriate instruments;
- (optional) At the Registry Service (courts and prosecutor’s offices) and at the Criminal Records Bureau (regional courts), the Court Clerk must recognise and comply with non-discrimination principles, victim’s rights, rights of the child and access to justice;
- Complies with the General Data Protection Regulation (GDPR) and erases the personal (including sensitive) data of the judicial acts and documents to be provided to the public.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	BULGARIA
Name of Court Staff Category	<p>In Bulgarian: Съдебен секретар</p> <p>In English: Court Secretary (Specialised Administration)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Regulations on the administration of the courts – since 22 August 2017; - Regulations on the administration of the Supreme Administrative Court – since 30 July 2019; - Regulations on the administration of the Supreme Court of Cassation – since 20 December 2016; - Regulations on the administration of the Prosecutor’s Office of Republic of Bulgaria – since 10 December 2013; - Classifier of positions in the administration of the courts on the grounds of Art. 341, para. 1 of the JSA* – updated 1 January 2020; - Classifier of positions in the administration of the Prosecutor’s Office of the Republic of Bulgaria on the grounds of Art. 341, para. 1 of the JSA – updated 1 January 2020. <p>-----</p> <p>* Judicial System Act (JSA)</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Secondary school / high school diploma; - Typewriting skills; - Technical expertise (MS Office, office equipment); - Knowledge of Bulgarian grammar, punctuation, spelling and stylistics; - (optional) Knowledge of the general legal framework of the judiciary (Judicial System Act) and the Regulations on the administration of the courts / Prosecutor’s Office of Republic of Bulgaria;

	<ul style="list-style-type: none"> - (optional) Knowledge of the procedural laws (Code of Civil Procedure, Criminal Procedure Code).
Main Recruitment Procedure	<p>When a candidate who has not worked inside the judicial system is applying, the completion is compulsory (Art. 343, para. 1 of the JSA). The procedure consists of:</p> <ul style="list-style-type: none"> - Preliminary selection through an application form; - Practical test; - Interview with the recruitment commission; - (optional) Interview with the administrative head of the court/prosecutor's office.
Alternative Access Routes	<p>Art. 343, para. 2 of the JSA: Upon the appointment of a judicial officer to another position at the Supreme Judicial Council, the Inspectorate to the Supreme Judicial Council, the National Institute of Justice or at the same judicial authority, as well as upon the transfer of any such officer, a competition shall not be held.</p>

Responsibilities, Duties, Tasks

- Prepares court records containing the procedural actions of the court, the parties, their legal representatives, witnesses, experts, etc. of open court hearings under the dictation of a judge and encloses the records to cases;
- Prepares timetables of the cases and lists of persons to be summoned and checks the regularity of summonses served, as well as the completion of the enclosed documents before the case;
- Prepares forms, summonses (from the second court hearing on), certificates, letters to other institutions and other documents as ordered by a judge in open, closed and operating court hearings;
- Prepares payment documents for fees and expenses of court experts, witnesses, jurors and others on appropriate blanks;
- Prepares writs of execution on cases ordered by the Judge-Rapporteur;
- Prepares reports on ordering and scheduling proceedings;
- Keeps records in the appropriate judicial books and in the electronic automated case management systems (АСУД, САС, СУСД (in Bulgarian) or EMSG in the courts and УИС (in Bulgarian) in the prosecutor's offices);
- Keeps records in the Integrated Information System for Combating Crime (IISCC, ЕИСПП in Bulgarian);
- Erases personal data in accordance with the general and personal data protection regulations of the judicial acts and other documents to be published;
- Gives scheduled duty hours in lawyer's rooms.

<i>Organisation of the category/profession</i>	
Organising Structure	<p>Supreme Judicial Council of the Republic of Bulgaria (SJC) represents the judiciary, ensures and stands up for the independence thereof and is in charge of the overall organisation of the profession and appointment of magistrates and court staff. SJC provides financial and technical support for the operation of the courts, prosecutor's offices, investigating authorities and the National Institute of Justice without interfering in the implementation of their activities.</p> <p>http://www.vss.justice.bg/en</p> <p><i>Supreme Judicial Council</i> 12, Ekzarh Yosif St 1000 Sofia Bulgaria</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>National Institute of Justice (NIJ) is in charge of the initial (excluding Judicial and Prosecutorial Assistants) and continuing training of magistrates and court staff in Bulgaria.</p> <p>http://nij.bg</p> <p><i>National Institute of Justice</i> 14, Ekzarh Yosif St 1000 Sofia Bulgaria</p> <p>Association of the Administration in the Bodies of the Judiciary (in Bulgarian: CAOCB) is an independent, voluntary, professional organisation bringing together the employees of the administration of the Supreme Judicial Council, the Inspectorate of the Supreme Judicial Council, the National Institute of Justice and the bodies of the judiciary. The association was created to protect the professional, social, material and intellectual interests of court staff.</p> <p>http://saosv.org/wps/portal/saosv/home</p> <p><i>Association of the Administration in the Bodies of the Judiciary</i> 23 Neofit Rilski St 1000 Sofia Bulgaria</p> <p>National Association of Judicial Officers (in Bulgarian: HCCC) is a national, independent and voluntary organisation of judicial officers in the Republic of Bulgaria. The association has set objectives to improve the professional qualifications of judicial officers to effectively assist the activities of the judiciary and the administrative servicing of citizens and to assist the</p>

implementation of the established principles, standards and good practices for the training of judicial officers.

<http://www.nsss-bg.org>

National Association of Judicial Officers

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Bulgaria

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Court Secretary performs tasks which ‘might require the application of EU law’.

- (optional*) Assists judges or/and Judicial Assistants in applying the cross-border cooperation instruments in civil, commercial and criminal matters through filling in electronic forms at the Judicial Atlas (European e-Justice Portal). The Court Secretary must recognise and properly apply the regulations and the appropriate instruments;
- Complies with the General Data Protection Regulation (GDPR) and prepares court records accordingly and erases personal (including sensitive) data of the judicial acts and documents to be provided to the public.

* On substitution of a Court Clerk in a court

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	BULGARIA
Name of Court Staff Category	<p>In Bulgarian: Експерт</p> <p>In English: Expert (general and specialised administration)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Regulations on the administration of the Supreme Administrative Court (since 30 July 2019). - Regulations on the administration of the Supreme Court of Cassation (since 20 December 2016). - Regulations on the administration of the Prosecutor’s Office of Republic of Bulgaria (since 10 December 2013, amended and supplemented 7 February 2020); - Regulations on the organisation of the activity of the Supreme; - Judicial Council and its administration (since 5 July 2016); - Regulations on the organisation of the activity of the Inspectorate to the Supreme Judicial Council and for the activity of the administration and the experts (since 27 December 2016, amended and supplemented 2 May 2019); - Regulations on the organisation of the activity of the National Institute of Justice and its administration (since 21 September 2007, amended and supplemented 8 October 2019); - Classifier of positions in the administration of the courts on the grounds of Art. 341, para. 1 of the JSA (updated 1 January 2020); - Classifier of positions in the administration of the Prosecutor’s Office of the Republic of Bulgaria on the grounds of Art. 341, para. 1 of the JSA (updated 1 January 2020); - Classifier of positions in the administration of the SJC, NIJ and ISJC on the grounds of Art. 341, para. 1 of the JSA (updated 1 January 2020).

<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - University degree Master's; - 2 to 8 years professional experience depending on the expert position; 5 to 12 years professional experience for auditors in the Prosecutor's Office of the Republic of Bulgaria and the Supreme Judicial Council; - (optional) legal education and a licence to practice – for legal experts, jurisconsults; - (optional) education on economics, finances or accounting – for finance experts; - (optional) Knowledge on the protection of personal data – for data protection officers; - (optional) Knowledge on the protection of classified information – for information security officers; - (optional) Hardware and software skills – for system administrators and other IT experts; - (optional) Professional experience in human resources – for HR experts; - (optional) Professional experience in public relations – for PR experts; - (optional) Professional experience in public procurements – for public procurements experts; - (optional) Technical expertise (MS Office, office equipment); - (optional) Knowledge of Bulgarian grammar, punctuation, spelling and stylistics; - (optional) Language skills in English and/or German and/or French; - (optional) Knowledge of the general legal framework of the judiciary (Judicial System Act) and the Regulations on the administration of the courts / Prosecutor's Office of the Republic of Bulgaria.
Main Recruitment Procedure	<p>When a candidate who has not worked inside the judicial system is applying, the completion is compulsory (Art. 343, para. 1 of the JSA). The procedure consists of:</p> <ul style="list-style-type: none"> - Preliminary selection through an application form; - Practical test; - Interview with the recruitment commission; - (optional) Interview with the administrative head of the court/prosecutor's office.

Alternative Access Routes	Art. 343, para. 2 of the JSA: Upon the appointment of a judicial officer to another position at the Supreme Judicial Council, the Inspectorate to the Supreme Judicial Council, the National Institute of Justice or at the same judicial authority, as well as upon the transfer of any such officer, a competition shall not be held.
<i>Responsibilities, Duties, Tasks</i>	
Experts perform tasks according to their expertise, which is specific to the needs of the particular judicial institution, i.e. human resources, public relations, public procurements, information technologies, legal advising, auditing, finances and accounting, data protection, protection of classified information, drafting and management of programmes and curricula (NIJ), organising of trainings for court staff and magistrates (NIJ), etc.	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Supreme Judicial Council of the Republic of Bulgaria (SJC) represents the judiciary, ensures and stands up for the independence thereof and is in charge of the overall organisation of the profession and appointment of magistrates and court staff. SJC provides financial and technical support for the operation of the courts, prosecutor's offices, investigating authorities and the National Institute of Justice without interfering in the implementation of their activities.</p> <p>http://www.vss.justice.bg/en</p> <p><i>Supreme Judicial Council</i> <i>12, Ekzarh Yosif St</i> <i>1000 Sofia</i> <i>Bulgaria</i></p>
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>National Institute of Justice (NIJ) is in charge of the initial (excluding Judicial and Prosecutorial Assistants) and continuing training of magistrates and court staff in Bulgaria.</p> <p>http://nij.bg</p> <p><i>National Institute of Justice</i> <i>14, Ekzarh Yosif St</i> <i>1000 Sofia</i> <i>Bulgaria</i></p> <p>Association of the Administration in the Bodies of the Judiciary (in Bulgarian: CAOCB) is an independent, voluntary, professional organisation bringing together the employees of the administration of the Supreme Judicial Council, the Inspectorate of the Supreme Judicial Council, the National Institute of Justice</p>

and the bodies of the judiciary. The association was created to protect the professional, social, material and intellectual interests of court staff.

<http://saosv.org/wps/portal/saosv/home>

Association of the Administration in the Bodies of the Judiciary

23 Neofit Rilski St

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Bulgaria

National Association of Judicial Officers (in Bulgarian: HCCC) is a national, independent and voluntary organisation of judicial officers in the Republic of Bulgaria. The association has set objectives to improve the professional qualifications of judicial officers to effectively assist the activities of the judiciary and the administrative servicing of citizens and to assist the implementation of the established principles, standards and good practices for the training of judicial officers.

<http://www.nsss-bg.org>

National Association of Judicial Officers

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QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 –Experts (Auditor, Program Manager (NIJ), Program coordinator (NIJ)) perform tasks which ‘might require the application of EU law’.

- (optional) Have general knowledge of EU law – for legal experts, jurisconsults;
- (optional) Comply with the non-discrimination principles, victim’s rights, rights of the child and access to justice – for HR and PR experts;
- (optional) Manage the public procurement procedures and submit the European Single Procurement Document (ESPD) electronic form – for public procurement experts;
- Comply with the General Data Protection Regulation (GDPR) and manage the implementation of the Regulation – for data protection officers, system administrators, IT experts and all other expert positions.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	BULGARIA
Name of Court Staff Category	<p>In Bulgarian: Завеждащ служба</p> <p>In English: Head of Unit (Specialised Administration)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Regulations on the administration of the courts (since 22 August 2017). - Regulations on the administration of the Supreme Administrative Court (since 30 July 2019). - Regulations on the administration of the Supreme Court of Cassation (since 20 December 2016). - Regulations on the administration of the Prosecutor's Office of Republic of Bulgaria (since 10 December 2013, amended and supplemented 7 February 2020). - Classifier of positions in the administration of the courts on the grounds of Art. 341, para. 1 of the JSA* (updated 1 January 2020); - Classifier of positions in the administration of the Prosecutor's Office of the Republic of Bulgaria on the grounds of Art. 341, para. 1 of the JSA (updated 1 January 2020). <p>-----</p> <p>* Judicial System Act (JSA)</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Secondary school / high school diploma; - Technical expertise (MS Office, office equipment); - (optional) Knowledge of Bulgarian grammar, punctuation, spelling and stylistics; - (optional) Knowledge of the general legal framework of the judiciary (Judicial System Act) and the Regulations on the administration of the courts / Prosecutor's Office of the Republic of Bulgaria.

Main Recruitment Procedure	<p>When a candidate who has not worked inside the judicial system is applying, the completion is compulsory (Art. 343, para. 1 of the JSA). The procedure consists of:</p> <ul style="list-style-type: none"> - Preliminary selection through an application form; - Practical test; - Interview with the recruitment commission; - (optional) Interview with the administrative head of the court/prosecutor's office.
Alternative Access Routes	<p>Art. 343, para. 2 of the JSA: Upon the appointment of a judicial officer to another position at the Supreme Judicial Council, the Inspectorate to the Supreme Judicial Council, the National Institute of Justice or at the same judicial authority, as well as upon the transfer of any such officer, a competition shall not be held.</p>

Responsibilities, Duties, Tasks

- Distributes the short-term and the long-term activities between the judicial officers in the unit in the specialised and general administration;
- Supervises and organises the activity of the unit and coordinates the relations of the unit with other administrative units/departments within the judicial institution;
- Keeps records in the appropriate judicial books and in the electronic automated case management systems (АСУД, САС, СУСД (in Bulgarian) or EMSG in the courts and УИС (in Bulgarian) in the prosecutor's offices);
- Keeps records in the Integrated Information System for Combating Crime (IISCC, ЕИСПП in Bulgarian);
- Fulfils the duties of a Court Clerk or Court Secretary (depending on the specifics of the unit) which are as follow:

Court Clerk

- Receives, analyses, organises and maintains the incoming judicial documents in the court/prosecutor's office;
- Serves the citizens at the Registry Service;
- Serves the citizens at the Criminal Records Bureau;
- Maintains and expedites the outgoing judicial documents to the public;
- Prepares summonses (for the first court hearing);
- Provides case reports before a Judge-Rapporteur;
- Maintains a calendar for timetabled cases;
- Executes court orders issued in closed and operating court hearings;
- Monitors the expiry of the procedural time limits;

- Works on cross-border cooperation instruments in civil, commercial and criminal matters through filling in electronic forms on the Judicial Atlas (European e-Justice Portal);
- Erases personal data in accordance with the general and personal data protection regulations of the judicial acts to be provided to the public as ordered by a judge/prosecutor.
- Performs all kinds of inquiries (internal and external) on the ongoing (non-archival) cases;
- Prepares the finalised court cases about to be archived.

Court Secretary

- Prepares court records containing the procedural actions of the court, the parties, their legal representatives, witnesses, experts, etc. of open court hearings under the dictation of a judge and encloses the records to cases;
- Prepares timetables of the cases and lists of persons to be summoned and checks the regularity of summonses served, as well as the completion of the enclosed documents before the case;
- Prepares forms, summonses (from the second court hearing on), certificates, letters to other institutions and other documents as ordered by a judge in open, closed and operating court hearings;
- Prepares payment documents for fees and expenses of court experts, witnesses, jurors and others on appropriate blanks;
- Prepares writs of execution on cases ordered by the Judge-Rapporteur;
- Prepares reports on ordering and scheduling proceedings;
- Erases personal data in accordance with the general and personal data protection regulations of the judicial acts and other documents to be published;
- Gives scheduled duty hours in lawyer's rooms.

Organisation of the category/profession

Organising Structure

Supreme Judicial Council of the Republic of Bulgaria (SJC) represents the judiciary, ensures and stands up for the independence thereof and is in charge of the overall organisation of the profession and appointment of magistrates and court staff. SJC provides financial and technical support for the operation of the courts, prosecutor's offices, investigating authorities and the National Institute of Justice without interfering in the implementation of their activities.

<http://www.vss.justice.bg/en>

Supreme Judicial Council

12, Ekzarh Yosif St

1000 Sofia

Bulgaria

Contact Details of any Professional Organisations in Connection with this Court Staff

National Institute of Justice (NIJ) is in charge of the initial (excluding Judicial and Prosecutorial Assistants) and continuing training of magistrates and court staff in Bulgaria.

<http://nij.bg>

National Institute of Justice

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Bulgaria

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<http://saosv.org/wps/portal/saosv/home>

Association of the Administration in the Bodies of the Judiciary

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<http://www.nsss-bg.org>

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QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Head of Unit performs tasks which ‘might require the application of EU law’.

- (optional) When in charge of Civil or Criminal Registry Unit or Court Secretaries Unit, monitors and assists the overall process of applying the cross-border cooperation instruments by the subordinate officers (court clerks or court secretaries);
- (optional) Assists judges or/and Judicial Assistants in applying the cross-border cooperation instruments in civil, commercial and criminal matters through filling in electronic forms at the Judicial Atlas (European e-Justice Portal). The Head of Unit must recognise and properly apply the regulations and the appropriate instruments;
- (optional) At the Registry Service (courts and prosecutor’s offices) and at the Criminal Records Bureau (regional courts), the Court Clerk must recognise and comply with the non-discrimination principles, victim’s rights, rights of the child and access to justice;
- Complies with the General Data Protection Regulation (GDPR) and erases personal (including sensitive) data of the judicial acts and documents to be provided to the public.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Secretary-General	<p>Exclusive managerial position in:</p> <ul style="list-style-type: none"> - Supreme Judicial Council; - Inspectorate to the Supreme Judicial Council; - Administration of the Prosecutor General; - Supreme Court of Cassation and Supreme Administrative Court (a single position for both courts); - National Institute of Justice. <p>The secretary-general has responsibilities/duties/tasks similar to a court administrator of a court or a prosecutor's office, which are described in detail in Questionnaire 1.</p> <p>They have a general interest in data protection.</p> <p>This position is not of special interest in terms of specialised training in EU law in Bulgaria due to the small numbers and heavy workload of the employees.</p>	5
Director of Department, Head of Sector	<p>Similar to the head of unit, described in detail in Questionnaire 1, but applicable to a larger administrative unit/structure in the specialised and the general administration (where applicable):</p> <ul style="list-style-type: none"> - They distribute the short-term and the long-term activities between the judicial officers in the department/sector; - They supervise and organise the activity of the department/sector and coordinate the relations of the unit with other administrative units/departments within the judicial institution; - They supervise the activities of the heads of units in the department/sector (where applicable); <p>Director of department is a typical position for the Supreme Judicial Council, Inspectorate to the Supreme Judicial Council, Administration of</p>	9 (do not include prosecutor's offices due to lack of data)

	<p>the Prosecutor General and the National Institute of Justice.</p> <p>In terms of specialised training in EU law (with a general interest in data protection), directors of departments and heads of sectors apply as experts.</p>	
Information Protection Officer	<p>This is an important position in courts and prosecutor's offices, based on the regulations of the Classified Information Protection Act and under the supervision of the State Commission on Information Security of the Republic of Bulgaria.</p> <p>IPOs do not perform tasks that require the application of EU law, but they have a general interest in data protection.</p>	14 (do not include prosecutor's offices due to lack of data)
Specialist – Junior, Senior, Chief	<p>Perform auxiliary tasks in the specialised and the general administration and fulfil duties of a computer operator, typist, stenographer, court clerk, accountant, cashier, software specialist, IT specialist, PR specialist, HR specialist, holiday resort manager, etc.</p> <p>Specialists do not perform tasks that require the application of EU law, but they have a general interest in data protection.</p>	Not available
Court Archivist	<p>Accepts, stores and archives the completed cases, files and documents in courts and prosecutor's offices. Keeps records in the judicial Archive book. Performs all kinds of inquiries (internal and external) on the archival cases, books and documents. Carries out the review and destruction of cases with an expired term of storage. Issues transcripts of court acts in archival cases.</p> <p>Archivists do not perform tasks that require the application of EU law.</p>	176 (do not include prosecutor's offices due to lack of data)
Summoner	<p>Serves summons and other judicial documents to the public in courts.</p> <p>Summoners do not perform tasks that require the application of EU law.</p>	663
Accountant, Cashier, Courier, Guard	General administration.	Not available

	They do not perform tasks that require the application of EU law.	
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CROATIA

1- GENERAL INFORMATION

Answering institution(s)	Judicial Academy
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF¹²

In the table below, an overview of the Court staff in Croatia is presented, including their Type and, when applicable, Functions¹³.

Category	Type	Functions	Approximate numbers
Advisers/Senior, Advisers/Senior Advisers – Specialists (at the offices of municipal and county state attorneys and at the Office of the State Attorney General of the Republic of Croatia)	Type 1	Functions 2/3/4	179
Court Advisers/Senior Court Advisers/Senior Court Advisers – Specialists – Specialists in Civil Proceedings in all courts in Croatia	Type 1	Functions 2/3/4	540
Court Advisers/Senior Court Advisers/Senior Court Advisers – Specialists (Criminal Law)	Type 1	Functions 2/3/4	45
Court Administration Manager (for any court with over 15 judges)	Type 1 ¹⁴	Functions 1	44
Authorised land registry clerks – at 1 st instance civil law courts only	Type 3	N/A	866
Authorised register clerks – at 1 st instance commercial courts only	Type 3	N/A	68

¹² Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

¹³ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

¹⁴ This category requires knowledge of EU law instruments in the field of public procurement.

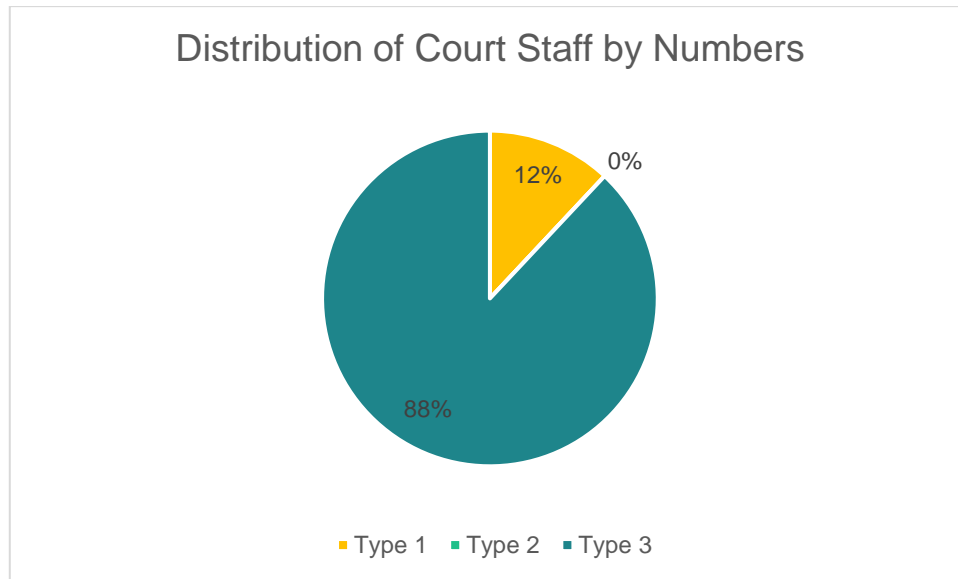
Court Clerks and Employees	Type 3	N/A	5,000
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Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	808	12%
Type 2	0	0%
Type 3	5,934	88%
TOTAL	6,742	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Croatia, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CROATIA
Name of Court Staff Category	<p>In Croatian: savjetnici/viši savjetnici/viši savjetnici-specijalisti (u općinskim i županijskim državnim odvjetništvima te Državnom odvjetništvu Republike Hrvatske)</p> <p>In English: Advisers/Senior, Advisers/Senior Advisers – Specialists (at the offices of municipal and county state attorneys and at the Office of the State Attorney General of the Republic of Croatia)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Prosecution Service Act (<i>Narodne novine</i> – Official Gazette of the Republic of Croatia; www.nn.hr; No. 67/2018) - Civil Servants Act (<i>Narodne novine</i> – Official Gazette of the Republic of Croatia; www.nn.hr; Nos. 92/05, 140/05, 142/06, 77/07, 107/07, 27/08, 34/11, 49/11, 150/11, 34/12, 49/12, 37/13, 38/13, 01/15, 138/15, 61/17, 70/19, 98/19)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Advisers at the Offices of the Municipal or County State Attorneys</p> <ul style="list-style-type: none"> - Completed university studies in the field of law. - Bar Exam. <p>Senior Advisers at the Offices of the Municipal or County State Attorneys or at the Office of the State Attorney General</p> <ul style="list-style-type: none"> - Completed university studies in the field of law - Bar Exam - A minimum of two (2) years of experience as an adviser in a prosecution office or a court adviser, or a deputy prosecutor, attorney-at-law or public notary or a lawyer with a minimum of five (5) years of experience on legal matters after passing the Bar Exam

	<p>Senior Advisers – Specialists at the Offices of the Municipal or County State Attorneys</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam; - A minimum of four (4) years of experience as a prosecution or court adviser, judicial official, attorney-at-law or a public notary or a lawyer who has worked for at least eight (8) years on other legal matters after passing the Bar Exam. <p>Senior Advisers at the Office of the State Attorney General of the Republic of Croatia</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam; - A minimum of four (4) years of experience as a prosecution or court adviser, judicial official, attorney-at-law or a public notary or a person who has worked for at least eight (8) years on other legal matters after passing the Bar Exam. <p>Senior Advisers – Specialists at the Office of the State Attorney General of the Republic of Croatia</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam; - A minimum of six (6) years of experience as a prosecution or court adviser, judicial official, attorney-at-law or a public notary or a person who has worked for at least ten (10) years on other legal matters after passing the Bar Exam.
Main Recruitment Procedure	<ul style="list-style-type: none"> - Public Vacancy Notice <p>However, pursuant to the Act on Judicial Trainees and the Bar Exam (<i>Narodne novine</i> – the Official Gazette of the Republic of Croatia, www.nn.hr; No. 14/2019; Articles 36 and 37), if a person has been recruited as a judicial trainee and if he/she has passed the Bar Exam with a minimum of 70 points, he/she gets their traineeship extended for additional 6 months upon passing the Bar Exam. Upon expiry of this period, he/she may be assigned to a vacant position of a judicial adviser in the same judicial body without a public vacancy notice or without an internal vacancy notice published in that body.</p>
Alternative Access Routes	N/A

Responsibilities, Duties, Tasks

Advisers/Senior Advisers/Senior Advisers – Specialists in the prosecution offices perform the following tasks:

- Assist prosecutors/deputy prosecutors in their work;
- Draft decisions;
- Receive proposals/motions, submissions and declarations made by citizens;
- Perform other tasks as stipulated by law, either independently or as supervised and instructed by a prosecutor or a deputy prosecutor;
- Perform other expert tasks as stipulated by law and other regulations.

Advisers/Senior Advisers/Senior Advisers – Specialists in Criminal Law Departments of the prosecution offices may perform the following tasks: Representation of the state in the proceedings for criminal acts punishable with a fine or a prison sentence of up to five years.

Advisers/Senior Advisers/Senior Advisers – Specialists in Civil Law Departments of the prosecution offices may perform the following: Representation of the state before courts, administrative and other bodies based on a special power of attorney by the competent prosecutor.

Advisers/Senior Advisers/Senior Advisers – Specialists in Civil Law Departments of municipal prosecution offices may act independently in disputes in which the value of the matter in dispute is below HRK 100,000, based on the said power of attorney.

Advisers/Senior Advisers/Senior Advisers – Specialists in Civil Law Departments of county prosecution offices may act independently in disputes in which the value of the matter in dispute is below HRK 500,000, based on the said power of attorney.

Organisation of the category/profession

Organising Structure	<ul style="list-style-type: none"> - Ministry of Justice - Ministry of Public Administration
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Advisers/Senior, Advisers/Senior Advisers – Specialists (at the offices of municipal and county state attorneys and at the Office of the State Attorney General of the Republic of Croatia) perform tasks which ‘require the application of EU law’.

Relevant instruments of EU law for Advisers/Senior Advisers/Senior Advisers – Specialists working in the field of civil law:

- [Regulation \(EC\) No 508/2004 – creating a European Enforcement Order for uncontested claims](#)
- [Regulation \(EC\) No 1206/2001 on cooperation between the courts of the EU countries in the taking of evidence in civil or commercial matters](#)
- [Regulation \(EC\) 861/2007 and 2015/2421 — on European Small Claims Procedure](#)
- [Regulation \(EC\) No 1393/2007 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters \(service of documents\), and repealing Council Regulation \(EC\) No 1348/2000](#)
- Regulation (EC) No 1896/2006 and 2015/2421 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure
- Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast)

For the EU law instruments relevant for **Advisers/Senior Advisers/Senior Advisers – Specialists**, please see the Questionnaire dealing with Advisers/Senior Advisers/Senior Advisers – Specialists working on criminal law cases.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CROATIA
Name of Court Staff Category	<p>In Croatian: sudski savjetnici/viši sudski savjetnici/viši savjetnici- specijalisti</p> <p>In English: Court Advisers/Senior Court Advisers/Senior Court Advisers – Specialists in Civil Proceedings in all Courts in Croatia</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Courts Act (<i>Narodne novine – the Official Gazette of the Republic of Croatia</i>, www.nn.hr; Nos. 28/13, 33/15, 82/15, 82/16, 67/18,126/19) - Civil Servants Act (<i>Narodne novine – Official Gazette of the Republic of Croatia</i>; www.nn.hr; Nos. 92/05, 140/05, 142/06, 77/07, 107/07, 27/08, 34/11, 49/11, 150/11, 34/12, 49/12, 37/13, 38/13, 01/15, 138/15, 61/17, 70/19, 98/19)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Court Advisers</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam. <p>Senior Court Advisers and Court Advisers at the Supreme Court of the Republic of Croatia</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam; - A minimum of two (2) years of experience as a court adviser or an adviser in a prosecution office or a judicial official or an attorney-at-law or a public notary or a lawyer with a minimum of five (5) years of experience on legal matters after passing the Bar Exam. <p>Senior Court Advisers – Specialists</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam;

	<ul style="list-style-type: none"> - A minimum of four (4) years of experience as a court adviser or an adviser in a prosecution office or a judicial official or an attorney-at-law or a public notary or a lawyer who has worked for at least eight (8) years on other legal matters after passing the Bar Exam. <p>Senior Court Adviser at the Supreme Court of the Republic of Croatia</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam; - A minimum of four (4) years of experience as a court adviser or an adviser in a prosecution office or a judicial official or an attorney-at-law or a public notary or a lawyer who has worked for at least eight (8) years on other legal matters after passing the Bar Exam. <p>Senior Court Advisers – Specialists at the Supreme Court of the Republic of Croatia</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam; - A minimum of six (6) years of experience as a court adviser or an adviser in a prosecution office or a judicial official or an attorney-at-law or a public notary or a lawyer who has worked for at least ten (10) years on other legal matters after passing the Bar Exam.
Main Recruitment Procedure	<ul style="list-style-type: none"> - Publication of a vacancy notice on the billboard of the court - Test - Interview with a selection board/commission
Alternative Access Routes	N/A

Responsibilities, Duties, Tasks

Court Advisers, Senior Court Advisers and Senior Court Advisers – Specialists **participate in adjudication and they are authorised to conduct certain court proceedings, assess the evidence and establish facts.** Based on the conducted proceedings, they **submit to the judge a draft on the basis of which the judge makes the decision and, upon the authorisation by the judge, the Court Adviser/Senior Court Advisers/Senior Court Advisers – Specialist publishes the decision reached in this manner.** Pursuant to the applicable provisions of the Courts Act, Court Advisers,

Senior Court Advisers and Senior Court Advisers – Specialists are authorised to conduct the proceedings and to submit decision drafts as follows:

- In civil proceedings, in disputes for the payment of monetary claims or for the compensation of damage when the value of the matter in dispute is below HRK 100,000 and in commercial disputes in which the value of the matter in dispute is below HRK 500,000;
- In labour disputes resulting from collective agreements;
- In administrative disputes the matter of which are the lawsuits in the cases which are decided based on the final judgment reached in a model dispute or the lawsuits against the action or the failure to act by a public body; and in administrative disputes in which the value of the matter in dispute is below HRK 100,000;
- In execution proceedings;
- In inheritance proceedings;
- In land registry-related proceedings;
- In misdemeanour/petty offence proceedings;
- In out-of-court/extrajudicial proceedings, except for proceedings dealing with the removal of business capacity, the dissolution/annulment of a co-ownership, the regulation of land boundary lines and the proceedings regulated by the Family Act;
- In registration proceedings;
- In summary insolvency proceedings;
- Deciding on the costs of the court proceedings.

Court Advisers, Senior Court Advisers and Senior Court Advisers – Specialists are authorised to act and make decisions in certain proceedings as regulated by special acts/laws (e.g. consumer/personal bankruptcy cases).

Court Advisers, Senior Court Advisers and Senior Court Advisers – Specialist's report on the status of the file and prepare draft decisions in second instance proceedings and proceedings conducted based on extraordinary legal remedies.

Organisation of the category/profession

Organising Structure	<ul style="list-style-type: none"> - Ministry of Justice - Ministry of Public Administration
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>Udruga hrvatskih sudskih savjetnika i vježbenika (skraćeni naziv: UHSSV)</p> <p>English Translation: Association of Croatian Court Advisers and Trainees (abbreviation: UHHSV)</p> <p>https://uhssv.hr/o-udruzi/</p>

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Court Advisers/Senior Court Advisers/Senior Court Advisers – Specialists in Civil Proceedings in all courts in Croatia perform tasks which ‘require the application of EU law’.

- Cross-border civil procedures
- European Small Claims Procedures
- European Payment Order Procedure
- Taking of Evidence Regulation
- Protection of Consumers
- European Certificate of Succession
- European Enforcement Order for Uncontested Claims

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CROATIA
Name of Court Staff Category	<p>In Croatian: sudski savjetnici/viši sudski savjetnici/viši savjetnici- specijalisti</p> <p>In English: Court Advisers/Senior Court Advisers/Senior Court Advisers – Specialists (Criminal Law)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Courts Act (<i>Narodne novine – the Official Gazette of the Republic of Croatia</i>, www.nn.hr; Nos. 28/13, 33/15, 82/15, 82/16, 67/18,126/19) - Civil Servants Act (<i>Narodne novine – Official Gazette of the Republic of Croatia</i>; www.nn.hr; Nos. 92/05, 140/05, 142/06, 77/07, 107/07, 27/08, 34/11, 49/11, 150/11, 34/12, 49/12, 37/13, 38/13, 01/15, 138/15, 61/17, 70/19, 98/19)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Court Advisers</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam. <p>Senior Court Advisers and Court Advisers at the Supreme Court of the Republic of Croatia</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam; - A minimum of two (2) years of experience as a court adviser or an adviser in a prosecution office or a judicial official or an attorney-at-law or a public notary or a lawyer with a minimum of five (5) years of experience on legal matters after passing the Bar Exam. <p>Senior Court Advisers – Specialists</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam;

	<ul style="list-style-type: none"> - A minimum of four (4) years of experience as a court adviser or an adviser in a prosecution office or a judicial official or an attorney-at-law or a public notary or a lawyer who has worked for at least eight (8) years on other legal matters after passing the Bar Exam. <p>Senior Court Adviser at the Supreme Court of the Republic of Croatia</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam; - A minimum of four (4) years of experience as a court adviser or an adviser in a prosecution office or a judicial official or an attorney-at-law or a public notary or a lawyer who has worked for at least eight (8) years on other legal matters after passing the Bar Exam. <p>Senior Court Advisers – Specialists at the Supreme Court of the Republic of Croatia</p> <ul style="list-style-type: none"> - Completed university studies in the field of law; - Bar Exam; - A minimum of six (6) years of experience as a court adviser or an adviser in a prosecution office or a judicial official or an attorney-at-law or a public notary or a lawyer who has worked for at least ten (10) years on other legal matters after passing the Bar Exam.
Main Recruitment Procedure	<ul style="list-style-type: none"> - Publication of a vacancy notice on the billboard of the court - Test - Interview with a selection board/commission
Alternative Access Routes	N/A

Responsibilities, Duties, Tasks

Court Advisers/Senior Court Advisers/Senior Court Advisers – Specialists in Criminal Law Departments at courts:

- Assist judges in their work;
- Draft judgments;
- Receive proposals/motions, submissions and declarations made by the parties;
- Perform other tasks as stipulated by the Courts Act and the Court Rule Book, either independently or as supervised and instructed by a judge;

- Perform other tasks given by judges, the presidents of court departments or by court presidents.

Court Advisers/Senior Court Advisers/Senior Court Advisers – Specialists in out-of-court panels prepare panel sessions, invite parties to sessions, report to court panels on the contents of the files in which a decision needs to be made.

Organisation of the category/profession

Organising Structure

- Ministry of Justice
- Ministry of Public Administration

Contact Details of any Professional Organisations in Connection with this Court Staff

Udruga hrvatskih sudskih savjetnika i vježbenika (skraćeni naziv: UHSSV)
English Translation: Association of Croatian Court Advisers and Trainees (abbreviation: UHHSV)
<https://uhssv.hr/o-udruzi/>

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Court Advisers/Senior Court Advisers/Senior Court Advisers – Specialists (Criminal Law) performs tasks which ‘require the application of EU law’.

- European Arrest Warrant
- European Investigation Order
- European Protection Order
- Recognition and enforcement of decisions on the confiscation of property
- Recognition and enforcement of decisions on financial penalties
- Recognition and enforcement of judgments by which prison sentence has been pronounced or a measure which includes the deprivation of liberty
- Recognition and enforcement of judgments and decisions on probation measures and alternative sanctions
- Recognition and enforcement of decisions on precautionary measures
- European Protection Order

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CROATIA
Name of Court Staff Category	<p>In Croatian: ravnatelj sudske uprave (za sud s više od 15 sudaca)</p> <p>In English: Court Administration Manager (for any court with over 15 judges)</p>
Statutory/Legal Basis for this Post	Courts Act (<i>Narodne novine – the Official Gazette of the Republic of Croatia</i> , www.nn.hr ; Nos. 28/13, 33/15, 82/15, 82/16, 67/18, 126/19)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Completed BA studies in the field of law or economics. - A minimum of five (5) years of experience in a relevant and related field of work.
Main Recruitment Procedure	<ul style="list-style-type: none"> - Publication of a vacancy notice on the billboard of the court. - Test. - Interview with a selection board/commission.
Alternative Access Routes	N/A
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Responsible to the court president; - Performs expert tasks related to human resources planning and management at court; - Organises the work of court clerks and other court employees (not of judges) and monitors their work performance; - Monitors and plans the training of court clerks and other court employees (not of judges); 	

- Takes care about the maintenance of the court building, work premises and equipment and of investments;
- **Organises and coordinates the drafting of the annual procurement plan** in accordance with law and the needs of the court;
- **Organises the public procurement procedures;**
- **Monitors the management of finances and resources of the court, as well as office and auxiliary technical activities;**
- Takes care of and monitors the spending of court funds from the state budget and the court's own funds;
- **Participates in the development and implementation of the court administration projects and monitors their implementation;**
- Takes care of duly and timely keeping of statistical data about the work of the court;
- **Cooperates with units of local and regional self-government in connection with the procurement of the court equipment and the acquiring of the funds for particular activities of the court;**
- Performs other tasks as assigned to him/her by the court president.

Organisation of the category/profession

Organising Structure	Ministry of Justice
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Court Administration Manager (for any court with over 15 judges) performs tasks which 'require the application of EU law'.

- Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC.
- Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts.

- Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Court Clerks and Employees	<ul style="list-style-type: none"> - According to Art. 108 of the Courts Act, they perform expert, office and technical tasks. - According to the Civil Servants Act, civil servants at courts perform IT, general and administrative tasks, planning tasks, financial and accounting tasks (e.g. minute takers). Court employees perform technical tasks (e.g. cleaning, driving, delivery, etc.). <p>They write from dictation, transcribe and send court decisions. They also enter data in the eFile programme.</p>	5,000
Authorised Land Registry Clerks	<ul style="list-style-type: none"> - Conduct land registry proceedings and make decisions in such proceedings in the first instance. - At 1st instance civil law courts only; - Statutory basis: Land Registry Act. <p>They enter data in land registers and issue land register certificates.</p>	866
Authorised Registry Clerks	<ul style="list-style-type: none"> - Decide in the first instance on the application and on the request for registering the data about the change of the seat of a legal entity, the registration of status changes of a legal entity, the registration of a split or the establishment of new companies created as a result of the separation of legal entities; - At 1st instance commercial courts only; - Statutory basis: Court Registry Act. <p>They enter data in the commercial register of legal entities.</p>	68

CYPRUS

1- GENERAL INFORMATION

Answering institution(s)	Supreme Court of Cyprus, Cyprus School for judicial training
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF¹⁵

In the table below, an overview of the Court staff in Cyprus is presented, including their Type and, when applicable, Functions¹⁶.

Category	Type	Functions	Approximate numbers
Court Bailiff	Type 1	Functions 3	33
Legal Officer	Type 1	Functions 2/3/4	12
Registrar	Type 1	Functions 2/4	24
Accounting Officer	Type 3	N/A	5
Assistant Clerical Officer	Type 3 ¹⁷	Functions 1	136
Cleaning Staff	Type 3	N/A	27
Clerical Officer	Type 3 ¹⁸	Functions 1	6
Court Stenographer	Type 3	N/A	101

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’

¹⁵ Further information regarding the methodology applied for the data collection and regarding the types and Functions is available in Chapters 4, 5 and 6 of this Study.

¹⁶ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

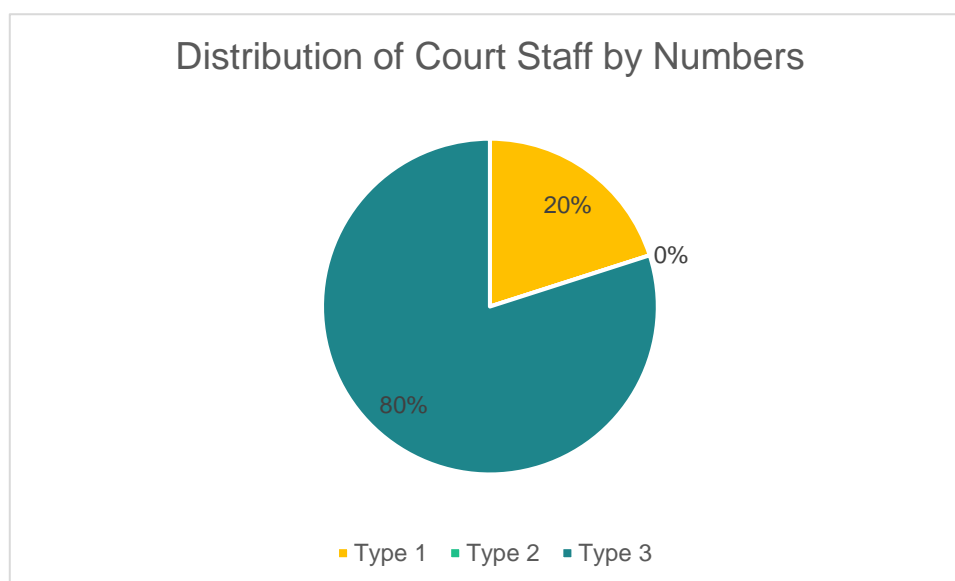
¹⁷ Except for GDPR training.

¹⁸ Except for GDPR training.

- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	69	20%
Type 2	0	0%
Type 3	275	80%
TOTAL	344	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Cyprus, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CYPRUS
Name of Court Staff Category	In Greek: Δικαστικός Επιδότης
	In English: Court Bailiff
Statutory/Legal Basis for this Post	Scheme of Service 52/98 Supreme Court Rules, 15/11/200
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - High school diploma - Very good knowledge of Greek and English language - Integrity of character <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	<p>Recruitment procedure takes place at national level.</p> <ul style="list-style-type: none"> - Written application - Written or oral exams - Interview by an advisory committee - Interview by the Recruitment Body (Public Service Committee)
Alternative Access Routes	Transfer routes from other professions: Yes, internally within the public service, provided they possess the required qualifications.
<i>Responsibilities, Duties, Tasks</i>	
<p>These court staff play an important role in:</p> <ul style="list-style-type: none"> - Execution of judgments 	

Main responsibilities, duties and tasks of the category:	
<ul style="list-style-type: none"> - Service of judicial documents 	
The duties of the position include:	
<ul style="list-style-type: none"> - Execution of writs of both movable and immovable property - Service of judicial documents - Receiving payments made regarding writs of execution 	
<i>Organisation of the category/profession</i>	
Organising Structure	Court Bailiffs are civil servants. The Public Service Committee is responsible for their appointment, transfer and disciplinary proceedings. There is no institution in charge of the overall organisation of the profession.
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Court Bailiffs perform tasks which ‘require the application of EU law’.

- General office and accounting responsibilities
- Creating and managing an Archive
- Updating registers
- Collection, processing and categorisation of data and information and preparation and submission of reports
- Assisting inspections of case files
- Receiving payments and issuing receipts
- Providing assistance to Lawyers and the public

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CYPRUS
Name of Court Staff Category	In Greek: Νομικός Λειτουργός
	In English: Legal Officer
Statutory/Legal Basis for this Post	Scheme of Service, Secondary legislation no 10/09, date 18/3/09, Supreme Court Rules, 15/11/2002
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications</p> <ul style="list-style-type: none"> - To be enrolled as an advocate in Cyprus (member of the Bar). The conditions and qualifications for enrolment as an advocate in Cyprus are provided in the Advocates Law (Cap. 2), Section 4, which provides, inter alia, a minimum age of 21 years, possessing good character, not having been subject to any conduct incurring disciplinary measures, having a law degree and at least 12 months of practice in a law firm - Very good knowledge of the pertinent languages - Integrity of character - Organisational and managerial skills - To have a minimum experience of more than one year of legal experience. <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	<p>Recruitment procedure takes place at national level.</p> <ul style="list-style-type: none"> - Written application - Written or oral exams - Interview by an advisory committee - Interview by the Recruitment Body (Public Service Committee)

Alternative Access
Routes

Transfer routes from other professions: Yes, internally within the public service, provided they possess the required qualifications.

Responsibilities, Duties, Tasks

Legal officers are civil servants

These court staff play an important role in:

- Civil law and procedures (Cross-border civil procedures)
- Commercial law and procedures (Cross-border commercial procedures)
- Criminal law and procedures (Cross-border criminal procedures)
- Human rights
- Access to justice
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges
- Data protection

Duties:

- Specific competences regarding judicial decisions
- Assistance to the judiciary in drafting decisions
- Administrative tasks

The duties of the position include:

- Legal research
- Study, collection and classification of substantial evidence and facts of cases and their processing into draft decisions
- Updating of legal documents
- Translation of judicial decisions, legislation and other legal documents
- Anonymisation of cases
- Preparation of questionnaires from European courts and institutions
- Coordinating with other ministries and services
- Liaising with various European Bodies and Council of Europe organisations

The Legal Officer assigned to the Department of Reform and training has the following duties and responsibilities:

- Programme Planning

- Organisation, preparation and coordination of training activities in Cyprus for Judges and Court Staff
- Coordination of the design and administration of training in conjunction with the Director and trainers
- Liaison with and support to trainers
- Preparation of all material for the participants
- Liaison with all stakeholders
- Design of course evaluation system
- Attendance and on-site assistance at all School training events
- Liaison with EJTN Programmes as National Contact Point for Cyprus.
 - Coordination of the participation of Cypriot Judges in training activities abroad (management of EJTN platform)
 - Coordination and organisation of the exchange programmes in Cyprus
 - Attendance at EJTN General Assembly and participation in EJTN meetings
 - Preparation and submission of surveys, questionnaires and evaluation forms
- Monitoring training events organised by training institutions, networks or organisations (ERA, EASO, UNHCR) for participation of Cypriot Judges
- Organisation and attendance at meetings relating to training

Organisation of the category/profession

Organising Structure	Legal officers are civil servants. The Public Service Committee is responsible for their appointment, transfer and disciplinary proceedings. There is no institution in charge of the overall organisation of the profession.
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Legal Officers perform tasks which ‘require the application of EU law’.

- Legal research
- Study, collection and classification of substantial evidence and facts of cases and their processing into draft decisions
- Updating of legal documents
- Translation of judicial decisions, legislation and other legal documents
- Preparation of questionnaires from European courts and institutions

All aspects of EU law are becoming more important as more EU legislative instruments are being adopted.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CYPRUS
Name of Court Staff Category	In Greek: Πρωτοκολλήτης
	In English: Registrar
Statutory/Legal Basis for this Post	Scheme of Service, Secondary legislation no 26/92, Supreme Court Rules, 15/11/2002
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications</p> <ul style="list-style-type: none"> - Law Degree - Very good knowledge of the pertinent languages - Integrity of character, - Organisational and managerial skills <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	<p>Recruitment procedure takes place at national level.</p> <ul style="list-style-type: none"> - Written application - Written or oral exams - Interview by an advisory committee - Interview by the Recruitment Body (Public Service Committee)
Alternative Access Routes	<p>Transfer routes from other professions: Yes, internally within the public service, provided they possess the required qualifications.</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>Registrars are civil servants.</p> <p>These court staff play an important role in:</p>	

- Civil law and procedures (Cross-border civil procedures)
- Commercial law and procedures (Cross-border commercial procedures)
- Criminal law and procedures (Cross-border criminal procedures)
- Procedural rights in criminal procedures (access to interpretation & Translation, access to a lawyer, access to information)
- Service of judicial documents
- Human rights
- Access to justice
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges
- Management of Courts (e-justice)
- Data protection
- Authentication of judicial and extra-judicial documents
- Court programming/management of court agendas

Main responsibilities, duties and tasks of the category:

- Procedures
- Administrative tasks
- Management

The duties of the position include:

- Certifies oaths made by the affiant.
- Seals and issues true copies of Court decisions and documents.
- Calculates and approves expense applications (assessment and taxation of Costs).
- Reviews the written records (transcripts) of the Courts proceedings. Monitors the service of the Court's documents as well as the enforcement of Court decisions.
- Translator's duties in Court's proceedings.
- Other duties specified by legislation or procedural rules and duties regarding matters of probate law and the administration of estates.
- In charge of the Registry and/or assists the organisation, management of the Registry and/or performs Registry duties.
- Responsible for the custody of the court files.
- Preparing monthly and yearly statistical data.

<i>Organisation of the category/profession</i>	
Organising Structure	Registrars are civil servants. The Public Service Committee is responsible for their appointment, transfer and disciplinary proceedings. There is no institution in charge of the overall organisation of the profession.
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Registrars perform tasks which ‘require the application of EU law’.

- Seals and issues true copies of Court decisions and documents.
- Reviews the written records (transcripts) of the Courts proceedings. Monitors the service of the Court’s documents as well as the enforcement of Court decisions.
- Translator’s duties in Court’s proceedings.
- Other duties specified by legislation or procedural rules and duties regarding matters of probate law and the administration of estates.

All aspects of EU law are becoming more important as more EU legislative instruments are being adopted.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CYPRUS
Name of Court Staff Category	In Greek: Βοηθός Γραμματειακός Λειτουργός
	In English: Assistant Clerical Officer
Statutory/Legal Basis for this Post	Scheme of Service no 27/ 04, Supreme Court Rules, 15/11/2002
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - High school diploma - Very good knowledge of Greek and English language - Two years' secretarial experience - Integrity of character <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	<p>Recruitment procedure takes place at national level.</p> <ul style="list-style-type: none"> - Written application - Written or oral exams - Interview by an advisory committee - Interview by the Recruitment Body (Public Service Committee)
Alternative Access Routes	<p>Transfer routes from other professions: Yes, internally within the public service, provided they possess the required qualifications.</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>Assistant Clerical officers are civil servants.</p> <p>These court staff members play an important role in:</p> <ul style="list-style-type: none"> - Human resources/personnel issues 	

- Health and safety, building administration
- Data protection

Main responsibilities, duties and tasks of the category:

- Administrative tasks

The duties of the position include:

- General office and accounting responsibilities.
- Creating and managing an Archive.
- Updating registers.
- Collection, processing and categorisation of data and information and preparation and submission of reports.
- Assisting inspections of case files.
- Receiving payments and issues receipts.
- Providing assistance to Lawyers and the public.

Organisation of the category/profession

Organising Structure

Assistant Clerical officers are civil servants. The Public Service Committee is responsible for their appointment, transfer and disciplinary proceedings. There is no institution in charge of the overall organisation of the profession.

Contact Details of any Professional Organisations in Connection with this Court Staff

Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Assistant Clerical Officers do not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CYPRUS
Name of Court Staff Category	In Greek: Γραμματειακός Λειτουργός
	In English: Clerical Officer
Statutory/Legal Basis for this Post	Scheme of Service no 27/04, Supreme Court Rules, 15/11/2002
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Very good knowledge of Greek and English - 16 years' experience in the position of clerk. - Integrity of character <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	<p>Recruitment procedure takes place at national level.</p> <ul style="list-style-type: none"> - Written application - Written or oral exams - Interview by an advisory committee - Interview by the Recruitment Body (Public Service Committee)
Alternative Access Routes	<p>Transfer routes from other professions: Yes, internally within the public service, provided they possess the required qualifications.</p>
<i>Responsibilities, Duties, Tasks</i>	
Clerical officers are civil servants.	
<p>These court staff members play an important role in:</p> <ul style="list-style-type: none"> - Human resources/personnel issues 	

- Health and safety, building administration
- Data protection

Main responsibilities, duties and tasks of the category:

- Administrative tasks

The duties of the position include:

- Responsible for organising and managing the Registry and monitoring the assistant officers.
- Making arrangements for the acquisition of the necessary office equipment and buildings.
- Handling correspondence, performing administrative duties and handling staff issues assigned to him/her.
- Providing services to lawyers and the public.

Organisation of the category/profession

Organising Structure	Clerical officers are civil servants. The Public Service Committee is responsible for their appointment, transfer and disciplinary proceedings. There is no institution in charge of the overall organisation of the profession.
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Clerical Officers do not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CYPRUS
Name of Court Staff Category	In Greek: Στενογράφος
	In English: Court Stenographer
Statutory/Legal Basis for this Post	Scheme of Service, Secondary legislation no 37/03, date 25/7/03, Supreme Court Rules, 15/11/2002
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - High school diploma - Very good knowledge of Greek and English Language - Integrity of character - Organisational and managerial skills - Shorthand speed of at least 90 wpm in Greek - Typing speed of at least 40 wpm in Greek and English <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	<p>Recruitment procedure takes place at national level.</p> <ul style="list-style-type: none"> - Written application - Practical exams on shorthand and typing
Alternative Access Routes	Transfer routes from other professions: Yes
<i>Responsibilities, Duties, Tasks</i>	
Court stenographers are civil servants.	

These court staff play an important role in:

- Assistance to judges
- Data protection

The duties of the position include:

- Keep minutes in the courtroom, process stenographed documents correctly and accurately, type speedily and without error the records of the Supreme Court, the District and other courts' proceedings. Types decisions of the Court.
- Type accurately and promptly without errors letters, notes or other documentation.
- Provide a personal assistant's and secretarial duties and perform any other relevant duties assigned to them. (Handling of correspondence, filing and indexing of documents, maintaining a diary for the court procedures).

Organisation of the category/profession

Organising Structure

Court stenographers are civil servants. The public Service Committee is responsible for their appointment, transfer and disciplinary proceedings. There is no institution in charge of the overall organisation of the profession.

Contact Details of any Professional Organisations in Connection with this Court Staff

Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW**Instructions**

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Court Stenographers do not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Accounting officer	Making the payments for the expenses of the court, preparation of the court budget,	5
Cleaning staff	Cleaning the courts	27

CZECHIA

1- GENERAL INFORMATION

Answering institution(s)	Judicial Academy
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF¹⁹**Remark for Czechia**

Assistant to Judge: Based on Czech law on the tasks of assistants at courts, a distinction between two different categories of assistants in Czechia must be made:

- Assistants at Higher Courts (Supreme Court, Supreme Administrative Court): The tasks are typically judicial in nature. This is why the category was excluded from the scope of the Study.
- Assistants at Lower Courts (district courts, regional courts): These are lawyers employed at courts who give assistance to judges and judges give them tasks; the tasks can be both judicial and administrative. This is why the category remained in the Study.

In the table below, an overview of the Court staff in Czechia is presented, including their Type and, when applicable, Functions²⁰.

Category	Type	Functions	Approximate numbers
Assistant to Judge at Lower Courts (district and regional), Assistant to Prosecutor	Type 1	Functions 2/3	1,190
Higher Court Clerk, Higher Clerk of Prosecutor's Office, Court Secretary	Type 2	Functions 2/3/4	1,514
(Chief) Accountant	Type 3 ²¹	Functions 1	8,000
Budget Expert		Functions 1	
Cashier		Functions 1	

¹⁹ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

²⁰ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

²¹ Except for GDPR training.

Court Reporter		Functions 1	
Director of Court/Prosecutor's Office Administration		Functions 1	
Enforcing Clerk		Functions 1	
Human Resources Officer		Functions 1	
IT Administrator/Manager		Functions 1	
IT Expert		Functions 1	
Manager of File Service		Functions 1	
Manager of Finances/Property Manager		Functions 1	
Office Manager		Functions 1	
Payroll Accountant		Functions 1	
Registry Manager		Functions 1	
Security Director		Functions 1	
Supervisory Clerk		Functions 1	
Administrative and Technical Staff at Prosecutor's Offices	Type 3 ²²	N/A	1,357
Administrative and Technical Staff at Courts	Type 3 ²³	N/A	1,670

Additional information:

- Type:
 - 1 – Court staff performing tasks which 'require the application of EU law'
 - 2 – Court staff performing tasks which 'might require the application of EU law'
 - 3 – Court staff not performing tasks 'that require the application of EU law'

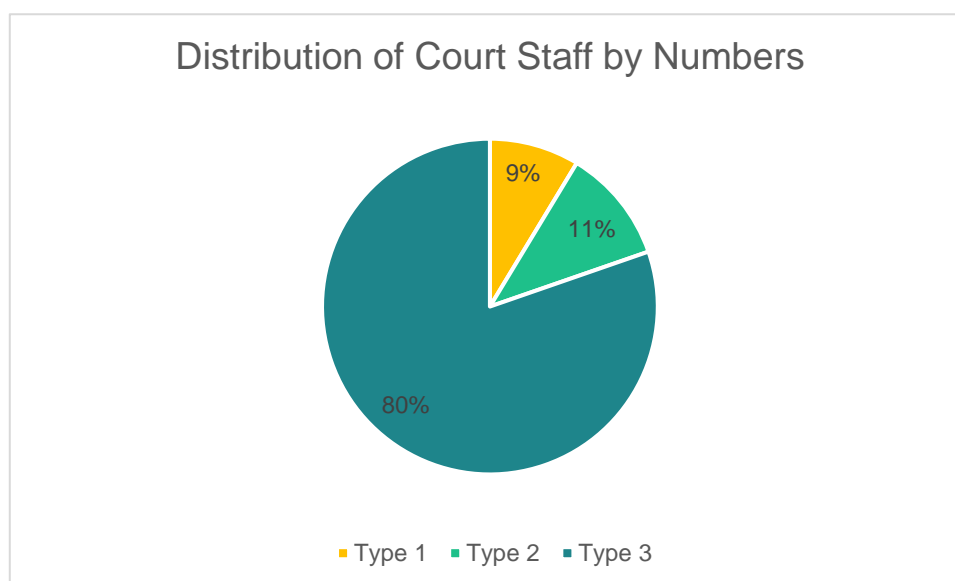
²² Except for GDPR training.

²³ Except for GDPR training.

- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	1,190	9%
Type 2	1,514	11%
Type 3	11,027	80%
TOTAL	13,731	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Czechia, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CZECHIA
Name of Court Staff Category	<p>In Czech: Asistent (asistent soudce; asistent státního zástupce)</p> <p>In English: Assistant to Judge at Lower Courts (district and regional), Assistant to Prosecutor</p>
Statutory/Legal Basis for this Post	<p>Act No 6/2002 Sb., as amended (Act on courts and judges)</p> <p>Act No 283/1993 Sb., as amended (Act on Public Prosecutor's Office)</p> <p>Act no. 6/2002 Col., on courts and judges, Act no. 262/2006 Col., labour code, Instruction of Ministry of Justice no. 505/2001, internal and office regulation for the district, regional and supreme courts, Ordinance no. 37/1992 Col., rules of procedure for district and regional courts</p> <p>Act on Public Prosecutor's Office</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: Master's in law; must be a graduate of a five-year study programme of Law at the Faculty of Law in the Czech Republic</p> <p>Aspects of EU law: compulsory</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level or Public Prosecutor's Office level</p> <p>Recruitment process: assistants are appointed by the President of the respective Court/Prosecutor's Office on the recommendation of the judge/prosecutor for whom the assistant is appointed</p> <p>Interview by Head of Court/Public Prosecutor's Office: Candidates are usually interviewed by the Head of Court or the Head of Public Prosecutor's Office who can be accompanied by a judge/judges or one or more prosecutors; sometimes it can be</p>

	a Commission consisting of the Head of Court and judge(s) or commission consisting of the Head of Prosecutor's Office and one prosecutor (or more prosecutors).
Alternative Access Routes	Transfer routes from other professions: No – All candidates must go through the normal recruitment procedure

Responsibilities, Duties, Tasks

Specific competences regarding judicial decisions

Procedures

Administrative tasks

This staff category plays an important role in:

Civil law and procedures

Commercial law and procedures

Criminal law and procedures

Procedural rights in criminal procedures

Rights of the victim

Rights of the child

Administrative law and procedures

Environmental law and procedures

Assistance to judges and/or public prosecutors

Assistant Judges

Main tasks and responsibilities:

- Specific competences regarding judicial decisions (higher public clerks and higher clerks of public prosecution)
- Procedures (all of them)
- Management (all the managers, directors and administrators, IT experts)
- Administrative tasks (all of them)
- Service (guarding, cleaning, etc.)
- Assistance to the judiciary in drafting decisions (higher public clerks and higher clerks of public prosecution)
- Others

The assistant judge plays an important role in:

- Civil law and procedures

- Cross-border civil procedures
- Commercial law and procedures
 - Cross-border commercial procedures
- Criminal law and procedures
 - Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts
 - E-justice (organisation of Information Technology & Communication, videoconferencing)
 - Data protection
 - Authentication of judicial and extra-judicial documents
 - Court programming/management of court agendas
 - Human Resources/personnel issues
 - Budget
 - Health & safety, building administration

Assistant Public Prosecutor (at the moment there are not any at District and Regional Public Prosecutor's Offices)

Assistant Public Prosecutor at the Supreme Public Prosecutor's Office (at the moment there are only several – up to ten and mostly have administrative tasks)

Organisation of the category/profession

Organising
Structure

The Union Assistant judges of the Czech Republic

Contact Details of any Professional Organisations in Connection with this Court Staff	Court – President Public Prosecutor’s Office – Chief Public Prosecutor Ministry of Justice http://portal.justice.cz/Justice2/Uvod/uvod.aspx
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QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Assistants to Judge at Lower Courts (district and regional), Assistant to Prosecutor perform tasks which ‘require the application of EU law’.

- All categories must follow the GDPR regulation. Training is provided by the Czech Judicial Academy.
- All categories perform tasks described in Q1A in Part on Responsibilities and duties which might require the application of EU law but only if they are ordered to do those tasks by the judge/prosecutor in charge. Training of assistants in all respective areas of EU law is provided by the Czech Judicial Academy.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CZECHIA
Name of Court Staff Category	<p>In Czech: Vyšší soudní úředník, vyšší úředník státního zastupitelství / Vyšší soudní úředník; vyšší úředník státního zastupitelství; soudní tajemník</p> <p>In English: Higher Court Clerk, Higher Clerk of Prosecutor's Office, Court Secretary</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Act No 121/2008 as amended - Act 163/2013 Sb - Act no. 6/2002 Col., on courts and judges, Act no. 283/1993 Col., on public prosecution, Act no. 121/2008 Col., on Higher public clerks as higher clerks of public prosecution, Act no. 262/2006 Col., labour code, Instruction of Ministry of Justice no. 505/2001, internal and office regulation for district, regional and supreme courts, Ordinance no. 37/1992 Col., rules of procedure for district and regional courts, General instruction no. 7/2004, office regulation of public prosecution
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Secondary school/high school diploma - Higher education degree in law - Higher education master's in law <p>Aspects of EU law: compulsory</p> <p>Secondary/high school diploma and successful graduation (diploma) from the study programme of the higher court clerks or clerks of public prosecutor's office at the Judicial Academy, or successful graduation (diploma) from the study programme at the faculty of law</p>
Main Recruitment Procedure	<p>Recruitment procedure: the recruitment procedure takes place at court level</p>

	Interview by the Head of Court: For each job position the open competition is published by the director of the court or the chief public prosecutor, then there is a recruitment commission of at least three people, the oral interview follows, and the recruitment decision is made by the director of the court or the chief public prosecutor.
Alternative Access Routes	Transfer routes from other professions: Yes – Graduate from the Faculty of Law (master's degree)

Responsibilities, Duties, Tasks

Specific competences regarding judicial decisions

Administrative tasks

This court staff category plays an important role in:

- Civil law and procedures
- Commercial law and procedures
- Criminal law and procedures
- Enforcement of court decisions
- Rights of the victim
- Assistance to judges and/or public prosecutors
- Data protection

- Specific competences regarding judicial decisions (higher public clerks and higher clerks of public prosecution)
- Procedures (all of them)
- Management (all the managers, directors and administrators, IT experts)
- Administrative tasks (all of them)
- Service
- Assistance to the judiciary in drafting decisions (higher court clerks and higher clerks of public prosecution)
- Others

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures

- Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts
 - E-justice (organisation of Information Technology & Communication, videoconferencing)
 - Data protection
 - Authentication of judicial and extra-judicial documents
 - Court programming/management of court agendas
 - Human Resources/personnel issues
 - Budget
 - Health & safety, building administration

Organisation of the category/profession

Organising Structure	The Union of higher court clerks of the Czech Republic Unie vyšších soudních úředníků
Contact Details of any Professional Organisations in Connection with this Court Staff	Court Prosecution offices Ministry of Justice Website: http://portal.justice.cz Courts – president of the court prosecutor´s offices – chief public prosecutor Ministry of Justice Website: http://portal.justice.cz

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Higher Court Clerks, Higher Clerks of Prosecutor's Office, Court Secretaries perform tasks which 'might require the application of EU law'.

- All categories perform tasks describe in Q1A in Part on Responsibilities and duties which might require the application of EU law but only if they are ordered to do those tasks by the judge/prosecutor in charge. The Czech Judicial Academy provides both initial and continuing training of all categories written in Q1A in all respective areas of EU law stated in Q1A in Part Responsibilities, Tasks and Duties.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	CZECHIA
Name of Court Staff Category	<p>In Czech: zapisovatel/ka; rejstříkový vedoucí; vedoucí kanceláře; vedoucí spisové služby; dozorčí úředník; správce sítě; informatik; ředitel správy; personalista; bezpečnostní ředitel; účetní; mzdová účetní; pokladní; hospodář/správce majetku; vymáhající úředník; rozpočtář</p> <p>In English: General Staff (Court Staff and Prosecutor's Office Staff) – Court Reporter, Registry Manager, Office Manager, Manager of File Service, Supervisory Clerk, IT Administrator/Manager, IT Expert, Director of Court/Prosecutor's Office Administration, Human Resources Officer, Security Director, (Chief) Accountant, Payroll Accountant, Cashier, Manager of Finances/Property Manager, Enforcing Clerk, Budget Expert</p>
Statutory/Legal Basis for this Post	
<i>Access to the Court Staff Category</i>	
Main Access Conditions	For all positions, secondary education is compulsory.
Main Recruitment Procedure	It depends on the internal regulations of each institution.
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Court Reporter – responsible for taking records at courtrooms - Registry Manager - responsible for managing court registers - Office Manager – responsible for the proper and effective functioning of court officers - Manager of File Service – responsible for handling files 	

- **Supervisory Clerk** – responsible for monitoring processes
- **IT Administrator/Manager** – responsible for IT systems and databases at court
- **IT Expert** – responsible for the functioning of IT products and services
- **Director of Court/Prosecutor’s Office Administration** – head of court administration
- **Human Resources Officer** – recruitment of new employees
- **Security Manager** – responsible for safety and security
- **(Chief) Accountant** – keeping the books, paying invoices
- **Payroll Accountants** – calculation of employees’ wages
- **Cashiers** – handling money
- **Manager of Finances/Property Manager** – purchase of office supplies, building maintenance
- **Enforcing Clerk** – enforcement of debts
- **Budget Experts** – monitoring budget distribution and spending

Organisation of the category/profession

Organising Structure	<ul style="list-style-type: none"> - the immediate superior for all economic and financial positions of the court/prosecutor’s office staff is the director of court/prosecutor’s office administration - the immediate superior of the director of court/prosecutor’s office administration is the president of the court or chief public prosecutor
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – General Staff (Court Staff and Prosecutor’s Office Staff) do not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

The following information is based on:

- Annual report 2019 of the Supreme Prosecutor's Office
<https://verejnazaloba.cz/wp-content/uploads/2020/06/Tabulkova-cast-II-9-6-2020.pdf>
- Annual Statistics 2019 of the Ministry of Justice in the Czech Republic
https://justice.cz/documents/12681/719244/Ceske_soudnictvi_2019_vyrocní_stat_zprava.pdf/28174b8b-c421-440b-9a17-1f48cfc50efc

In 2019, in the Czech Republic, according to those two documents, the number of purely administrative and technical staff at prosecutor's offices were 1,357, while at courts it was 1,670. The numbers include building maintenance and cleaning staff, drivers, security staff, receptionists, clerical workers, finance officers, typists, personnel at information centres (at courts), personnel at registries (both at courts and prosecutor's offices), etc. The Annual Statistics 2019 of the Ministry of Justice in the Czech Republic states (on page 18) that at courts there were 40 different categories of administrative and technical staff. The reports do not include either an enumeration of individual categories of purely administrative and technical staff or descriptions of work.

Category	Description of work	Approximate numbers
Administrative and Technical Staff at Prosecutor's Offices	Information not available	1,357
Administrative and Technical Staff at Courts	Information not available	1,670

DENMARK

1- GENERAL INFORMATION

Answering institution(s)	Danish Court Administration
	Prosecution Service

2- OVERVIEW OF THE CATEGORIES OF COURT STAFF²⁴**Remarks for Denmark**

- The Courts of Denmark consist of 24 district courts, two high courts, the Supreme court, the Maritime and Commercial Court, the Land registration court, the courts of Greenland and the Court of the Faroe Islands. All courts employ court staff, but the focus of the answers received from the Danish Court Administration is based on the organisation of the tasks at the 24 district courts. In addition, the delegation of work and the workflow can be organised differently in the various district courts. The data collected is therefore based on an average organisation of responsibilities and assignments for the court staff in a typical district court.
- The Prosecution Service consists of The Director of Public Prosecutions, three state prosecutor's offices with associated police districts, and two police districts for Greenland and the Faroe Islands.
- Denmark is not part of the Justice programme due to the Danish opt-out. EU law is incorporated into the Danish laws.

In the table below, an overview of the Court staff in Denmark is presented, including their Type and, when applicable, Functions²⁵.

Category	Type	Functions	Approximate numbers
<i>Courts</i>			
Court Staff (Clerk)	Type 1	Functions 1/2/3/4	1,176
Court Staff (Clerk Trainee)	Type 2	Functions 1/2/3/4	85
Other Staff (Cleaning, Guards, IT, etc.)	Type 3	N/A	101

²⁴ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

²⁵ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

<i>Public Prosecution Service</i>			
Public Prosecution Service Clerk	Type 2	Functions 1/2	360 ²⁶
Police Service Clerk Trainee	Type 2	Functions 1/2	
Receptionists	Type 3	N/A	

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

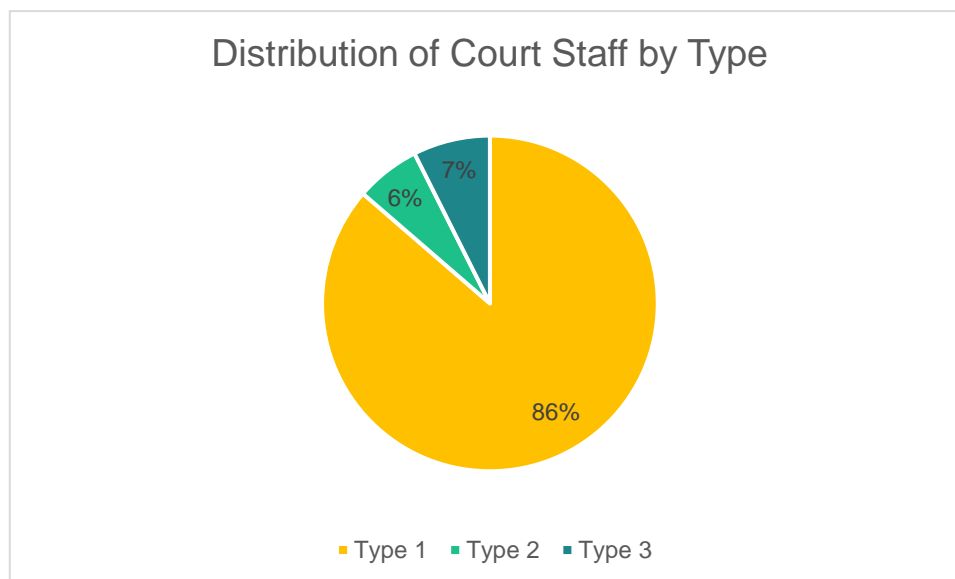
3- COUNTRY STATISTICS

The approximate number of court staff in the Prosecution Service combines Type 2 and Type 3. As it was not possible to determine the approximate number in each type, the statistics of the Prosecution Service is not included in this overview.

Approximate Number of Court Staff	Total	
Type 1	1,176	86%

²⁶ In 2020 the Prosecution Service had a total of 360 office employees. 82 of these employees worked with the Director of Public Prosecutions or the State Prosecutor's. 278 office employees were based in the 12 police districts, and in the police districts of Greenland Police and Faroe Island Police. These clerks are employed by the Danish National Police but do also support the Prosecution Service.

Type 2	85	6%
Type 3	101	7%
TOTAL	1,362	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Denmark, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	DENMARK (Courts)
Name of Court Staff Category	<p>In Danish: Kontorpersonale</p> <p>The term 'kontorpersonale' covers all personnel working at the district courts who are not judges or deputy judges. Neither will guards and cleaning staff be relevant for this Questionnaire.</p> <p>At the Courts of Denmark, the district courts generally cover five different areas:</p> <ul style="list-style-type: none"> - Civil law - Family law - Criminal law - Probate court - Bailiff's court <p>All district courts cover all five areas. In regard to court staff, you can be employed to carry out duties concerning one of the areas but most likely you will cover two areas in order to cover the workload as best as possible at the court in question. The level of delegation of tasks and responsibility can vary from court to court.</p> <p>In English: Court Staff</p>
Statutory/Legal Basis for this Post	<p>The administration of justice act https://www.retsinformation.dk/eli/lta/2020/1445</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Relevant education, e.g. in public administration - Professional experience - Trainee/office clerk at the courts of Denmark <p>For our court staff, a degree or diploma in law is not required.</p> <p>Once you start in a position at the Courts of Denmark you receive on-the-job training combined with mandatory training organised by the Danish Court Administration.</p>

Main Recruitment Procedure	<p>The district court has the authority to recruit court staff. When any public authority in Denmark is looking to hire, you are bound by law to publish a job advertisement. Based on the applicants' experience and competencies, applicants are invited to a job interview. Afterwards, a decision is made whether to hire the person or not. This decision is based on the interview and the person's professional experience and skills. The district courts will most likely ask for a reference from an earlier employer in the recruitment process.</p> <p>The decision regarding the recruitment will be taken locally by the top management of the court.</p> <p>The employment of the individual will always be on the condition that the individual can obtain a security clearance from the Intelligence Service.</p> <p>For information all deputy judges are recruited by The Danish Court Administration and all appointed judges are appointed by the independent Judicial Appointments Council.</p>
Alternative Access Routes	<p>Court staff from other professions can apply for a job at the courts but will then still have to participate in on-the-job training and compulsory training.</p>

Responsibilities, Duties, Tasks

Please note that tasks and titles may vary from court to court. Therefore, for example, some court staff might have management duties while others won't. The District Courts have a certain amount of self-determination regarding administrative and structural organisation.

Typical tasks and responsibilities would be:

- Management of a specific area of law at the court
- Specific competencies regarding judicial decisions (In particular the court staff at the bailiff's court has a high level of decision making delegated to them)
- Administrative tasks
- Assistance to the judiciary in drafting decisions

Court Staff plays an important role in:

- Procedural rights in criminal procedure
- Service of judicial and extra-judicial documents
- Access to justice
- Management of Courts (e-justice, data protection, authentication of judicial and extra-judicial documents, court programming/management of courts agendas,

human resources/personnel issues, budget, health and safety, building administration)	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>The Courts of Denmark consist of 24 district courts, two high courts, the Supreme court, the Maritime and Commercial High Court, the Land registration court, the courts of Greenland and the Court of the Faroe Island.</p> <p>All courts employ court staff but the focus of our answers in this questionnaire will be based on the organisation of the tasks at the 24 district courts.</p> <p>In addition, the delegation of work and the workflow can be organised differently in the various district courts.</p> <p>This answer is therefore based on what is considered to be an average organisation of responsibilities and assignments for the court staff in a typical district court</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Court Staff perform tasks which ‘require the application of EU law’.

- **Regarding the service of documents** members of court staff apply the law themselves. This task is concentrated in a centralised unit that handles all EU and third-country cases regarding the service of documents on behalf of all courts in Denmark. The court staff in this particular unit do apply [Council Regulation \(EC\) 1393/2007](#) of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters, and the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union.
- **Regarding enforcement/bailiffs and probate law** members of court staff do in some cases have individual responsibilities and therefore apply law themselves.
- **Regarding civil and criminal law** the majority of the court staff will only do preparatory work and follow up for the judges.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	DENMARK (Prosecution Service)
Name of Court Staff Category	In Danish: Administrativ medarbejder i Anklagemyndigheden (+ elev)
	In English: Public Prosecution Service Clerk, Police Service Clerk Trainee
Statutory/Legal Basis for this Post	None
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Clerical education and training
Main Recruitment Procedure	Public job advertisement. The recruitment is carried out by the office that needs the staff.
Alternative Access Routes	No
<i>Responsibilities, Duties, Tasks</i>	
<p>What are the main responsibilities, duties and tasks of the category/profession?</p> <ul style="list-style-type: none"> - Administrative tasks <p>The category/profession of court staff described in this answer plays different roles.</p> <ul style="list-style-type: none"> - Assistance to public prosecutors 	
<i>Organisation of the category/profession</i>	
Organising Structure	Organisationally, the Prosecution Service consists of the Director of Public Prosecutions, three state prosecutor's offices with associated police districts, and two police districts for Greenland

	<p>and the Faroe Islands, respectively. Each police district has its own local prosecution service. Each of the mentioned offices has their own unit of administrative staff.</p> <p>https://anklagemyndigheden.dk/en/contact</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>Director of Public Prosecutions</p> <p>Tel.: +45 72 68 90 00</p> <p>Email: rigsadvokaten@ankl.dk</p>

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Public Prosecution Service Clerk, Police Service Clerk Trainee performs tasks which ‘might require the application of EU law’.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
<i>Courts</i>		
Other Staff (Cleaning, Guards, IT, etc.)	Information not available	101
<i>Public Prosecution Service²⁷</i>		
Receptionist	Two Receptionists work with the Director of Public Prosecutions, and one with the State Prosecutor of Copenhagen and the State Prosecutor for Serious Economic and International Crime. The number of employed receptionists is included in the total number of office employees within the Prosecution Service since they are employed under the same collective agreement as the office employees.	Not available

²⁷ Most work performed by staff that could otherwise be considered as Type 3 has been outsourced.

ESTONIA

1- GENERAL INFORMATION

Answering institution(s)	Ministry of Justice, Judicial Administration Policy Department Pärnu County Court
	Office of the Prosecutor General

2- OVERVIEW OF THE CATEGORIES OF COURT STAFF²⁸

In the table below, an overview of the Court staff in Estonia is presented, including their Type and, when applicable, Functions²⁹.

Category	Type	Functions	Approximate numbers
<i>Courts</i>			
Assistant judge	Type 1	Functions 3	51
Judicial Clerk; Senior Judicial Clerk	Type 1	Functions 2/4	226
Administrative Manager (1st and 2nd instance courts) and Administrative Specialist	Type 3	N/A	4
Analyst (1st and 2nd instance courts)	Type 3	N/A	5
Archivist	Type 3	N/A	11
Assistant Adviser	Type 3	N/A	122
Assistant of the Director of the Court	Type 3	N/A	2
Assistant of the President of the Court (1st and 2nd instance courts)	Type 3	N/A	7
Chief Financial Officer, Financial	Type 3	N/A	4

²⁸ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

²⁹ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

Analyst, Senior Specialist (1st and 2nd instance courts)			
Clerk of the Court Session	Type 3	N/A	176
Court Security Guard	Type 3	N/A	43
Data Quality Manager (for 1st and 2nd instance courts)	Type 3	N/A	1
Director of Court	Type 3	N/A	3
Head of Office	Type 3	N/A	8
Head of the Human Resources Department, Specialist of the Human Resources Department (1st and 2nd instance courts)	Type 3	N/A	8
Information Technology Manager (for 1st and 2nd instance courts)	Type 3	N/A	1
Interpreters	Type 3	N/A	34
Land Registry Secretary (part of 1st instance courts)	Type 3	N/A	12
Press Representative (1st and 2nd instance courts)	Type 3	N/A	4
Registry Secretary (part of 1st instance courts)	Type 3	N/A	22
<i>Supreme Court</i>			
Law Clerk (at chambers)	Type 1	Functions 1/2	33
Consultant (at chambers)	Type 2	Functions 1/2/4	3
Analyst (at the Legal Information and Training Department)	Type 1	Functions 1/4	4
Legal Specialist (at the Legal Information and Training Department)	Type 1	Functions 1/4	4

Legal Training Specialist (at the Legal Information and Training Department)	Type 1	Functions 1/4	3
Head of the Legal Information and Training Department	Type 2	Functions 1/4	1
Head of General Department (at the General Department (ÜO) of the Supreme Court)	Type 2	Functions 1/4	1
Secretaries (at the General Department (ÜO) of the Supreme Court)	Type 2	Functions 1/4	8
(Maintenance) Specialist of the Administrative Department (Supreme Court)	Type 3	N/A	1
(Transportation) Specialist of the Administrative Department (Supreme Court)	Type 3	N/A	1
Administrative Manager (Supreme Court)	Type 3	N/A	1
Administrator (Supreme Court)	Type 3	N/A	4
Adviser of the Information Technology Department (Supreme Court)	Type 3	N/A	2
Chief Financial Officer (Supreme Court)	Type 3	N/A	1
Cleaner (Supreme Court)	Type 3	N/A	4
Data Protection Specialist (Supreme Court)	Type 3	N/A	0.5
Director of the Supreme Court	Type 3	N/A	1
Head of the Human Resources Department (Supreme Court)	Type 3	N/A	1

Head of the Information Technology Department (Supreme Court)	Type 3	N/A	1
Human Resources Adviser (Supreme Court)	Type 3	N/A	1
Human Resources Specialist (Supreme Court)	Type 3	N/A	0,5
Janitor/housekeeper (Supreme Court)	Type 3	N/A	1
Press Representative (Supreme Court)	Type 3	N/A	1
Public Relations Manager (Supreme Court)	Type 3	N/A	1
Specialist of the Public Relations department (Supreme Court)	Type 3	N/A	1
Specialist of the Training Department (Supreme Court)	Type 3	N/A	2
<i>Office of the Prosecutor General</i>			
Consultant	Type 2	Functions 2/4	34
Adviser of HR division	Type 3	N/A	2
Head of HR division	Type 3	N/A	1
Head of Information Management Division	Type 3	N/A	1
Secretaries	Type 3	N/A	36
Translator	Type 3	N/A	8

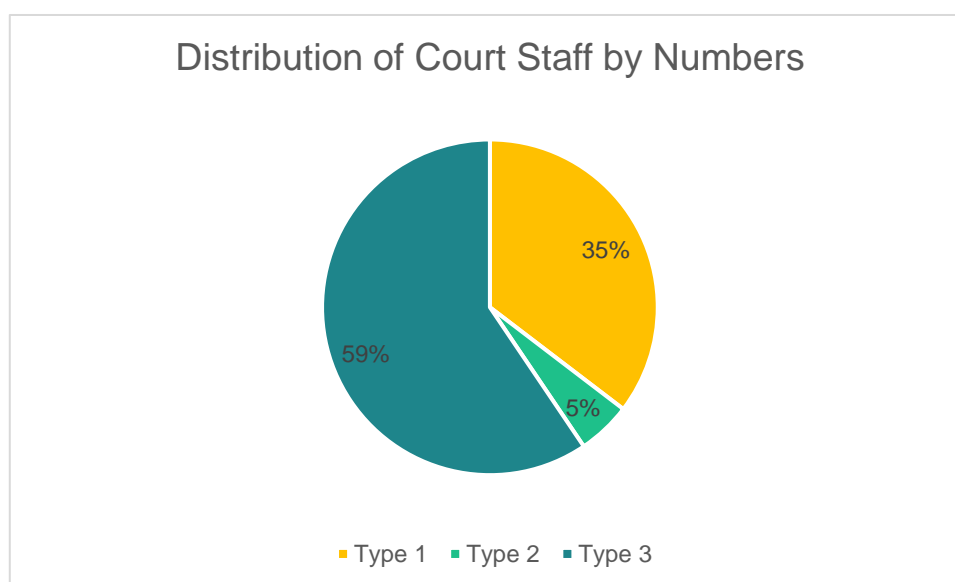
Additional information:

- Type:

- 1 – Court staff performing tasks which ‘require the application of EU law’
- 2 – Court staff performing tasks which ‘might require the application of EU law’
- 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	321	35%
Type 2	47	5%
Type 3	539.5	59%
TOTAL	907.5	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Estonia, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Courts)
Name of Court Staff Category	In Estonian: Kohtunikuabi
	In English: Assistant Judge
Statutory/Legal Basis for this Post	Courts Act (§ 114 etc.)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <p>Higher education master's in law</p> <ul style="list-style-type: none"> - A citizen of the Republic of Estonia may be appointed as an assistant judge if he or she has acquired in the field of law at least an officially certified master's degree or a corresponding qualification for the purposes of subsection 28 (22) of the Republic of Estonia Education Act or a corresponding foreign qualification. - Has proficiency in the Estonian language at the level C1 provided for by the Language Act or a corresponding level; is of high moral character. - Has completed the preparatory service plan of an assistant judge, unless the competition committee has exempted the person from the completion of the preparatory service plan of an assistant judge. - An assistant judge is a court official who performs the duties specified by law. - Upon performance of his or her duties, an assistant judge is independent but shall comply with the instructions of a judge to the extent prescribed by law - The restrictions on service by judges apply to assistant judges. <p>Aspects of EU law: compulsory</p>
Main Recruitment Procedure	Recruitment procedure: takes place at national level

	<p>The person completing the preparatory service plan of an assistant judge shall receive training for the office of assistant judge.</p> <ul style="list-style-type: none"> - The minister responsible for the area shall announce a public competition for a vacant position of an assistant judge in the official publication. - A participant in the competition for persons completing the preparatory service plan of an assistant judge shall comply with the requirements established in clauses 47 (1) 1–3) and subsection 115 (3) of the Court Act. - Assistant judges shall be appointed to office by the minister responsible for the area on the proposal of the competition committee. - A probationary period with a duration of up to six months shall be applied upon appointment to the office of assistant judge. The director of the court shall appoint the supervisor to an assistant judge for the probationary period.
Alternative Access Routes	<p>Transfer routes from other professions: Yes</p> <ul style="list-style-type: none"> - The competition committee may exempt from the completion of the preparatory service plan of an assistant judge a person who has worked for at least two years in an office or position which requires legal knowledge and with regard to whom the competition committee finds that the earlier experience allows the person to assume the office of an assistant judge without completing the preparatory service plan of an assistant judge. - A person who has passed a judge’s examination may also be appointed as an assistant judge. <p>Specifications of requirements for assistant judges:</p> <p>A person who has acquired the professional education of an assistant judge at an institution of applied higher education may also be appointed as an assistant judge.</p> <p>The preparatory service plan of an assistant judge shall be deemed to have been completed upon graduation from an institution of applied higher education which provides special education for assistant judges.</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Specific competences regarding judicial decisions - Procedures 	

- **Manage applications, make entries in the business register, non-profit associations and foundation register, commercial pledge register** (The Registration Department)
- **Manage applications, make entries in the Land register and Ship register** (The Land Registry Department)
- **Resolve petitions for an expedited procedure in a matter involving a payment order and expedited procedure for orders for payment in claims of child support**
- **Making cross-border enforcement documents**
- **The European payment order procedure** (The Payment Department)

This court staff category plays an important role in:

- Civil law and procedures (Cross-border civil procedures)
- Commercial law and procedures (Cross-border commercial procedures)
- Land register law and procedures
- Administrative law and procedures

Organisation of the category/profession

<p>Organising Structure</p>	<p>Ministry of Justice - Republic of Estonia</p> <p>The Ministry of Justice (together with the courts where the assistant judges are appointed to office) is responsible for the training. The land registry department and the registration department situated in Tartu County Court. The department of payment situated in Pärnu County Court.</p> <p>Contact Details of any Professional Organisations in Connection with this Court Staff Category: Eesti Kohtunikuabide Ühing; Pikk 32, Rakvere, Lääne-Viru County, Estonia 44307; kohtunikuabid@gmail.com</p>
<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Assistant Judges perform tasks which ‘require the application of EU law’.

- Manage applications, make entries in the Business register, non-profit associations and foundation register, commercial pledge register (The Registration Department)
- Manage applications, make entries in the Land register and Ship register (The Land Registry Department)
- Resolves petitions for an expedited procedure in a matter of a payment order and expedited procedure for orders for payment in claims of child support
- Making cross-border enforcement documents
- The European payment order procedure (The Payment Department)

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Courts)
Name of Court Staff Category	In Estonian: Kohtujurist ja vanemkohtujurist
	In English: Judicial Clerk, Senior Judicial Clerk
Statutory/Legal Basis for this Post	Courts Act (§ 125)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Judicial clerk:</p> <p>A citizen of the Republic of Estonia may be appointed as a judicial clerk if he or she:</p> <ul style="list-style-type: none"> - has acquired in the field of law at least an officially certified master's degree, a corresponding qualification for the purposes of subsection 28 (22) of the Republic of Estonia Education Act or a corresponding foreign qualification; - has proficiency in the Estonian language at the level C1 provided for by the Language Act or a corresponding level; - is of high moral character. <p>The following person may not be employed as a judicial clerk:</p> <ul style="list-style-type: none"> - who has received punishment for an intentionally committed criminal offence; - who has been punished for an intentionally committed criminal offence against the state, regardless of the deletion of the information concerning punishment; - who has been deprived of the right to work in a particular post or to operate in a particular area of activity by a court judgment which has entered into force in such office or area of activity; - who is a spouse or a partner in a marriage-like relationship (hereinafter unmarried partner) or a grandparent, a parent of an official who has direct control over the corresponding post, or a parent or a descendant of the parent, including a child or grandchild, of a spouse

	<p>or an unmarried partner. Within the meaning of this Act, an adoptive parent, foster parent, adopted child and foster child are also deemed to be a relative in the descending line;</p> <ul style="list-style-type: none"> - upon the occurrence of a circumstance precluding recruitment provided for by law. <p>Judicial clerks must also have good argumentation skills and the ability to use that skill when writing legal texts/court judgments. Judicial clerks are also expected to have good knowledge of EU law and all other law fields (which are necessary for everyday job assignments).</p> <p>According to the job description of the judicial clerks, judicial clerks must be of high moral character, with a high degree of diligence, excellent written and oral expression, good analytical and stress tolerance, accuracy and cooperation, responsible, professional and effective.</p> <p>Senior judicial clerk:</p> <p>A person who has worked for at least three years as a judicial clerk and passed a judge’s examination shall be appointed a senior judicial clerk (no other different requirements or job descriptions/assignments compared to judicial clerks)</p> <p>All judicial clerks/senior judicial clerks are public officials.</p> <p>Aspects of EU law: generally, law curricula in Estonia consists of some compulsory EU law modules</p>
Main Recruitment Procedure	<p>A vacant position of a judicial clerk shall be filled by way of public competition. The competition shall be organised and a judicial clerk shall be appointed to office and released from office by the chair of the court. A probationary period with a duration of up to six months shall be applied upon appointment to the office of judicial clerk.</p> <p>The procedure takes place at court level and may slightly vary from court to court.</p> <p>In most cases: selection through written application; short written test (theoretical skills), written exam (court case-based), interview by recruitment panel+chair of the court (to evaluate legal knowledge + personal characteristics).</p> <p>A person who has worked for at least three years as a judicial clerk and passed a judge’s examination shall be appointed a senior judicial clerk.</p>
Alternative Access Routes	<p>Generally, all candidates must go through the normal recruitment procedure, but there are some exceptions. The public declaration</p>

of the competition may be waived and an internal competition may be organised for judicial clerks if there is good reason to believe that it is expedient to fill the vacant position by a declaration of a competition inside one or more judicial institutions.

Responsibilities, Duties, Tasks

Judicial clerk and senior judicial clerk (there are no differences between judicial clerk and senior judicial clerk responsibilities, duties and tasks)

A **judicial clerk** is a court official who participates in the preparation for proceedings and in the proceedings of cases to the extent prescribed in the court procedure law, either independently or under the supervision of a judge. A judicial clerk is also competent to perform acts and make judgments that an assistant judge or another court official is competent to perform or make pursuant to the court procedure law. Upon performance of his or her duties, a judicial clerk is independent but shall comply with the instructions of a judge to the extent prescribed by law.

A judicial clerk's tasks are preparation of legal analyses; drafting court decisions (court judgment and court order) under the judge's supervision; making an order in preparation of adjudicating a matter or other orders of organisational nature which are not subject to appeal; providing the judge with his/her opinions on how to eliminate a legal problem; preparing a summary of the case and arguments of the parties. A judicial clerk should also research the case-law (Supreme Court of Estonia (Riigikohus), ECHR, CJEU), as well as country of origin information - COI (when working with a judge dealing with refugee law, mostly in administrative courts).

This court staff category plays an important role in:

- Civil law and procedures
- Cross-border civil procedures (including family law matters):
 - o cooperation procedures between the courts of the Member States in the taking of evidence in civil or commercial matters (Council Regulation (EC) No 1206/2001);
 - o service of documents procedures (Council Regulation (EC) No 1393/2007);
 - o filling in forms related to enforcement of court decisions (Brussels I Regulation (recast), European Enforcement Order);
 - o commercial law and procedures
- Cross-border commercial procedures:
 - o cross-border insolvency procedures (Regulation 2015/848);
 - o European Small Claims Procedure;
 - o European Payment Order Procedure;

- criminal law and procedures
 - Cross-border criminal procedures
 - Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
 - Rights of the victim
 - Rights of the child
 - Administrative law and procedures
 - Competition law and procedures
 - Environmental law and procedures
 - Assistance to judges
 - Tax law
 - Human rights
 - Access to justice
 - Assistance to judges/ or public prosecutors
 - Management of courts
 - E-justice (organisation of Information Technology & Communication, videoconferencing)

Organisation of the category/profession

<p>Organising Structure</p>	<p>Estonia's court system consists of three instances: the county and administrative courts are the first instance courts; circuit courts are the courts of second instance, and the Supreme Court is the third instance.</p> <p>Judicial clerks and senior judicial clerks work with judges in courts of first and second instance (county courts, administrative courts and circuit courts).</p> <p>https://www.kohus.ee/en</p> <p>The courts of first and second instance are managed by the Ministry of Justice.</p>
<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	<p>There are no professional organisations for judicial clerks.</p>

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Judicial Clerk, Senior Judicial Clerk performs tasks which ‘require the application of EU law’.

- The judicial clerk provides assistance to the judge and in this collaboration he/she advises the judge on how to apply EU law.
- Relevant EU law instruments: cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (Council Regulation (EC) No 1206/2001), service of documents (Council Regulation (EC) No 1393/2007), European Small Claims Procedure, European Payment Order Procedure, European Enforcement Order, Brussels I Regulation (recast), etc. International cooperation in criminal proceedings comprises extradition of persons to foreign states, mutual assistance between states in criminal matters, execution of the judgments of foreign courts, taking over and transfer of criminal proceedings commenced, cooperation with the International Criminal Court and Eurojust and extradition to Member States of the European Union.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Courts)
Name of Court Staff Category	In Estonian: Arhivaar
	In English: Archivist
Statutory/Legal Basis for this Post	Rules of Procedure of County, Administrative and Circuit Court Offices (§ 8)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Secondary education, accompanied by specialised, vocational or occupational training
Main Recruitment Procedure	<p>The position shall be appointed under open competition, a covering letter is required for candidacy.</p> <p>Stage I – submission of documents, stage II – interview + computer literacy test (responding to the questions provided on the computer).</p> <p>The competition committee includes the head of office, the head of human resources.</p>
Alternative Access Routes	An internal competition if there is reason to believe that it would be sound to fill the vacant position by announcing the competition within one or more institutions, rotation in the courthouse.
<i>Responsibilities, Duties, Tasks</i>	
<p>The primary objective of the archivist position is receipt, organisation, retainment and organisation of use of case files and other documents in the archive, pursuant to legislation.</p> <p>This court staff category plays an important role in:</p> <ul style="list-style-type: none"> - Administrative tasks 	

<i>Organisation of the category/profession</i>	
Organising Structure	<p>Estonia's court system consists of three instances: county and administrative courts are the first instance courts; circuit courts are the courts of the second instance, and the Supreme Court is the third instance.</p> <p>Archivists work in courts of first and second instance (county courts, administrative courts and circuit courts).</p> <p>https://www.kohus.ee/en</p> <p>The courts of first and second instance are managed by the Ministry of Justice – Republic of Estonia</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	There are no professional organisations for archivists

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Archivists do not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Courts)
Name of Court Staff Category	In Estonian: Referent
	In English: Assistant Adviser
Statutory/Legal Basis for this Post	Rules of Procedure of County, Administrative and Circuit Court Offices (§ 5)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Secondary education, knowledge of document management or administration
Main Recruitment Procedure	<p>The position shall be appointed under open competition, a covering letter is required for candidacy.</p> <p>Stage I – submission of documents, stage II – interview + computer literacy test (responding to the questions provided on the computer).</p> <p>The competition committee includes the head of general office, the head of human resources, and an analyst who shall test computer literacy.</p>
Alternative Access Routes	An internal competition if there is reason to believe that it would be sound to fill the vacant position by announcing the competition within one or more institutions, rotation in the courthouse.
<i>Responsibilities, Duties, Tasks</i>	
<p>The primary objective of the assistant adviser position is ensuring smooth administration and circulation of documents within their structural unit and serving persons who come to the court.</p> <p>This court staff category plays an important role in:</p> <ul style="list-style-type: none"> - Administrative tasks 	

<i>Organisation of the category/profession</i>	
Organising Structure	<p>Estonia's court system consists of three instances: county and administrative courts are the first instance courts; circuit courts are the courts of the second instance, and the Supreme Court is the third instance.</p> <p>Assistant advisers work in courts of first and second instance (county courts, administrative courts and circuit courts).</p> <p>https://www.kohus.ee/en</p> <p>The courts of first and second instance are managed by the Ministry of Justice – Republic of Estonia</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	There are no professional organisations for Assistant advisers

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Assistant Adviser does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Courts)
Name of Court Staff Category	In Estonian: Kohtuistungi sekretär
	In English: Clerk of the Court Session
Statutory/Legal Basis for this Post	Rules of Procedure of County, Administrative and Circuit Court Offices (§ 6)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Qualifications: Secondary school/high school diploma
	Aspects of EU law: not known
Main Recruitment Procedure	Recruitment procedure: takes place at national level. <ul style="list-style-type: none"> - Interview by the Head of Court - Selection through written application
Alternative Access Routes	Transfer routes from other professions: N/A
<i>Responsibilities, Duties, Tasks</i>	
<p>The primary objective of the Clerk of the Court Session is ensuring the necessary administration for the conduct of judicial proceedings.</p> <ul style="list-style-type: none"> - Administrative tasks - Management of Courts (E-justice – organisation of Information Technology and Communication, videoconferencing)) - Assistance to judges 	

<i>Organisation of the category/profession</i>	
Organising Structure	<p>Estonia's court system consists of three instances: county and administrative courts are the first instance courts; circuit courts are the courts of the second instance, and the Supreme Court is the third instance.</p> <p>The Clerk of the Court Session works in courts of first and second instance (county courts, administrative courts and circuit courts).</p> <p>https://www.kohus.ee/en</p> <p>The courts of first and second instance are managed by the Ministry of Justice – Republic of Estonia</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	There are no professional organisations for Clerk of the Court Session

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – The Clerk of the Court Session does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Courts)
Name of Court Staff Category	In Estonian: Kohtukordnik
	In English: Court Security Guard
Statutory/Legal Basis for this Post	Courts Act (§ 126)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Secondary education, existence of a category B driving licence, experience in law enforcement or security service
Main Recruitment Procedure	<p>The position shall be appointed under open competition, a covering letter is required for candidacy.</p> <p>Stage I – submission of documents, stage II – interview + practical driving test in a car provided by the court.</p> <p>The competition committee includes the head of administration, the head of human resources.</p>
Alternative Access Routes	An internal competition if there is reason to believe that it would be sound to fill the vacant position by announcing the competition within one or more institutions.
<i>Responsibilities, Duties, Tasks</i>	
<p>A court security guard is a court official whose duty is to maintain order in the court, serve notices and summons to persons and perform other duties related to the functions of a court security guard determined by the internal rules of the court.</p>	
<p>This court staff category plays an important role in:</p> <ul style="list-style-type: none"> - Administrative tasks - Service (guarding) 	

<i>Organisation of the category/profession</i>	
Organising Structure	<p>Estonia's court system consists of three instances: county and administrative courts are the first instance courts; circuit courts are the courts of the second instance, and the Supreme Court is the third instance.</p> <p>Court security guards work in courts of first and second instance (county courts, administrative courts and circuit courts).</p> <p>https://www.kohus.ee/en</p> <p>The courts of first and second instance are managed by the Ministry of Justice - Republic of Estonia</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	There are no professional organisations for Court security guard

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – The Court Security Guard does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Courts)
Name of Court Staff Category	In Estonian: Kohtudirektor
	In English: Director of Court
Statutory/Legal Basis for this Post	Courts Act (§ 125)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: Higher education degree A Director of Court must have completed higher education studies</p> <p>Aspects of EU law: optional</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at national level</p> <ul style="list-style-type: none"> - Interview by recruitment panel - Selection through written application
Alternative Access Routes	Transfer routes from other professions: N/A
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Management - Administrative tasks - Budget <p>The Director of Court:</p> <ul style="list-style-type: none"> - organises the administration of affairs of the judicial institution; - organises the use of the assets of the judicial institution (the court); 	

- prepares the draft budget of the judicial institution and submits the draft budget to the Minister of Justice;
- monitors the budgetary funds of the judicial institution;
- is responsible for the organisation of accounting of the judicial institution;
- appoints court officers to office and releases them from office

This court staff category plays an important role in:

- Management of Courts (E-justice, data protection, human resources/personnel issues, budget, health & safety, building administration)

Organisation of the category/profession

Organising Structure

[Ministry of Justice - Republic of Estonia](#)

The Ministry of Justice (together with the courts where the Directors of the Courts are appointed to office) is responsible for training.

There are no professional organisations for the director of court.

Contact Details of any Professional Organisations in Connection with this Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – The Director of Court does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Courts)
Name of Court Staff Category	In Estonian: Kantseleijuhataja
	In English: Head of Office
Statutory/Legal Basis for this Post	Rules of Procedure of County, Administrative and Circuit Court Offices (§ 4)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Higher education, at least two years of management experience
Main Recruitment Procedure	<p>The position shall be appointed under open competition, a covering letter is required for candidacy.</p> <p>Stage I – submission of documents, stage II – interview + computer literacy test (responding to the questions provided on the computer).</p> <p>The competition committee includes the director of the court, the chair of the court (judge), and the head of human resources.</p>
Alternative Access Routes	The open declaration of a competition may be cancelled and an internal competition may be organised if there is reason to believe that it would be sound to fill the vacant position by announcing the competition within one or more institutions.
<i>Responsibilities, Duties, Tasks</i>	
<p>The primary objective of the head of office position is the organisation of court administration and document management, as well as management of the work of the court office by creating the conditions necessary for the smooth administration of justice.</p>	
<p>This court staff category plays an important role in:</p> <ul style="list-style-type: none"> - Administrative tasks 	

<i>Organisation of the category/profession</i>	
Organising Structure	<p>Estonia's court system consists of three instances: county and administrative courts are the first instance courts; circuit courts are the courts of the second instance, and the Supreme Court is the third instance.</p> <p>Head of office work in courts of first and second instance (county courts, administrative courts and circuit courts).</p> <p>https://www.kohus.ee/en</p> <p>The courts of first and second instance are managed by the Ministry of Justice – Republic of Estonia</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	There are no professional organisations for head of office

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – The Head of Office does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Courts)
Name of Court Staff Category	In Estonian: Tõlk
	In English: Interpreters
Statutory/Legal Basis for this Post	Rules of Procedure of County, Administrative and Circuit Court Offices (§ 7)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Higher education, advanced knowledge of Estonian and Russian, as well as professional vocabulary
Main Recruitment Procedure	<p>The position shall be appointed under open competition, a covering letter is required for candidacy.</p> <p>Stage I – submission of documents, stage II – interview + translation of the text provided from Estonian into Russian and vice versa.</p> <p>The competition committee includes the head of office and the head of human resources.</p>
Alternative Access Routes	An internal competition if there is reason to believe that it would be sound to fill the vacant position by announcing the competition within one or more institutions, rotation in the courthouse.
<i>Responsibilities, Duties, Tasks</i>	
<p>The primary objective of the interpreter position is the translation of court decisions and documents and interpretation during court sessions.</p> <p>This court staff category plays an important role in:</p> <ul style="list-style-type: none"> - Administrative tasks 	

<i>Organisation of the category/profession</i>	
Organising Structure	<p>Estonia's court system consists of three instances: county and administrative courts are the first instance courts; circuit courts are the courts of the second instance, and the Supreme Court is the third instance.</p> <p>Interpreters work in courts of first and second instance (county courts, administrative courts and circuit courts).</p> <p>https://www.kohus.ee/en</p> <p>The courts of first and second instance are managed by the Ministry of Justice – Republic of Estonia</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	There are no professional organisations for interpreter

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Interpreters do not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Supreme Court)
Name of Court Staff Category	In Estonian: nõunik, konsultant
	In English: Legal staff at chambers – Law Clerk, Consultant Legal staff at chambers of the Supreme Court covers people working in the chambers (constitutional, civil, administrative, criminal) of the Supreme Court of Estonia and includes two subgroups: law clerks and consultants.
Statutory/Legal Basis for this Post	Concerning law clerks – Estonian Courts Act § 31 https://www.riigiteataja.ee/en/eli/519122019009/consolide
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>A person who complies with the educational requirements set for judges may be appointed as a law clerk (legal education at master's level – 5 years).</p> <p>In addition, proficient knowledge of the legal field (e.g. civil law including an understanding of the position of EU law) is expected, as well as very good analytical and argumentation skills and the ability to use them in writing well-structured and advanced legal texts.</p> <p>Conditions for consultants are more flexible, but at least a 3-year legal education is presumed, as well as good knowledge of the relevant legal field (depending on the chamber).</p> <p>All law clerks and consultants are public officials expected to have Estonian citizenship and to be fluent in Estonian.</p>
Main Recruitment Procedure	<p>For both profiles: public competition</p> <p>For both profiles: interview, written task (giving an opinion on a court of cassation case, forming a legal document, etc.), background research.</p> <p>Proposal to appoint is made by a selection committee, but the authority to appoint lies with Chief Justice.</p>

Alternative Access Routes

Responsibilities, Duties, Tasks

A law clerk is an official of the Supreme Court responsible for general judicial practice and participating in the preparation of cases for proceedings. This includes a summary of the case and argument together with the legal basis (in law as well as previous judicial practice) and an opinion to proceed or not to proceed with the cassation case, as well as drafting decisions in cases taken to proceed at the Supreme Court. Additionally, law clerks may be given other tasks, e. g. giving an opinion on a draft regulation sent to the Supreme Court, writing memos or analyses for presentations, trainings, etc.

There are 32 law clerk posts in the Supreme Court, divided between the chambers. Although the general job description is the same, there are variations in the topics handled in accordance with each chamber.

Law clerk plays in important role in:

- Specific competences regarding judicial decisions
- Procedures
- Assistance to the judiciary in drafting decisions
- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Constitutional law and procedure
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors

A Consultant is an official who is responsible for the ‘flow’ of cassation cases in the Supreme Court. The **Consultant keeps an overview of incoming cassation cases, checks incoming documentation and prepares them for review by law clerks and judges. Duties include checking documents’ correspondence to the law, deadlines, etc., ensuring that all necessary documentation is assembled and that it reaches all parties concerned. The consultant prepares drafts of documentation on proceedings (cassation cases to be rejected, accepted, etc.). Consultants’ duties include communication with members of the public, solicitors and all parties involved in the legal process. In addition, consultants keep account of the division of cases among law clerks and judges within the chamber, as well as the time schedule of the further proceedings in the Supreme Court.**

There are three consultants in the Supreme Court, one for all three main chambers – civil, administrative and criminal. Although the general job description is the same, there are variations in the topics handled in accordance with each chamber.

The consultant plays an important role in:

- Specific competences regarding judicial decisions
- Procedures
- Assistance to the judiciary in drafting decisions
- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts
 - o Authentication of judicial and extra-judicial documents
 - o Court programming/management of court agendas

<i>Organisation of the category/profession</i>	
Organising Structure	The Supreme Court of Estonia https://www.riigikohus.ee/en
Contact Details of any Professional Organisations in Connection with this Court Staff	Supreme Court of Estonia info@riigikohus.ee

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Law Clerk performs tasks which ‘require the application of EU law’.

- **Tasks:** A law clerk is an official of the Supreme Court responsible for general judicial practice and who participates in the preparation of cases for proceedings. This includes a summary of the case and argument together legal basis (law as well as former judicial practice) and an opinion to proceed or not to proceed with the cassation cases, as well as drafting decisions in the cases taken to proceed in the Supreme Court.
- **Instruments:** Legal acts of the EU, the practice of the European Court of Justice, soft law.

TYPE 2 – Consultant performs tasks which ‘might require the application of EU law’.

- **Tasks:** Duties include checking documents’ correspondence to the law, deadlines, etc., ensuring that all necessary documentation is assembled and that it reaches all parties concerned; consultant prepares drafts of documentation on proceedings (cassation cases to be rejected, accepted, etc.).
- **Instruments:** Legal acts of the EU, the practice of the European Court of Justice, soft law

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Supreme Court)
Name of Court Staff Category	<p>In Estonian: Analüütik, peaspetsialist, (koolitus) nõunik, õigusteabe- ja koolitusosakonna juhataja</p> <p>In English: Legal staff at the Legal Information and Training Department (ÕKO) – Analyst, Legal Specialist, Legal Training Specialist, Head of the Legal Information and Training Department</p> <p>Legal staff at the Legal Information and Training Department (ÕKO) of the Supreme Court include analysts, legal specialists and legal training specialists. The department mainly deals with analysing court practice, composing judicial practice review and the training of the Estonian judiciary and legal training of the court staff, but also annotation of decisions, communication and correspondence in matters not directly related to a certain court case.</p>
Statutory/Legal Basis for this Post	
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Legal education at master's level (5 years) is expected from analysts.</p> <p>In addition, proficient knowledge of the legal field (e.g. civil law including an understanding of the position of EU law) is expected, as well as very good analytical and argumentation skills and the ability to use them in writing well-structured and advanced legal texts.</p> <p>Conditions for legal training specialists and legal specialists are more flexible, but at least 3-years of legal education is presumed, as well as good knowledge of the relevant legal field.</p> <p>The Head of the ÕKO has to comply with the educational requirements set for judges (legal education at master's level – 5 years), to have proficient knowledge of the law, incl. trends, issues, developments, etc. as well as having administrative and visionary capacity.</p> <p>All analysts and the head of the department are public officials expected to have Estonian citizenship and to be fluent in</p>

	Estonian. For legal specialists and legal training specialists, fluent Estonian is expected.
Main Recruitment Procedure	<p>Analysts and head of the ÕKO: public competition</p> <p>Legal specialists and legal training specialists: public competition is not required but is used if a targeted search is not considered to be the best solution.</p> <p>Typical methods: interview, written task (a short analysis, overview, forming a legal document, etc.), tests and, if considered necessary, background research.</p> <p>Proposal to appoint is made by a selection committee, but the authority to appoint lies with the Chief Justice in case of the head of the ÕKO, or with the director of the Supreme Court (analysts, legal specialists and legal training specialists).</p>
Alternative Access Routes	

Responsibilities, Duties, Tasks

Analysts' main tasks are composing overviews of the practice of the Supreme Court and writing analyses of the judicial practice. Additionally, analysts may be given other tasks, e. g. collecting data and conducting research related to a certain legal issue, inquiry, court case, etc., writing memos or short overviews for presentations, trainings, etc., answering questionnaires, etc.

There are four analyst posts in the Supreme Court dealing with different fields of law – civil, administrative, criminal and constitutional. Although the general job description is the same, there are variations in the topics handled depending on each field.

Analysts play an important role in:

- Specific competences regarding judicial decisions
- Procedures
- Assistance to the judiciary in drafting decisions
- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents

- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Constitutional law and procedure

Legal specialists' main task is to systemise the decisions made by the Supreme Court, compose relevant annotations and keywords and ensure availability of the decisions on the web. Legal specialists are also involved in assisting analysts with gathering data and collecting research material, writing overviews and answering questionnaires. Specialists also compose responses to inquiries from members of the public and support other departments of the organisation with legal advice on reviewing contracts, etc.

There are four legal specialists in the Supreme Court – civil law, administrative and constitutional law, criminal law and general matters. Although the general job description is the same, there are variations in the topics handled in accordance with the field.

Legal specialist plays an important role in:

- Procedures
- Administrative tasks
- Assistance to the judiciary in drafting decisions
- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures

- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Constitutional law and procedure

Legal training specialists' main task is to analyse the training need of the Estonian judiciary and court staff, to plan and ensure the delivery of the trainings, analyse the effect of training, participate in the preparation of the study and methodological materials for the training of the judiciary. Legal training specialists also have to give input to ensure continuous development of methods of training, composing the training strategy and annual training programmes.

There are three legal specialists in the Supreme Court – one for civil law, one for public law and one for skill trainings. Although the general job description is the same, there are variations in the topics handled in accordance with the field of responsibility.

The legal training specialist plays an important role in:

- Administrative tasks
- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Constitutional law and procedure

The Head of the ÕKO is responsible for the effective work of the whole department.

The Head of the ÕKO plays an important role in:

- Procedures
- Management
- Administrative tasks
- Civil law and procedures

- Cross-border civil procedures
- Commercial law and procedures
 - Cross-border commercial procedures
- Criminal law and procedures
 - Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts
 - Authentication of judicial and extra-judicial documents
 - Human Resources/personnel issues
 - Budget

Organisation of the category/profession

Organising Structure	The Supreme Court of Estonia https://www.riigikohus.ee/en
Contact Details of any Professional Organisations in Connection with this Court Staff	Supreme Court of Estonia info@riigikohus.ee

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Analyst, Legal Specialist, Legal Training Specialist perform tasks which ‘require the application of EU law’.

Analysts

- **Tasks:** composing overviews of the practice of the Supreme Court and writing analyses of the judicial practice. Additionally, analysts may be given other tasks, e.g. collecting data and conducting research related to a certain legal issue, inquiry, court case, etc., writing memos or short overviews for presentations, trainings, etc., answering questionnaires, etc.
- **Instruments:** Legal acts of the EU, the practice of the European Court of Justice, soft law.

Legal Specialists

- **Tasks:** the main task is to systemise decisions made by the Supreme Court, compose relevant annotations and keywords and ensure availability of the decisions on the web. Legal specialists are also involved in assisting analysts with gathering data and collecting research material, writing overviews and answering questionnaires. Specialists also compose responses to inquiries from members of the public and support other departments of the organisation with legal advice on reviewing contracts, etc.
- **Instruments:** Legal acts of the EU, the practice of the European Court of Justice, soft law

Legal Training Specialists

- **Tasks:** Legal training specialists’ main task is to analyse the training need of the Estonian judiciary and court staff, plan and ensure the delivery of the trainings, analyse the effect of training, participate in the preparation of the study and methodological materials for training the judiciary. Legal training specialists also have to give input to ensure continuous development of training methods, composing the training strategy and annual training programmes.
- **Instruments:** Legal acts of the EU, the practice of the European Court of Justice, soft law.

TYPE 2 – Head of the Legal Information and Training Department performs tasks which ‘might require the application of EU law’.

- **Tasks:** Responsibility to ensure the departments work in accordance with all relevant regulations, legal basis, etc.
- **Instruments:** Legal acts of the EU, the practice of the European Court of Justice, soft law

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Supreme Court)
Name of Court Staff Category	<p>In Estonian: Sekretär, üldosakonna juhataja</p> <p>In English: Staff at the General Department (ÜO) – Secretary, Head of the General Department</p> <p>Staff at the General Department (ÜO) of the Supreme Court includes secretaries, language editors, a translator and the head of the department. Relevant to EU law training are the secretaries and head of the department. The department is in charge of the flow of documentation at the Supreme Court; they ensure that the documents used are up to date, that all necessary data can be found in the digital document systems, and documentation and data are kept in compliance with archiving requirements. Language editors foresee that decisions made by the Supreme Court are written in flawless, fluent and consistent language, while the translator comes to help in case documents or inquiries in Russian are received.</p>
Statutory/Legal Basis for this Post	
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Secretaries are expected to have, as a minimum, high school education, but due to the specific nature of the court system, where excellent handling of information systems is necessary as well as an understanding of the proceedings, additional education in law or document administration, or sufficient experience in the field, is regarded as a strong argument.</p> <p>The Head of the ÜO department is expected to have education at master's level (5 years), preferably in law or document management. He or she has to have the administrative and visionary capacity to lead the department and ensure its work compatibility with the law.</p> <p>All secretaries and the head of the department are public officials expected to have Estonian citizenship and to be fluent in Estonian.</p>

Main Recruitment Procedure	<p>Secretaries and head of the ÜO: public competition</p> <p>Typical methods: interview, written task (a short analyses, overview, forming a legal document, etc.), tests and, if considered necessary, background research.</p> <p>Proposal to appoint is made by a selection committee, but the authority to appoint lies with the Chief Justice in case of the head of the ÜO, or with the director of the Supreme Court (secretaries).</p>
Alternative Access Routes	

Responsibilities, Duties, Tasks

Secretaries' main tasks include composing and/or finalising documentation, ensuring the necessary data is entered in digital documentation systems, including the official Courts Information System for procedural data; communicating with all parties concerned with the proceedings – by phone/e-mail as well as formal forms of information in processing documentation, and also with other inquiries made by phone or e-mail (forwarding, if necessary, the inquiry to the official responsible for the matter concerned). Secretaries may give assistance and technical support to other units, if necessary, incl. data management, events, etc.

There are eight secretaries in the Supreme Court dealing with different fields of law – civil, administrative, criminal and constitutional as well as non-legal documentation. Although the general job description is the same, there are variations in the topics handled in accordance with each field.

Secretaries play an important role in:

- Specific competences regarding judicial decisions
- Procedures
- Administrative tasks
- Assistance to the judiciary in drafting decisions
- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Access to justice

- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Constitutional law and procedures
- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)
 - o Data protection
 - o Authentication of judicial and extra-judicial documents
 - o Court programming/management of court agendas

The Head of the ÜO is responsible for the effective work of the whole department.

The Head of the ÜO plays an important role in:

- Procedures
- Management
- Administrative tasks
- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)

- Data protection
- Authentication of judicial and extra-judicial documents
- Court programming/management of court agendas
- Human Resources/personnel issues
- Budget

Organisation of the category/profession

Organising Structure	The Supreme Court of Estonia https://www.riigikohus.ee/en
Contact Details of any Professional Organisations in Connection with this Court Staff	Supreme Court of Estonia info@riigikohus.ee

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Secretary and the Head of the General Department perform tasks which ‘might require the application of EU law’.

Secretaries

- **Tasks:** Secretaries main tasks include composing and/or finalising documentation, ensuring the necessary data is entered in digital documentation systems, including the official Courts Information System for procedural data; communicating with all parties concerned with the proceedings – by phone/e-mail as well as formal forms of information in processing documentation, and also with other inquiries made by phone or e-mail.
- **Instruments:** Legal acts of the EU, the practice of the European Court of Justice, soft law.

Head of the General Department

- **Tasks:** The head of the ÜO is responsible for the effective work of the general department, ensuring that documentation and data processing complies with the legal basis and regulations, including from the perspective of the EU law.
- **Instruments:** Legal acts of the EU, the practice of the European Court of Justice, soft law.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ESTONIA (Office of the Prosecutor General)
Name of Court Staff Category	In Estonian: Konsultant
	In English: Consultant
Statutory/Legal Basis for this Post	Civil Service Act
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Requirements for the candidate:</p> <ul style="list-style-type: none"> - Higher education in law (preferably a master's degree) - Advanced knowledge of Estonian - Intermediate English - Elementary Russian - Good analytical skills, sense of duty and responsibility, accuracy and poise - Very good oral and written self-expression
Main Recruitment Procedure	<p>Candidates for the position of the consultant must first submit their CV and covering letter. This is followed by a written phase where the candidates must solve two legal cases. After a written round, an oral round takes place where the Senior Prosecutor, Prosecutor belonging to the department and adviser of the personnel division participate and who select a suitable candidate.</p> <p>A candidate is appointed to office as a consultant by the Prosecutor General of the state.</p>
Alternative Access Routes	No alternative routes to access the profession.
<i>Responsibilities, Duties, Tasks</i>	

The Consultants' task is mainly **to assist the judiciary in drafting decisions**.

It includes the preparation of statements of charges, agreements, applications and different rulings. Consultants also give their opinions on issues related to qualification and also relating to the justification for episodes of crime. Consultants also research national as well as European court practice.

Depending on the profile of a particular consultant, his/her task may also include explaining rights and obligations to the persons subject to the proceedings (but primarily to victims), searching for social programmes for convicted offenders, responding to addresses of the persons and applications for an explanation.

In addition to the above, consultants prepare drafts of documents relating to international cooperation (European Investigation Orders, European arrest warrants, requests for legal assistance, requests for extradition). The specific tasks of every consultant depend on what types of crimes are handled in the department. Hence, it can be summarised that the tasks of consultants overlap, to large extent, with tasks of prosecutors, as the duty of consultants is the preparation of documents relating to criminal procedure and comprehensive assistance to prosecutors, thereby the reduction of the prosecutors' workload. In their work, consultants rely on national as well as European legal acts, and on court practice. Active involvement of the consultants in the preparation of procedural documents contributes to the speed of the criminal procedure, focus on individuals, and to making professional and sound decisions.

Organisation of the category/profession

Organising Structure	Office of the Prosecutor General, Contact information: Birgit Roht, adviser at the Human Resources Division, Birgit.roht@prokuratuur.ee https://www.prokuratuur.ee/en/contacts/office-prosecutor-general
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Consultant performs tasks which 'might require the application of EU law'.

- Consultants search for the European court practice, they prepare projects of documents relating to international cooperation. That includes different instruments

of EU law (European investigation orders, European arrest warrants, European confiscation orders).

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
<i>Courts</i>		
Administrative Manager (1 st and 2 nd Instance Courts) and Administrative Specialist	Ensures the administration and security of courthouses. Organises the work of the court security guards.	4
Assistant of the Director of the Court (1 st and 2 nd Instance Courts)	Assisting the Director of the Court in his/her duties.	2
Head of the Human Resources Department, Specialist of the Human Resources Department (1 st and 2 nd Instance Courts)	Arranges and develops personnel work, recruits and selects personnel, advises personnel on HR matters, arranges training, draws up and manages personnel documents.	8
Assistant of the President of the Court (1 st and 2 nd Instance Courts)	Assists the President of the Court in their duties.	7
Chief Financial Officer, Financial Analyst, Senior Specialist (1 st and 2 nd Instance Courts)	Ensures the receipt of up-to-date, objective and comparable information on the implementation of the budget and economic activities, analyses the labour and economic costs of the courts, monitors the movement of assets and prepares the necessary documentation on the movement of assets.	4
Analyst (1 st and 2 nd Instance Courts)	Provides the President of the Court with the information necessary for making management decisions and implementing good judicial practice in the Court, such as harmonising the workload of judges,	5

	redistributing cases, including the allocation of judicial resources, analysing case proceedings and case-law, compiling and monitoring procedural statistics.	
Press Representative (1 st and 2 nd Instance Courts)	Ensures the exchange of information between the media and presidents of the court and judges in co-operation with the press representative of the Supreme Court. Communicates with national and local media.	4
Land Registry Secretary (1 st Instance Courts)	Reviews registration applications and prepares draft rulings on entry.	12
Registry Secretary (1 st Instance Courts)	Reviews petitions for entry submitted to the registrar pursuant to the Commercial Code and prepares drafts for rulings on entries concerning such petitions.	22
Data Quality Manager (1 st and 2 nd Instance Courts)	Prepares instructions for the court information system, organises the trainings, develops the data quality measurement/evaluation and monitoring system.	1
Information Technology Manager (1 st and 2 nd Instance Courts)	Writes up the IT standards (workplace, courtrooms, and other rooms), continuously improves technological possibilities, improves IT usage skills (incl. organisation of trainings).	1
<i>Supreme Court</i>		
Director of the Supreme Court	Directs and coordinates the work of the structural units that provide support services to the administration of justice, and is responsible for the preparation and execution of the budget.	1
Chief Financial Officer	Keeps the accounts of the Supreme Court.	1

Public Relations Manager	Shapes the development and implementation of the communication strategy of Estonian courts in cooperation with the courts, advises and supports the courts in matters of public relations and manages the communication of crisis situations.	1
Data Protection Specialist	Ensures the compliance of the data management of the Supreme Court with the laws on the protection of personal data.	0.5
Head of the Human Resources Department	Manages and develops the work of the Human Resources Department of the Supreme Court of Estonia.	1
Human Resources Adviser	Collects, systematises and analyses information concerning the Estonian judiciary, manages related documents, data and information exchange and serves the work of the Judicial Examination Committee.	1
Human Resources Specialist	Maintains the personnel records of the Supreme Court and manages information and documentation concerning personnel.	0,5
Press Representative	Organises the relations of the Supreme Court with the public and media. Shapes the identity and reputation of the Supreme Court and the administration of justice.	1
Specialist of the Public Relations Department	Develops and organises the internal communication of the Supreme Court, shapes the identity and reputation of the Supreme Court and the administration of justice, and edits and develops the internal and external websites and social media accounts of the Supreme Court.	1
Head of the Information Technology Department	Designs and implements the information and communication technology (ICT) strategy of the Supreme Court, manages and develops ICT systems and manages the work of the department.	1
Adviser of the Information	Analyses the information technology opportunities and needs related to the work	2

Technology Department	processes and court proceedings of the Supreme Court and implements the necessary solutions, provides hardware and software support, advises employees and organises maintenance of hardware and software.	
Specialist of The Training Department	Organises training for judges, court officers and partner organisations, assists training specialists and manages training-related information and records.	2
Administrative Manager	Administers the properties in the possession of the Supreme Court and organises the security service.	1
(Maintenance) Specialist of the Administrative Department	Organises maintenance and upkeep works in the building and territory of the Supreme Court and ensures compliance of workplaces with working conditions and availability of work equipment.	1
(Transportation) Specialist of the Administrative Department	Ensures the maintenance and upkeep of the means of transport of the Supreme Court and performs the duties of a driver.	1
Administrator	Ensures the preservation of the property located in the territory of the Supreme Court and the safety of the employees outside working hours.	4
Cleaner	Ensures the cleanliness of the premises in the Supreme Court building.	4
Janitor/Housekeeper	Ensures the cleanliness of the territory of the Supreme Court.	1
<i>Office of the Prosecutor General</i>		
Head of HR division	Management of the human resources division.	1

Adviser of HR Division	Recruitment, organising training courses, HR paperwork.	2
Head of Information Management Division	Management of secretaries and translators.	1
Translator	Provision of interpretation and translation.	8
Secretaries	Management of incoming and outgoing letters/mail and making registry entries.	36

FINLAND

1- GENERAL INFORMATION

Answering institution(s)	National Courts Administration
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF³⁰

In the table below, an overview of the Court staff in Finland is presented, including their Type and, when applicable, Functions³¹.

Category	Type	Functions	Approximate numbers
A) Administrative Director or Director of Administration B) Chief Secretary C) Secretary-General D) Administrative secretary	Type 1	Functions 1/4	47
Judicial Secretary: A) District court secretary B) Secretary of court of appeal C) secretary of the administrative court D) Notary E) Commercial Court Assistant	Type 1	Functions 1/2/4	1,169
Summoner (Bailiff)	Type 1	Functions 1/4	274
Archivist	Type 3 ³²	Functions 1	121
ICT-Planner / ICT-Support Person / ICT- Contact Person / Information Management Expert		Functions 1	
Information Officer		Functions 1	
Management's Secretary / Office		Functions 1	

³⁰ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

³¹ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

³² Except for GDPR training.

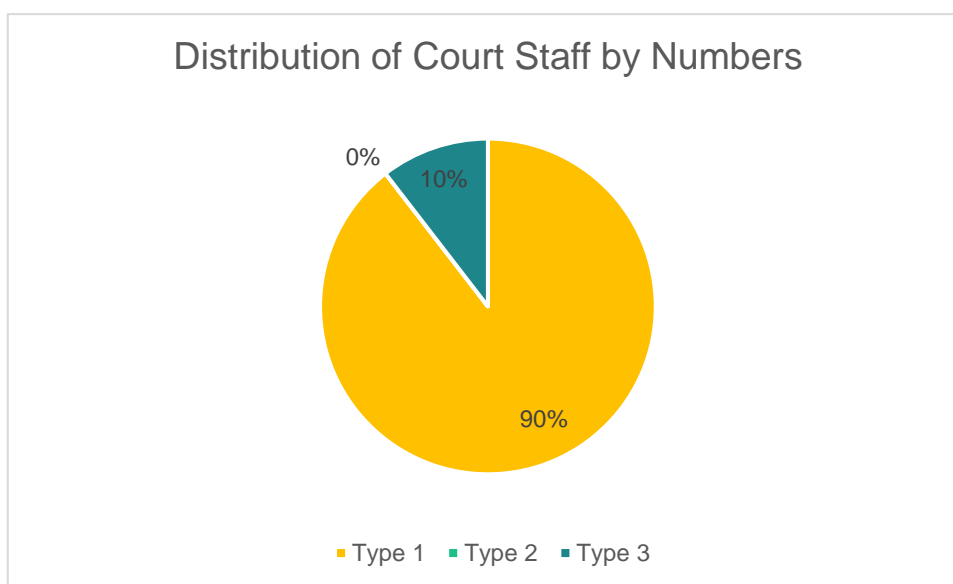
Secretary-Clerk / Office Secretary			
Registry Clerk		Functions 1	
Switchboard Operator		Functions 1	
Training Planner		Functions 1	
Finance and Human Resources Secretary	Type 3	N/A	12
Finance secretary	Type 3	N/A	5
Head of Finance	Type 3	N/A	3
Usher/caretaker	Type 3	N/A	33

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	1,490	90%
Type 2	0	0%
Type 3	174	10%
TOTAL	1,664	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Finland, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	FINLAND
Name of Court Staff Category	<p>In Finnish: Hallintojohtaja, Kansliapäällikkö, Hallintosihteeri</p> <p>In English: Administrative director or Director of Administration, Chief Secretary, Secretary-General, Administrative Secretary</p>
Statutory/Legal Basis for this Post	<p>Courts Act (673/2016), part IV, Chapter 19, section 5</p> <p>https://www.finlex.fi/fi/laki/kaannokset/2016/en20160673.pdf</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Suitable education (Manager level: A qualification for the position of chief secretary is a suitable master's degree. Secretary level: Bachelor's degree) and work experience. The standing orders of a court may contain provisions on the qualifications for these positions if this is justified in view of the performance of the duties involved in said position. This might mean e.g. that in supreme courts a suitable level of education is a master's degree in law.</p>
Main Recruitment Procedure	<p>The main rules are:</p> <p>https://finlex.fi/fi/laki/ajantasa/1994/19940750#L3P6a</p> <ul style="list-style-type: none"> - The law on civil servants says that the position must be declared open nationally unless regulations say otherwise - Selected applicants are interviewed - The selected person needs to be a minimum of 18 years old and compulsory education accomplished - Security screening might be needed (3:8 c §) - Applicant must be in good standing and his/her liabilities have to be checked. Applicants need to be able to perform the tasks independently and faithfully - In some courts and positions might have language requirements (Finnish/ Swedish)

Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>The Administrative director or Director of Administration work in all levels of jurisdiction except the supreme courts, where the titles are Chief Secretary (Supreme Administrative court) and Secretary-General (Supreme Court). The Administrative secretary works either in those district courts where there is no administrative director or in district courts, administrative courts, courts of appeal, commercial court and labour Court as support to the Administrative director. But in those cases, administrative secretary tasks might differ from the list and they might not have a supervisory position.</p> <ul style="list-style-type: none"> - Supporting the head of the court in the administrative tasks at the court so that the court operates properly - Preparing and introducing administrative, financial affairs and nominations to the head of the court - Administration of the court, planning and development of courts' activities, income negotiations, budgeting and control - Follow-up and reporting on legislation and its development. Training planning - Responsibility for procurement of different services (e.g. cleaning, security, work welfare, health services) - Human Resources/personnel issues; supervisor of administrative department, supervision of work and workload, accepting holiday and substitute arrangements, personal development discussions, performance evaluation, recruitment - Other duties ordered by the head of the court 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>The National Courts Administration, Silkkitehtaantie 5 C, 00130 Vantaa, Finland</p> <p>tuomioistuinvirasto@oikeus.fi</p> <p>Tel. +358 295650500</p> <p>http://www.tuomioistuinvirasto.fi/fi/</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>The National Courts Administration, Silkkitehtaantie 5 C, 00130 Vantaa, Finland</p> <p>tuomioistuinvirasto@oikeus.fi</p> <p>Tel. +358 295650500</p> <p>http://www.tuomioistuinvirasto.fi/fi/</p>

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Administrative director or Director of Administration, Chief Secretary, Secretary-General, Administrative Secretary perform tasks which ‘require the application of EU law’.

- Specific competences regarding judicial decisions
- Procedures
- Management of courts
- Administrative tasks
- GDPR (General Data Protection Regulation)
- Non-Discrimination Act
- Act on Equality between Women and Men

TYPE 2 – The administrative director or Director of Administration, Chief Secretary, Secretary-General, Administrative Secretary perform tasks which ‘might require the application of EU law’.

- Service of judicial and extra-judicial documents
- Access to justice
- Administrative law and procedures.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	FINLAND
Name of Court Staff Category	<p>In Finnish: Käräjäsihteeri, Lainkäyttösihteeri, Notaari, Markkinaoikeusassistentti</p> <p>In English: District Court Secretary, Secretary of Court of Appeal/Secretary of Administrative Court (Judicial Secretary), Notary, Commercial Court Assistant</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Courts Act (673/2016), part IV, Chapter 19, section 5 https://www.finlex.fi/fi/laki/kaannokset/2016/en20160673.pdf - Code of judicial procedure (Chapter 5, section 3, chapter 21, 8c) https://www.finlex.fi/fi/laki/ajantasa/1734/17340004#L5P3
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Suitable education and work experience, often a polytechnic degree (Bachelor of Business Administration, Specialised in Law), but can be lower, e.g. a Vocational Qualification in Business and Administration. In Constitutional law, the requirements are skills, capability and proven civil merit. The standing orders of a court may contain provisions on the qualifications for these positions if this is justified in view of the performance of the duties involved in said position.</p>
Main Recruitment Procedure	<p>The main rules are:</p> <p>https://finlex.fi/fi/laki/ajantasa/1994/19940750#L3P6a</p> <ul style="list-style-type: none"> - Law of civil servants says that position must be declared open nationally unless regulations say otherwise - Selected applicants are interviewed - The selected person needs to be a minimum of 18 years old - Security screening might be needed (3:8 c §) - Applicant must be in good standing and his/her liabilities have to be checked. Applicants need to be able to perform the tasks independently and faithfully

	<ul style="list-style-type: none"> - In some courts and positions might have language requirements (Finnish/ Swedish) <p>Recruitment procedure takes place at court level</p>
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>The District court secretary works in district courts, the secretary of the Court of Appeal in courts of appeal and the secretary of Administrative courts in administrative courts, the Notary in the Insurance court and the commercial court assistant in the commercial court. The Secretary of Court of Appeal and Administrative court are general titles (= judicial secretary) for persons who work in these courts and are included in the court staff. They might have different roles and tasks.</p> <p>General tasks:</p> <ul style="list-style-type: none"> - Support for judges in court proceedings e.g. written preparation of court cases, helping in jurisdiction (different written requests, announcements, preparing the agenda of a court hearing, following and extending deadlines, practical arrangements for court hearings, keeping minutes of court hearings), customer service, organising interpretation and translations, ordering of payments. <p>Specific to District court secretary:</p> <ul style="list-style-type: none"> - The chief judge of a district court may appoint in writing a member of the office personnel at the district court who has given an affirmation corresponding to the judge's affirmation, who has received sufficient training and who has sufficient skills to attend to the duties: (1) in cases referred to in Chapter 5, section 3 of the Code of Judicial Procedure: (a) to give judgments by default; (b) to give, on the basis of Chapter 21, section 8(c) of the Code of Judicial Procedure, decisions and judgments on court costs, if the respondent has conceded the claim; (c) to decide on the staying of an action if the plaintiff has withdrawn the action and the respondent does not call for a decision in the case; (2) to decide on applications for divorce on the basis of section 25, subsection 1 of the Marriage Act (234/1929) if both spouses are domiciled in Finland. (2) If the case to be decided by office personnel, as referred to in subsection 1, proves to be extensive, subject to interpretation or otherwise difficult to decide, the case shall be transferred for a decision of a notary or a legally trained judge at the district court. - The chief judge of a district court may appoint in writing a member of the office personnel at the district court who has sufficient skills to issue summons and certificates, to effect service of documents and to attend to other duties connected to the preparation, consideration or enforcement of administration of justice matters. 	
<i>Organisation of the category/profession</i>	
Organising Structure	The National Courts Administration, Silkkitehtaantie 5 C, 00130 Vantaa, Finland

	tuomioistuinvirasto@oikeus.fi Tel. +358 295650500 http://www.tuomioistuinvirasto.fi/en/index.html
Contact Details of any Professional Organisations in Connection with this Court Staff	The National Courts Administration, Silkkitehtaantie 5 C, 00130 Vantaa, Finland tuomioistuinvirasto@oikeus.fi Tel. +358 295650500 http://www.tuomioistuinvirasto.fi/en/index.html

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The District Court Secretary, Secretary of Court of Appeal/Secretary of Administrative Court (Judicial Secretary), Notary, Commercial Court Assistant perform tasks which ‘require the application of EU law’.

- Service of summons
- Cross-border service of summons
- European payment order
- Small claim procedure

TYPE 2 – The District Court Secretary, Secretary of Court of Appeal/Secretary of Administrative Court (Judicial Secretary), Notary, Commercial Court Assistant perform tasks which ‘might require the application of EU law’.

- GDPR (General Data Protection Regulation)

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	FINLAND
Name of Court Staff Category	<p>In Finnish: Haastemies and Haastemiesten esimies</p> <p>In English: Summoner and Foreman of Summoner</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Bailiff Act https://www.finlex.fi/fi/laki/ajantasa/1986/19860505 - Courts Act (673/2016), part IV, Chapter 19, section 5 https://www.finlex.fi/fi/laki/kaannokset/2016/en20160673.pdf
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Suitable education and work experience, but no required education level - secondary school or a high school diploma are enough. In Constitutional law, the requirements are skills, capability and proven civil merit.</p>
Main Recruitment Procedure	<p>The main rules are:</p> <p>https://finlex.fi/fi/laki/ajantasa/1994/19940750#L3P6a</p> <ul style="list-style-type: none"> - The law on civil servants says that the position must be declared open nationally unless regulations say otherwise - Selected applicants are interviewed - The selected person needs to be a minimum of 18 years old and compulsory education accomplished - Security screening might be needed (3:8 c §) - Applicant must be in good standing and his/her liabilities have to be checked. Applicants need to be able to perform the tasks independently and faithfully
Alternative Access Routes	

Responsibilities, Duties, Tasks

Summoners and their foreman work in District courts:

- Service of summonses in Finland
- Cross-border service of summons (sending summons abroad to competent authority to deal with)
- On-call-duty in service of summons
- Custom service
- Database entries
- Other tasks based on the order from the head of the court e.g. tasks related to the security of the court, taking care of the translation of documents when needed, updating internet and intranet pages

Foreman of Summoners - Duties

Manager/ Foreman duties in addition to the general duties of Summoners e.g. supervision of work and workload, accepting travel claims and mileage logs, holiday and substitute arrangements, personal development discussions, performance evaluation, recruitment and other duties ordered by the head of the court

Organisation of the category/profession

Organising Structure	<p>The National Courts Administration, Silkkitehtaantie 5 C, 00130 Vantaa, Finland</p> <p>tuomioistuinvirasto@oikeus.fi</p> <p>Tel. +358 295650500</p> <p>http://www.tuomioistuinvirasto.fi/en/index.html</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>The National Courts Administration, Silkkitehtaantie 5 C, 00130 Vantaa, Finland</p> <p>tuomioistuinvirasto@oikeus.fi</p> <p>Tel. +358 295650500</p> <p>http://www.tuomioistuinvirasto.fi/en/index.html</p>

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Summoner and the Foreman of Summoner perform tasks which ‘require the application of EU law’.

- Service of summons
- Cross-border service of summons
- European payment order
- Small claims procedure

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	FINLAND
Name of Court Staff Category	<p>In Finnish: arkistonhoitaja, kirjaaja, atk-suunnittelija, it-tukihenkilö, it-yhdyshenkilö, johdon sihteeri, kanslisti, koulutussuunnittelija, puhelunvälittäjä, tiedottaja, tietohallinnon asiantuntija, toimistosihteeri</p> <p>In English: General Staff – Archivist, Registry Clerk, ICT-Planner, ICT-Support Person, ICT-Contact Person, Management’s Secretary, Office Secretary/Clerk, Training Planner, Switchboard Operator, Information Office, Information Management Expert, Office Secretary</p>
Statutory/Legal Basis for this Post	<p>Courts Act (673/2016), part IV, Chapter 19, section 5 https://www.finlex.fi/fi/laki/kaannokset/2016/en20160673.pdf</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Suitable education and work experience, often a polytechnic degree (Bachelor of Business Administration), but can be lower e.g. Vocational Qualification in Business and Administration. In constitutional law, the requirements are skills, capability and proven civil merit. The standing orders of a court may contain provisions on the qualifications for these positions if this is justified in view of the performance of the duties involved in said position.</p>
Main Recruitment Procedure	<p>The main rules are: https://finlex.fi/fi/laki/ajantasa/1994/19940750#L3P6a</p> <ul style="list-style-type: none"> - The law on civil servants says that the position must be declared open nationally unless regulations say otherwise - Selected applicants are interviewed - The selected person needs to be a minimum of 18 years old - Security screening might be needed (3:8 c §)

	<ul style="list-style-type: none"> - Applicant must be in good standing and his/her liabilities have to be checked. Applicants need to be able to perform the tasks independently and faithfully - In some courts and positions might have language requirements (Finnish/Swedish)
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>These roles can exist in all jurisdiction level and special courts but do not necessarily exist in every court.</p> <ul style="list-style-type: none"> - Archivist: documents and information management e.g. organises, describes and lists documents - Registry clerk: management of registry and documents, e.g. substantiate of copies - ICT-planner, ICT- support person, ICT- contact person, information management expert: Planning, coordinating and improving ICT-related tasks and programmes and participation in development projects, user support - Management's secretary, office secretary/ clerk, office secretary: different office services and duties e.g. travel and meeting arrangements, reporting, presentations preparations - Training planner: mapping of training needs and training offers and planning of trainings, participation follow-up and reporting - Switchboard operator: answering and forwarding incoming calls - Information office: Planning and delivering internal and external communication, developing communication, management of internet/ intranet pages, delivery of annual report and other publications 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>The National Courts Administration, Silkkitehtaantie 5 C, 00130 Vantaa, Finland</p> <p>tuomioistuinvirasto@oikeus.fi</p> <p>Tel. +358 295650500</p> <p>http://www.tuomioistuinvirasto.fi/en/index.html</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	<p>The National Courts Administration, Silkkitehtaantie 5 C, 00130 Vantaa, Finland</p> <p>tuomioistuinvirasto@oikeus.fi</p> <p>Tel. +358 295650500</p>

<http://www.tuomioistuinvirasto.fi/en/index.html>

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – The General Staff (Archivist, Registry Clerk, ICT-Planner, ICT-Support Person, ICT-Contact Person, Management’s Secretary, Office Secretary/Clerk, Training Planner, Switchboard Operator, Information Office, Information Management Expert, Office Secretary) does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Head of Finance	is responsible for the financial management, internal control and budgetary tasks of the Court, monitors tendering of procurements, etc.	3
Finance Secretary	supports Head of Finance in the duties of financial unit	5
Finance and Human Resources Secretary	supports the head of finance or the head of court in the duties of the financial unit and helps the head of the court in HR-related tasks (recruitment, induction, holiday management, payment and collective agreements matters, user- ID management, etc.)	12
Usher/Caretaker	Tasks are e.g. customer service, maintenance of order, guarding, IT support, helping in archiving, mailing.	33

FRANCE

1- GENERAL INFORMATION

Answering institution(s)

Ecole Nationale des Greffes

2- OVERVIEW OF THE CATEGORIES OF COURT STAFF³³

In the table below, an overview of the Court staff in France is presented, including their Type and, when applicable, Functions³⁴.

Category	Type	Functions	Approximate numbers
Chief Clerk of Court	Type 1	Functions 1/4	1,657
Court Clerk	Type 1	Functions 1/2/3	9,675
Civil Assistant	Type 3 ³⁵	Varies according to tasks	7,515
Civil Secretary	Type 3 ³⁶	Varies according to tasks	670
Technical Assistants	Type 3	N/A	868

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.

³³ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

³⁴ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

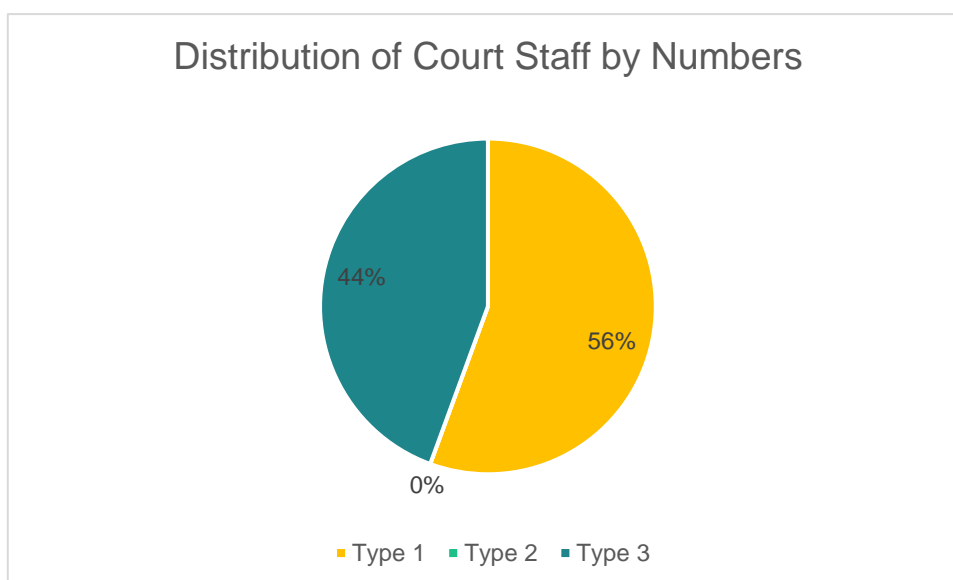
³⁵ Also occasionally carry out designated Type 2 activities.

³⁶ Also occasionally carry out designated Type 2 activities.

- 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	11,332	56%
Type 2	0	0%
Type 3	9,053	44%
TOTAL	20,385	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in France, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	FRANCE
Name of Court Staff Category	In French: Directeur des services de greffe judiciaires
	In English: Chief Clerk of the Court
Statutory/Legal Basis for this Post	<p>Décret no 2015-1273 du 13 octobre 2015 portant statut particulier du corps des directeurs des services de greffe judiciaires</p> <p>https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000031313145&dateTexte=20200210</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Three-year university degree/BA degree/BSC degree (external competition); or - Professional experience: at least 4 years of completed public service (internal competition) <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at national level</p> <p>Process: State/public exam</p>
Alternative Access Routes	<p>Yes:</p> <ul style="list-style-type: none"> - Transfer routes from other professions (e.g. from the academic sector, law enforcement sector, from public administration, etc.) - Others (recruitment of employees recognised as disabled workers; selection from the list of qualified personnel of the Ministry of Justice (<i>liste d'aptitude</i>) including category B civil servants aged 40 or under with at least 9 years of public service) <p>Employees working as civil servants are assigned to Court clerk posts via secondment from public administration services for a certain period of time, possibly followed by an induction process.</p>

Responsibilities, Duties, Tasks

- Procedures
- Management

Directeur des services de greffe judiciaires carry out Chief administrative tasks and management tasks. They act as Head of the Court Clerk service (*Services du Greffe*) of a Court or Tribunal and apply all necessary procedures in order to ensure the smooth running of the court service. Their main tasks include Chief Management, administrative duties, management, human resources, training, logistics, running of the court, law and procedures.

This court staff category plays an important role in:

- **Managing the Court services** (civil services, criminal services, labour law services, administrative services). *Directeur des services de greffe judiciaires* runs, administrates monitors and evaluates the activity of all the services of a court. This task requires significant knowledge of the civil, criminal and labour procedures in order to run the services and to update them when a reform takes place or in case of arrivals, transfer, deployment of staff
- **Human resources and workforce management:** management of working time; staff and workload management; recruitment of contractual staff; evaluations; training management
- **Management of Courts** (E-justice, data protection, court programming/management of court agendas, budget, Health & safety, building administration, IT management and safety)
- **Judicial tasks:** authentication of judicial and extra-judicial documents; issue of nationality certificates, Enforcement Order certificate

Aspects of EU law: exist but constitute only a small aspect of their overall duties

Organisation of the category/profession

Organising Structure	Ministère de la justice, Direction des services judiciaires, Sous-direction des ressources humaines des greffes
Contact Details of any Professional Organisations in Connection with this Court Staff	13 place Vendôme 75001 PARIS Website: http://www.justice.gouv.fr/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Chief Clerk of Court performs tasks which ‘require the application of EU law’.

- Judicial tasks:
 - authentication of judicial and extra-judicial documents
 - issue of nationality certificates
 - Enforcement Order certificate

<https://www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000018845630&cidTexte=LEGITEXT000006070716&dateTexte=20080525>

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	FRANCE
Name of Court Staff Category	In French: Greffier
	In English: Court clerk
Statutory/Legal Basis for this Post	<p>Décret n° 2015-1275 du 13 octobre 2015 portant statut particulier des greffiers des services judiciaires</p> <p>https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFT-EXT000031313295&categorieLien=id</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Two-year university degree (external competition); or - Professional experience: at least 4 years of completed public service (internal competition)
Main Recruitment Procedure	<p>Recruitment procedure: takes place at national level</p> <p>Procedure: State exam</p>
Alternative Access Routes	<p>Yes:</p> <ul style="list-style-type: none"> - Transfer routes from other professions (e.g. from the academic sector, law enforcement sector, from public administration, etc.) - Transfer routes from other professions - Transfer routes from other civil servants (<i>adjoints administratifs</i>) - Recruitment of employees recognised as disabled workers <p>Employees working as civil servants are assigned to Court clerk posts via secondment from public administration services for a certain period of time, possibly followed by an induction process.</p>

Responsibilities, Duties, Tasks

- Specific competences regarding judicial decisions
- Procedures
- Administrative tasks

Greffiers are responsible for receiving persons, providing information to the public, as well as vocational education.

Their three main tasks are:

- Authenticating judicial process/procedures
- Providing assistance to the judges/prosecutors
- Reception the public

Court clerks play an important role in:

- Civil law and procedures
- Criminal law and procedures
- Labour law and procedures
- Procedural rights in criminal procedures
- Enforcement of court decisions
- Access to justice

Their tasks and the role they play depends on the service they are assigned to and whether the service deals with judicial procedures or is more of an administrative one.

Greffiers who are assigned to a criminal, civil or labour law service can have the following tasks:

- Reception of (physical reception, telephone, mails, etc.) and information to the public but also judicial partners (lawyers, bailiffs, notaries, investigators, social services, etc.)
- Preparation of the cases/trials (to verify whether the files are complete, to send appointments to attend trials or hearings with the judge, to prepare the court transcript/minutes of the hearing or the trial, etc.)
- Legal research
- Draft of the minutes of the hearing/trial
- Assistance of the judge during the hearing/trial
- Preparation of a draft decision
- Post-hearing tasks: enforcement of the decision (notification, preparation of enforcement of the decision)
- Computer monitoring

Some greffiers can also be in the administrative services:

- 'Aide juridictionnelle' (access to justice, service which deals with legal support)
- Management of a small team of *greffiers* or civil assistants
- Management of small courts services
- Preparation of issue of nationality certificates (are signed by a *Directeur des services de greffe judiciaires*)

Aspects of EU law: exist but constitute only a small aspect of their overall duties

Organisation of the category/profession

Organising Structure	Ministère de la justice, Direction des services judiciaires, Sous-direction des ressources humaines des greffes
Contact Details of any Professional Organisations in Connection with this Court Staff	13 place Vendôme 75001 PARIS Website: http://www.justice.gouv.fr/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Court Clerk performs tasks which 'require the application of EU law'.

- Judicial tasks preparation of the hearing or trial and post-hearing tasks:
 - Family law matters
 - European Payment Order procedure
 - Preparation of a European Arrest Warrant
 - Preparation of a European investigation Order (Annexe A, B and C)
- These tasks fall within judges' and prosecutors' competence but sometimes clerks can prepare the forms, make contact with the translators, send the forms, etc.
- Greffiers can also prepare the Enforcement Order certificate issued by the Directeur de greffe, which requires the application of Eu law

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	FRANCE
Name of Court Staff Category	<p>In French: Adjoint administratif</p> <p>In English: Civil assistant</p>
Statutory/Legal Basis for this Post	<p>Décret n° 2006-1760 du 23 décembre 2006 relatif aux dispositions statutaires communes applicables aux corps d'adjoints administratifs des administrations de l'Etat</p> <p>Décret n°2005-1228 du 29 septembre 2005 modifié relatif à l'organisation des carrières des fonctionnaires de catégorie C</p> <p>Décret n° 2008-1483 du 22 décembre 2008 portant dispositions transitoires relatives à la création du corps des adjoints administratifs du ministère de la justice et du corps des adjoints techniques du ministère de la justice</p> <p>https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFT-EXT000020017037&dateTexte=20200226</p> <p>Décret n° 2016-580 du 11 mai 2016 relatif à l'organisation des carrières des fonctionnaires de catégorie C de la fonction publique de l'Etat</p> <p>Décret n° 2016-1084 du 3 août 2016 modifiant le décret n° 2016-580 du 11 mai 2016 relatif à l'organisation des carrières des fonctionnaires de catégorie C de la fonction publique de l'Etat et les décrets relatifs à l'organisation de leurs carrières</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	None
Main Recruitment Procedure	<p>Recruitment procedure: takes place at national level</p> <p>Process:</p> <ul style="list-style-type: none"> - Interview by recruitment panel; or - Open external competition for 1st class Civil assistants (open to all candidates, without diploma requirements)

Alternative Access Routes	<p>Yes:</p> <ul style="list-style-type: none"> - Internal exams for civil servants (at least 1 year of completed public service) <p>There are four recruitment methods:</p> <ul style="list-style-type: none"> - Recruitment without competition for 2nd class Civil Assistant - Promotion on the basis of selection within 2nd class Civil assistants by registering on the list of suitable candidates (open to assistants from technical services) - Open competition for 1st class Civil Assistants without diploma requirements - Internal competition for first-class Civil Assistants open to civil servants and non-permanent staff of the State Civil Service, Local Government, hospital Civil Service with at least one year of effective civil service as from 1 January of the competition
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Administrative tasks <p>The Civil Assistants are responsible for the performance of the administrative functions, including knowledge and application of administrative regulations. They may be responsible for secretarial and welcoming functions.</p> <p>Aspects of EU law: are not relevant to the discharge of their duties</p>	
<i>Organisation of the category/profession</i>	
Organising Structure	Ministère de la justice, Secrétariat général, Service des ressources humaines, Sous-direction des parcours professionnels, Bureau de la gestion et de l'accompagnement des corps communs et des agents non titulaires
Contact Details of any Professional Organisations in Connection with this Court Staff	13 place Vendôme 75001 PARIS Website: http://www.justice.gouv.fr/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – The Civil Assistant does not perform tasks ‘that require the application of EU law’. (except if the civil assistant is a ‘*faisant fonction de greffier*’, in this case, the civil assistant can perform tasks that are *greffiers*’ duties)

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	FRANCE
Name of Court Staff Category	<p>In French: Secrétaire administratif</p> <p>In English: Civil Secretary</p>
Statutory/Legal Basis for this Post	<p>Décret n°2007-1106 du 16 juillet 2007 relatif à la création du corps des secrétaires administratifs des services judiciaires</p> <p>Décret n°94-1016 du 18 novembre 1994 modifié fixant les dispositions statutaires communes applicables à divers corps de fonctionnaires de la catégorie B</p> <p>Décret n°94-1017 du 18 novembre 1994 modifié fixant les dispositions statutaires communes applicable au corps des secrétaires administratifs des administrations de l'Etat et à certains corps analogues</p> <p>Décret 2010-302 du 19 mars 2010 fixant les dispositions statutaires communes applicables aux corps des secrétaires administratifs des administrations de l'Etat et à certains corps analogues relevant du décret n° 2009-1388 du 11 novembre 2009 portant dispositions statutaires communes à divers corps de fonctionnaires de la catégorie B de la fonction publique de l'Etat</p> <p>https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFT-EXT000022006980&dateTexte=20200226</p> <p>Décret n° 2011-1252 du 7 octobre 2011 portant statut particulier des secrétaires administratifs relevant du ministère de la justice</p> <p>https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=LEGIT-EXT000024646461&dateTexte=20200226</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Secondary school/high school diploma; or - At least 4 years of experience in public service <p>Others:</p> <p>Open competition for candidates holding a diploma from one of the EU countries, candidates without required diploma may submit a special request for a derogation to the commission who</p>

	<p>decides on the basis of their application on their ability to compete.</p> <p>The third competition based on tests is open to candidates who on 1 January of the year of examination can provide proof of at least the following over the last 4 years:</p> <ul style="list-style-type: none"> - One or more professional activities in the areas of administrative, financial, accounting or human resources management - One or more memberships of an assembly of an elected local authority - One or more activities as responsible for an association, including volunteering
Main Recruitment Procedure	<p>Recruitment procedure: takes place at national level</p> <p>Process: State/public exam</p>
Alternative Access Routes	<p>Yes:</p> <ul style="list-style-type: none"> - Internal exams for civil servants <p>Others:</p> <ul style="list-style-type: none"> - Promotion on the basis of selection within Civil secretaries by registering on the list of suitable candidates (open to civil servants of cat. B and C)

Responsibilities, Duties, Tasks

- Administrative tasks

The technical officials are responsible for administrative tasks; they can also be in charge of drafting, accounting, monitoring and producing analysis.

The Civil Secretaries of court staff play a role in:

- management of courts
- human resources/ personnel issues
- budget
- others: assistance of superior in daily work management (by assisting the head of courts, heads of jurisdiction, directors of 'greffe', managing directors of the regional judiciary), and ensuring secretarial duties

Aspects of EU law: are not relevant to the discharge of their duties

<i>Organisation of the category/profession</i>	
Organising Structure	Ministère de la justice, Secrétariat général, Service des ressources humaines, Sous-direction des parcours professionnels, Bureau de la gestion et de l'accompagnement des corps communs et des agents non titulaires
Contact Details of any Professional Organisations in Connection with this Court Staff	13 place Vendôme 75001 PARIS http://www.justice.gouv.fr/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – The Civil Secretary does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Technical Assistants (Adjoints techniques)	<p>Technical assistants are responsible for carrying out manual or technical work. Some of them (senior technical assistants) may be responsible for the organisation, supervision, coordination and monitoring of work. The senior technical assistant with an appropriate licence may be the Garage manager.</p> <p>Tasks and main activities are related to logistics/operations.</p> <ul style="list-style-type: none"> - building maintenance - maintenance of premises, logistics, reception and guarding - vehicle driving: maintenance, transport of people/files/post, heavy truck operation 	868

The other remaining categories in France are not officers but contracting staff:

- Temporary/Individual Contractors ('Contractors ('*vacataires*'). They give help to court staff and are mostly in charge of implementing tasks
- Judge's/Prosecutor's Assistants. They prepare draft decisions and do research in law and jurisprudence. They are mostly law students, hired for a number of hours per month
- Assistant Jurists. They assist the judge/prosecutor in the case of a specific technicality both on the substance of the law and on the legal analysis and drafting of decisions. Recruitment requirements: person holds a Doctorate in law or a 5-year degree in law after baccalaureate and can prove at least 2 years of professional experience in the legal field.

GERMANY

1- GENERAL INFORMATION

Answering institution(s)

Bundesministerium der Justiz und für Verbraucherschutz

2- OVERVIEW OF THE CATEGORIES OF COURT STAFF³⁷

Remarks for Germany

Germany is a federal country that consists of 16 different states ('Länder'), and the organisation of the judiciary is almost entirely the responsibility of states. All courts and prosecution offices, except at supreme level, are *Länder* courts and prosecution offices. The name of the court staff professions and the tasks assigned to them differ from state to state. Moreover, the states are competent to put in place different recruiting channels and training schemes which can be even more decentralised than at state level. However, there are also strong common national elements, because the basic rules on the court system organisation and the main tasks of the respective professions are governed by *federal* law (e.g. Courts Constitution Act [[Gerichtsverfassungsgesetz](#)], the German Judiciary Act [[Deutsches Richtergesetz](#)] for judges, and the Act on Senior Judicial Officers [[Rechtspflegergesetz](#)]). These Acts ensure that the overarching principles and the factual situation are largely comparable throughout the whole country. To avoid too deep a fragmentation, and to make the best use of the capacity of the two National Coordinators who had to cover the whole country, we decided to exemplify the German court staff training landscape with three Länder that are considered representative of the whole country. This approach was agreed with the German Federal Ministry of Justice and Consumer Protection, which also provided the necessary domestic contact persons. Being aware that considerable regional differences might remain in the outreach and quality of the training due to the federal structure, the answers provided in this study by three *Länder* are therefore seen as an answer for the whole country.

In the table below, an overview of the Court staff in Germany is presented, including their Type and, when applicable, Functions³⁸.

Category	Type	Functions	Approximate numbers
Bailiff (Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hessen, Mecklenburg-Vorpommern, Niedersachsen,	Type 1	Functions 2/3/4	4,000

³⁷ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

³⁸ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

North Rhine-Westphalia, Rheinland-Pfalz, Saarland, Sachsen, Sachsen-Anhalt, Schleswig-Holstein, Thüringen)			
Bailiff (Berlin)	Type 1	Functions 2/3/4	
Bailiff (North Rhine-Westphalia)	Type 1	Functions 3	
Senior Judicial Officer (Rechtspfleger): North Rhine-Westphalia	Type 1	Functions 1/2/3/4	13,000
Senior Judicial Officer (Rechtspfleger): (Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hessen, Mecklenburg-Vorpommern, Niedersachsen, North Rhine-Westphalia, Rheinland-Pfalz, Saarland, Sachsen, Sachsen-Anhalt, Schleswig-Holstein, Thüringen)	Type 1	Functions 1/2/3/4	
Justice Clerk/Secretary of Justice (Berlin)	Type 2	Functions 1/2/4	27,000
Official of the Public Prosecution Office	Type 2	Functions 1/4	1,000
Court wardens/security staff (Berlin)	Type 3	N/A	Not available

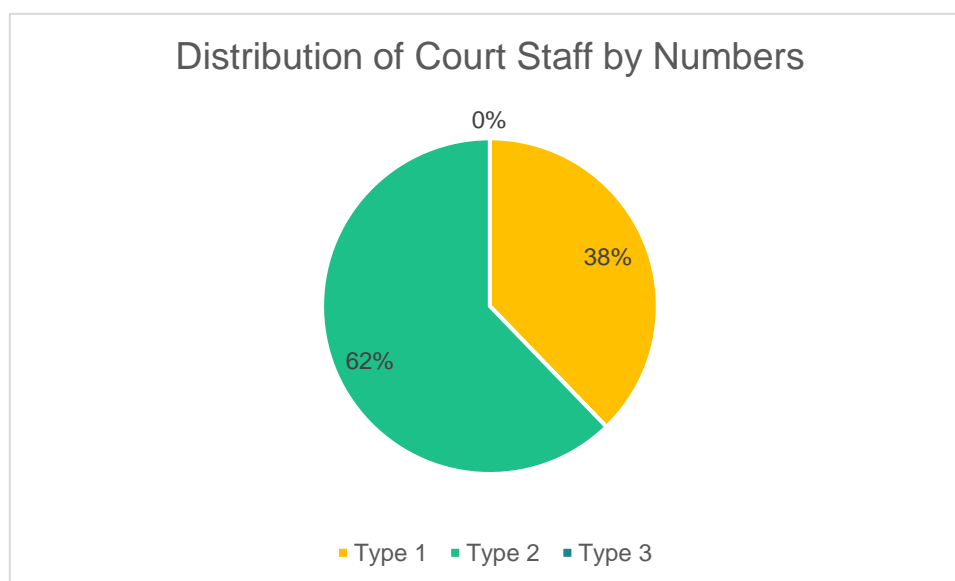
Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:

- 1 – Court staff with functions primarily related to the administration and management of the courts.
- 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
- 3 – Court staff whose tasks include some judicial functions.
- 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	17,000	38%
Type 2	28,000	62%
Type 3	Not available	0%
TOTAL	45,000³⁹	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Germany, their functions and the extent to which they apply EU law can be found in the following pages.

³⁹ The total approximate number of court staff in Germany does not include the category of 'Court wardens/security staff (Berlin)' as the data is not available for this category.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	GERMANY
Name of Court Staff Category	<p>In German: Gerichtsvollzieher</p> <p>In English: Bailiff – Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hessen, Mecklenburg-Vorpommern, Niedersachsen, North Rhine-Westphalia, Rheinland-Pfalz, Saarland, Sachsen, Sachsen-Anhalt, Schleswig-Holstein, Thüringen</p>
Statutory/Legal Basis for this Post	<p>§§ 154, 155 Gerichtsverfassungsgesetz (GVG)</p> <p>http://www.gesetze-im-internet.de/englisch_gvg/englisch_gvg.html#p0703</p> <p>There is no uniform nationwide regulation.</p> <p>In addition to North Rhine-Westphalia, the states of Brandenburg, Hamburg, Hessen, Rhineland-Palatinate and Saarland participate in the joint specialist theoretical training course for the bailiff service organised by North Rhine-Westphalia, which is held in the extension of the Judicial Training Centre in Monschau.</p> <p>For other federal states, theoretical training takes place at the Bavarian School of Justice in Pegnitz together with the bailiff candidates of the Free States of Bavaria, Saxony and Thuringia.</p> <ul style="list-style-type: none"> - Baden-Württemberg - Bavaria - Berlin - Brandenburg: The training and examination are based on the training and examination regulations applicable in North Rhine-Westphalia. (No further information available) - Bremen - Hamburg - Hessen - Mecklenburg-Vorpommern

	<p>Verordnung über die Ausbildung und prüfung zum Gerichtsvollzieherdienst des Landes Mecklenburg-Vorpommern (Gerichtsvollzieher Ausbildungs- und Prüfungsordnung GVZAPO M-V) Vom 29. Mai 2002 (GVOBl. M-V S. 377) GS Meckl.-Vorp. Gl. Nr.2030-4-43</p> <ul style="list-style-type: none"> - Niedersachsen - North Rhine-Westphalia - Rheinland-Pfalz - Saarland - Sachsen - Sachsen-Anhalt - Schleswig-Holstein - Thüringen
<i>Access to the Court Staff Category</i>	
Main Access Conditions	See Factsheets for Berlin and North Rhine-Westphalia
Main Recruitment Procedure	See Factsheets for Berlin and North Rhine-Westphalia
Alternative Access Routes	<p>Bailiffs in Bavaria are normally former Justizfachwirte (Court Clerks).</p> <p>In the periodic assessment, it is indicated whether the Justizfachwirt can become Gerichtsvollzieher.</p> <p>In addition, senior judicial officers, i.e. also officials in the upper echelons of the civil service, can also be admitted as bailiffs. In Bavaria judicial officers may be admitted to training for the judicial officer service if they have passed the qualification examination for the judicial officer service, are suitable for the special requirements of the judicial officer service in terms of their personality and previous performance, have the requisite medical fitness for the job of judicial officer (as evidenced by an official medical certificate), and provided their economic affairs are in order.</p> <p>In Bavaria, judicial officers and, if necessary, other applicants may be admitted to the training course for judicial officers. These other applicants may be admitted to the preparatory training course and to the subsequent training for judicial officers if they are qualified by their life and professional experience to perform the duties of judicial officer, are in possession of an intermediate school leaving certificate, a qualified vocational training certificate, a qualifying certificate from a secondary school or college or a level of education recognised as equivalent, have at</p>

	<p>least three years' proven experience in a profession conducive to the service of judicial officers, e.g. in a legal or commercial profession fulfil the general conditions of service, in particular possession of German nationality, proof of loyalty to the constitution, compliance with the statutory age limit (civil servants up to the age of 45), character suitability (no criminal record), the necessary medical fitness required for the judicial officer service (proven by an official medical report) and provided their economic affairs are in order.</p> <p>From time to time, other federal states also allow lateral entrants from legal professions to train as judicial officers - but also only if there is a need for junior staff that cannot be covered by the number of civil servants in the middle judicial service.</p> <p>The requirements for admission to the preparatory service for these lateral entrants are essentially identical to those set by Bavaria. Yes: Civil servants in the lower levels of the court staff have the possibility to be admitted to the senior judicial officer course and to become a senior judicial officer after passing the state examination. During their studies, they receive their regular salary. This possibility is only offered to very good employees.</p>
<i>Responsibilities, Duties, Tasks</i>	
See Factsheets for Berlin and North Rhine-Westphalia	
<i>Organisation of the category/profession</i>	
Organising Structure	DGVB – Deutscher Gerichtsvollzieher Bund e.V. and the respective national associations of this association
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Bailiff (Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hessen, Mecklenburg-Vorpommern, Niedersachsen, North Rhine-Westphalia, Rheinland-Pfalz, Saarland, Sachsen, Sachsen-Anhalt, Schleswig-Holstein, Thüringen) performs tasks which 'require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	GERMANY
Name of Court Staff Category	In German: Gerichtsvollzieher
	In English: Bailiff – Berlin
Statutory/Legal Basis for this Post	<p>Regulation on the training and examination of bailiffs (APOGV) of 29.07.2013 - Gesetz- und Verordnungsblatt Berlin of 17.08.2013 (GVBl. S. 370);</p> <p>https://www.parlament-berlin.de/ados/17/IIIPlen/vorgang/verordnungen/vo17-105.pdf</p> <p>§§ 154, 155 Gerichtsverfassungsgesetz (GVG)</p> <p>http://www.gesetze-im-internet.de/englisch_gvg/englisch_gvg.html#p0703</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Professional experience - Official* in the career bracket of the general justice service, the general prison service, the prison nursing service or the prison labour service; or successful completion of training in accordance with the Regulation on Vocational Training for bailiffs of 26. January 1998 (BGBl. I p. 195) pursuant to § 7 Para. 2 No. 2 b), Para. 3 LfbG in conjunction with § 13 Para. 1 Sentence 1 b LVO-Just. - Admission to and successful completion of judicial officer training - Furthermore, admission shall only be granted to those who: - Appear suitable for judicial officer service in view of their personality, abilities and previous professional achievements, and generally has at least three years' professional experience; the period of training cannot be credited - Is able to cope with the particular physical demands of the judicial officer service. Physical aptitude shall be determined by a medical examination, for which the

	<p>‘General Decree on the Conduct of Recruitment Examinations for Civil Servants of the General Prison, Nursing and Works Service and other Servants (or Employees) in the Prison Service’ (SenJustV II B 3) in the currently valid version shall be authoritative, with the exception that the values of visual acuity may not be worse than -7 diopters. Proof of visual acuity (raw visual acuity) without and with lens correction at a distance must be verified by an ophthalmological certificate</p> <ul style="list-style-type: none"> - Have their economic affairs in order - As an applicant, their employment relationship fulfils the requirements for a later civil servant status, as well as being a German citizen (within the meaning of Article 116 of the Basic Law) or of the EU (within the meaning of Section 7 (1) of the Civil Service Tax Act) and furthermore is of the following maximum age at the start of training in accordance with Section 13 (4) of the LVO-Just: <ul style="list-style-type: none"> o 40 years o 45 years for severely disabled persons o has not exceeded the limit; however, this shall be upon completion of o 40 years of age o 45 years of age is the case <p>Legal basis:</p> <p>§§ 2, 3 of the Regulation on the Training and Examination of bailiffs. Training to become a judicial officer takes 18 months, followed by the examination procedure (approx. 2 months).</p> <p>It is divided into three sections:</p> <ul style="list-style-type: none"> - Section 1: 4 months (initially two weeks of training, the remaining time in practical work) - Section 2: 10 months of lessons at different courts - Section 3: 4 months (initially in practical work, the last two weeks in a training course) <p>During the practical phases of the training, the trainee will be assigned to an already trained judicial officer.</p> <p>Aspects of EU law: primarily in the context of the enforcement of foreign titles.</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level (Kammergericht = Supreme Court of Berlin)</p> <p>Process: Selection through a written test procedure and additionally an interview by recruitment panel</p>

Alternative Access Routes	Transfer routes from other professions: No
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Assistance to the judiciary in drafting decisions - Enforcement of court decisions <p>This court staff category plays an important role in:</p> <ul style="list-style-type: none"> - Civil law and procedures - Service of judicial and extra-judicial documents - Enforcement of court decisions - Assistance to judges and/or public prosecutors <p>The duties of judicial officers* can be summarised roughly as follows:</p> <ul style="list-style-type: none"> - Enforcement of monetary claims on movable tangible property - Asset information procedure - Recording of lists of assets - Enforcement of restitution of property and persons, including eviction from property and housing - Elimination of resistance in the enforcement of reasonable actions, acquiescence and omissions - Cheque and bill challenges - Arrest and presentation of debtors - Sealing and unsealing of assets - Execution of arrest warrants and injunctions - Pledges - Service of orders of attachment and transfer in the case of attachment of claims - Service of documents in the context of enforcement - Service of documents outside the enforcement procedure in the party's offices - Sequestration (secondary activity) 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Die Präsidentin des Kammergerichts (during 18 month of education)</p> <p>Eißholzstr. 30-33</p> <p>10781 Berlin-Schöneberg</p>

	http://www.kammergericht.de
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Bailiff (Berlin) performs tasks which ‘require the application of EU law’.

- Bailiffs increasingly have contact with EU law.
- Bailiffs come into contact with EU law primarily in the context of the enforcement of foreign titles.

Legal bases for the enforcement of foreign titles:

- § SECTION 1082 OF THE CODE OF CIVIL PROCEDURE.
A judgment given in another Member State of the European Union pursuant to Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21. April 2004 creating a European Enforcement Order for uncontested claims (Abl. L 143, 30.4.2004, p. 15) may not be enforced in the Member State in which the judgment was given. Abl. L 97, 15.4.2005, p. 64, ber. Abl. L 50, 23.2.2008, p. 71), enforcement shall be effected without the need for an enforcement order.
- § SECTION 1093 ZPO
European orders for payment declared enforceable in accordance with Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12. December 2006 creating a European order for payment procedure (ABl. L 399, 30.12.2006, p. 1). Abl. L 46, 21.2.2008, p. 52, ber. Abl. L 333, 11.12.2008, p. 17), enforcement takes place (section 794(1)(6) of the Code of Civil Procedure) without the need for an enforcement clause.
- § SECTION 1107 ZPO
If the title has been issued in a Member State of the European Union in accordance with Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11. July 2007 establishing a European Small Claims Procedure (Abl. L 199, 31.7.2007, p. 1), enforcement shall take place in the country of origin without the need for an enforcement order.
- § SECTION 1112 ZPO
Enforcement shall take place without the need for an enforcement clause in respect of titles of another Member State of the European Union that are to be enforced in

accordance with Regulation (EC) No 1215/2012 of the European Parliament and of the Council of 12. December 2012 on jurisdiction and the recognition of the enforcement of judgments in civil and commercial matters or in respect of maintenance titles that are to be enforced in accordance with Regulation (EC) No 4/2009 of the European Parliament and of the Council of 18 December 2008 (Article 30 AUG).

- In the case of enforcement of foreign titles, the General Assembly may have the option under certain circumstances to submit these transactions to the supervisory authority and await instructions in accordance with Article 41(4) of the General Assembly Act before processing them.
- Furthermore, in the case of notifications (§ 183 in conjunction with § 1067 - 1069 ZPO), the General Meetings come into contact with EU law in such a way that they must at least know that they are not competent.
- Quantitatively, the right of service clearly predominates with §§ 1067 ff ZPO in conjunction with Regulation (EC) No. 1393/2007 and the references in the ZPO such as § 829 ZPO.

In addition, the application of European law is becoming increasingly important in the context of the enforcement of furniture and chattels.

- Regulation (EU) No. 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure
- Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007
- Regulation (EC) No 805/2004 of the European Parliament
- Regulation (EC) No 4/2009 of the European Parliament

The cheque and bill challenges system has always been international, and therefore no special procedures exist in this respect.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	GERMANY
Name of Court Staff Category	<p>In German: Gerichtsvollzieher</p> <p>In English: Bailiff – North Rhine-Westphalia</p>
Statutory/Legal Basis for this Post	<p>Verordnung über die Ausbildung und Prüfung für die Laufbahn der Gerichtsvollzieherinnen und Gerichtsvollzieher des Landes North Rhine-Westphalia (Gerichtsvollzieherausbildungsordnung - GVAO)</p> <p>Bailiff training regulations of North Rhine-Westphalia</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Professional experience:</p> <p>The Judicial Officer Service is a special career in Category 1, second entry post in the judiciary of the Land of North Rhine-Westphalia.</p> <p>Applicants for training as a judicial officer must meet the following requirements:</p> <ul style="list-style-type: none"> - successful completion of the examination for category 1, second initial post in the judicial service or the administrative service of the correctional facility - probation in the judicial service of the State of North Rhine-Westphalia (at least three years) - able to physically cope with the special requirements of the judicial officer service - orderly economic affairs <p>‘Other applicants’ who still have to complete a six-month aptitude training course before the introductory period may also apply:</p> <ul style="list-style-type: none"> - Judicial clerks, other members of the judiciary, officials of the Land who are qualified for category 1, second entry office in the non-technical service, and employees of the Land of North Rhine-Westphalia who have completed training enabling them to perform tasks corresponding to

	<p>category 1, second entry office in the non-technical service</p> <ul style="list-style-type: none"> - lateral entrants who have successfully completed vocational training and have proven themselves in a profession conducive to the service of judicial officers (at least three years) <p>In addition, all applicants who do not yet have a civil service relationship with the State of North Rhine-Westphalia must meet the following requirements for a later appointment to the civil service:</p> <ul style="list-style-type: none"> - not yet be 39 years of age at the time of recruitment and therefore not yet 42 years of age at the time of passing the judicial officer examination; as a severely disabled person or person with a disability of equal status (Article 2(3) of the Social Security Code IX) not yet 42 years of age at the time of recruitment and therefore not yet 45 years of age at the time of passing the judicial officer examination - German / German within the meaning of Article 116 of the German Constitution or the nationality of another member state of the European Union - stand up for the free democratic basic order within the meaning of the constitutional Basic Law
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level (higher regional courts)</p>
Alternative Access Routes	<p>Transfer routes from other professions: Yes – Access to the profession of judicial officer has so far been identical nationwide. There must be training in the middle judicial service. These are regularly judicial clerks who are given additional training if they have the appropriate professional and personal aptitude.</p> <p>Bailiffs in Bavaria are normally former Justizfachwirte (Court Clerks).</p> <p>In the periodic assessment, it is indicated whether the Justizfachwirt can become Gerichtsvollzieher</p> <p>In addition, senior judicial officers, i.e. also officials in the upper echelons of the civil service, can also be admitted as bailiffs. In Bavaria, judicial officers may be admitted to training for judicial officer service if they:</p> <ul style="list-style-type: none"> - have passed the qualification examination for the judicial officer service,

- are suitable for the special requirements of judicial officer service in terms of their personality and previous performance,
- have the requisite medical fitness for the job of judicial officer (as evidenced by an official medical certificate), and
- have their economic affairs in order.

In Bavaria, judicial officers and, if necessary, other applicants may be admitted to the training course for judicial officers. These other applicants may be admitted to the preparatory training course and to the subsequent training for judicial officers if they are qualified by their life and professional experience to perform the duties of judicial officer, are in possession of an intermediate school leaving certificate, a qualified vocational training certificate, a qualifying certificate from a secondary school or college or a level of education recognised as equivalent,

- have at least three years' proven experience in a profession conducive to the service of judicial officers, e.g. in a legal or commercial profession fulfil the general conditions of service, and in particular possession of German nationality,
- proof of loyalty to the constitution,
- compliance with the statutory age limit (civil servants until the age of 45), character suitability (no criminal record),
- the necessary medical fitness required for judicial officer's service (proven by an official medical report) and
- orderly economic affairs.

From time to time, other federal states also allow lateral entrants from legal professions to train as judicial officers - but also only if there is a need for junior staff that cannot be covered by the number of civil servants in the middle judicial service.

The requirements for admission to the preparatory service for these lateral entrants are essentially identical to those set by Bavaria.

Responsibilities, Duties, Tasks

- Enforcement for pecuniary claims in respect of movable tangible property
- Asset information procedure
- Recording of lists of assets
- Execution for the surrender of property and persons, including eviction of property and Apartments

- Elimination of resistance in the enforcement of reasonable actions, acquiescence and Omissions
- Cheque and bill challenges
- Arrest and presentation of debtors
- Sealing and unsealing of assets
- Execution of arrest warrants and injunctions
- Pledges
- Service of orders of attachment and transfer in the case of attachment of claims
- Service of documents in the context of enforcement
- Service of documents outside the enforcement procedure in the party's offices
- Sequestration (secondary activity)

Organisation of the category/profession

Organising Structure	Higher regional courts and training centre for the judiciary in North Rhine-Westphalia
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Bailiff (North Rhine-Westphalia) performs tasks which ‘require the application of EU law’.

Aspects of EU law:

- Quantitatively, the right of delivery (of judicial documents; enforcement orders) predominates with §§ 1067 ff ZPO in conjunction with Regulation (EU) No. 1393/2007 and the references in the ZPO such as § 829 ZPO.

In addition, the application of European law is becoming increasingly important in the context of the execution of enforcement orders in movables

- Regulation (EU) No. 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters

- Regulation (EU) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure
- Regulation (EU) No 861/2007 of the European Parliament and of the Council of 11 July 2007
- Regulation (EC) No 805/2004 of the European Parliament
- Regulation (EC) No 4/2009 of the European Parliament

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	GERMANY
Name of Court Staff Category	<p>In German: Rechtspfleger</p> <p>In English: Senior Judicial Officer – Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hessen, Mecklenburg-Vorpommern, Niedersachsen, North Rhine-Westphalia, Rheinland-Pfalz, Saarland, Sachsen, Sachsen-Anhalt, Schleswig-Holstein, Thüringen</p>
Statutory/Legal Basis for this Post	<p>Federal law: Rechtspflegergesetz (RPfIG); and various state laws Act on Senior Judicial Officers, version of the promulgation of 5 November 1969, Federal Law Gazette) Part I, page 2065), as most recently amended by Art. 5 of the Act of 7 December 2011, Federal Law Gazette [BGBl.] Part I 2582</p> <p>http://www.gesetze-im-internet.de/englisch_gvg/englisch_gvg.html#p0703</p> <ul style="list-style-type: none"> - Baden-Württemberg - Bavaria - Berlin - Brandenburg - Bremen - Hamburg - Hessen - Mecklenburg-Vorpommern - Niedersachsen - North Rhine-Westphalia - Rheinland-Pfalz - Saarland - Sachsen - Sachsen-Anhalt - Schleswig-Holstein - Thüringen

<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Admission to the course of study requires an advanced technical college entrance qualification or a general higher education entrance qualification, or comparable educational qualification. In addition, applicants must meet the requirements of civil service law and pass a selection procedure. Furthermore, maximum age limits existing in individual federal states may not be exceeded.</p> <p>Aspects of EU law: Yes, but to a very different extent from state to state</p>
Main Recruitment Procedure	<p>Recruitment procedure: appellate courts of the federal states</p> <p>Process:</p> <ul style="list-style-type: none"> - State/public exam - Interview by recruitment panel - Private candidature to a public office
Alternative Access Routes	<p>Transfer routes from other professions: Yes – Civil servants in the lower levels of the court staff have the possibility to be admitted to the senior judicial officer course and to become a senior judicial officer after passing the state examination. During their studies, they receive their regular salary. This possibility is only offered to very good employees.</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Specific competences regarding judicial decisions - Procedures - Administrative tasks <p>Senior judicial officers, as an independent organ of the administration of justice, make decisions in certain areas of law. For example, they are responsible for entries in public registers such as the commercial register. In the field of land register law, they decide on applications for the registration and cancellation of mortgages, land charges, heritable building rights, residential rights and rights of way. In probate matters, they open wills and issue certificates of inheritance. Furthermore, they arrange, for example, care or guardianship and monitor the guardians and caretakers in their activities. In the legal aid office, they record applications, replies and similar written pleadings. They set procedural costs, process reminders and enforcement orders, decide on seizures, e.g. of employment income and savings, and conduct court hearings and creditors' meetings in the case of compulsory auctions and proceedings under the Insolvency Act. At the public prosecutor's offices, judicial officers ensure the execution of sentences and, for example,</p>	

collect fines or invite sentenced persons to appear in prison. In the field of judicial administration, they assume responsible tasks in the personnel and budget departments. As managers, for example, they ensure the smooth running of business within the judicial authorities.

Various Länder have made varying use of the possibility provided in federal law (= Sections 19, 20 (2) 24b, 37 RPfIG) of transferring judicial, administrative assistance and Land law tasks as well as legal aid transactions. In detail these are (Status: January 1, 2018):

Baden-Württemberg

- Repeal of reservations by judges (§ 19 RPfIG):
 - o Legal basis: Section 1 of the Regulation of the Ministry of Justice on the abolition of judges' reservations and the transfer of judicial tasks to the judicial officer of 7. July 2017 (GBl. S. 468)
 - o Delegated tasks:
 - the business of estate planning,
 - transactions in proceedings relating to the European Certificate of Succession,
 - transactions in register matters.
- Transfer of legal aid business (Paragraph 20(2) of the RPfIG):
 - o Legal basis: Section 3 of the Regulation of the Ministry of Justice of 7 July 2017 on the abolition of reservations by judges and transfer of judicial functions to the judicial officer (Journal of Laws of 7 July 2017, p. 468)
 - o delegated tasks: the transactions referred to in section 20 (2), section 25a sentence 2 RPfIG, if the chair assigns the proceedings to the Rechtspfleger in this respect, with the exception of proceedings that were pending on 30 April 2014.
- Transfer of administrative assistance (Section 24b RPfIG):
 - o Legal basis: Section 2 of the Ordinance of the Ministry of Justice on the Abolition of Reservations by Judges and Transfer of Judicial Tasks to the Rechtspfleger of 7. July 2017 (GBl. p. 468)
 - o delegated tasks: the business of administrative assistance.
- Transfer to the clerk of the registry (§ 36b RPfIG):
 - o Legal basis: Regulation of the Ministry of Justice on the transfer of judicial tasks to the registrar of the Registry of 13 September 2013 (GBl. S. 291) as amended by the Regulation of the Ministry of Justice amending the Regulation on the transfer of judicial officer duties to the registrar of the registry of 1 April 2016 (Journal of Laws, p. 267)
 - o delegated tasks:
 - the dunning procedure and the labour court dunning procedure,
 - the issue of further enforceable copies in accordance with §§ 733, 797 (3) ZPO,
 - the enforcement of fines and penalties.
- The transfer of business under Land law (§ 37 RPfIG):

- Legal basis: Section 34 (2) sentence 2 of the Landesenteignungsgesetz (LEntG) of 6 April 1982 (GBl. S. 97)
- delegated tasks: the transactions in the distribution procedure.

Bavaria

- Repeal of reservations by judges (§ 19 RPfIG):
 - Legal basis: Ordinance of 15 March 2006 on the abolition of judges' reservations (AufhRiVbV) (GVBl. p. 170) amended by the Ordinance amending the Ordinance of 4 November 2009 on the lifting of judges' reservations in the care procedure (GVBl. p. 573), by the Ordinance of 30 July 2013 on the lifting of judges' reservations in the care procedure (GVBl. p. 542) and by the Ordinance of 17 August 2015 on the lifting of judges' reservations (GVBl. p. 320)
 - Delegated tasks:
 - the business of care, but only:
 - the appointment of a supplementary supervisor according to § 1899 para. 4 BGB,
 - the appointment of a new guardian according to § 1908c BGB, if this becomes necessary due to the death of the previous guardian,
 - transactions in probate matters, if the application of foreign law is not possible, with the exception of transactions under Section 16 (1) no. 1 RPfIG and without the proceedings pending on 31 December 2013,
 - transactions in proceedings relating to the European Certificate of Succession without the proceedings pending on 31 August 2015
- Transfer of business under state law (section 37 RPfIG):
 - Legal basis: Article 19 of the Bavarian Act on Compulsory Extrajudicial Dispute Settlement in Civil Matters (Bayerisches Schlichtungsgesetz - BaySchIG) of 25 April 2000 (GVBl. p. 268)
 - delegated tasks: the issuing of the enforcement order for a settlement of a conciliation office.

Brandenburg

- Transfer of business under Land law (§ 37 RPfIG):
 - Legal basis: Section 2 of the Brandenburg Deposit Act (BbgHintG) of 3 November 2010 (GVBl. I No 37)
 - delegated tasks: the business of the depository.

Bremen

- Repeal of reservations by judges (§ 19 RPfIG):
 - Legal basis: Ordinance on the lifting of judges' reservations under the Rechtspflegergesetz of 1 August 2011 (BremGBl. p. 393) amended by the Ordinance amending the Ordinance on the lifting of judges'

reservations under the Rechtspflegergesetz (Law on Judicial Remedies) of 27 June 2012 (BremGBI. p. 329)

- Delegated tasks:
 - the business of estate planning,
 - transactions in register matters.
- Transfer of transactions under Land law (section 37 RPfIG):
 - Legal basis: Section 2 of the Deposition Act (HintG) of 31 August 2010 (BremGBI. p. 458)
 - delegated tasks: the business of the depository.

Hamburg

- Repeal of reservations by judges (§ 19 RPfIG):
 - Legal basis: Regulation on the transfer of judicial tasks to the Rechtspfleger (judicial officer) of 8 July 2011 (HmbGVBl. p. 305) amended by the Ordinance amending the Ordinance on the transfer of judicial tasks to the judicial officer of 13 November 2015 (HmbGVBl. p. 314)
 - Delegated tasks:
 - the business of estate planning,
 - transactions in proceedings relating to the European Certificate of Succession.
- Transfer of legal aid transactions (Paragraph 20(2) of the RPfIG):
 - Legal basis: Verordnung zur Übertragung der Prüfung der persönlichen und wirtschaftlichen Verhältnisse in Prozesskostenhilfverfahren auf die Rechtspflegerin und den Rechtspfleger vom 25 August 2014 (HmbGVBl. S. 427)
 - Delegated tasks: the transactions referred to in Section 20 (2) RPfIG, if the chair assigns the proceedings to the Rechtspfleger to this extent.
- Transfer of transactions under state law (section 37 RPfIG):
 - Legal basis: Hamburg Act on the Transfer of Judicial Tasks to the Rechtspfleger (HmbRpflG) of 10. May 1971 (HmbGVBl. p. 89) amended by Article 1(20) of the Eighth Act of 16 January 1989 repealing Provincial Laws which have become redundant (HmbGVBl. p. 5)
 - Delegated tasks:
 - the issuing of certificates of harmlessness,
 - the determination of the security of a charge over real property.
 - Legal basis: § 2 of the German Deposit Act (HintG) of 25 November 2010 (HmbGVBl. S. 614)
 - delegated tasks: the business of the depository.

Hessen

- Repeal of reservations by judges (§ 19 RPfIG):

- Legal basis: § 26 Justizzuständigkeitsverordnung (- JuZuV -), enacted as Art. 1 of the Regulation on Judicial Competences in the Judiciary and amending the Regulation on the transfer of powers in the administration of justice of 3 June 2013 (GVBl. p. 386)
- Delegated tasks:
 - transactions relating to the estate, with the exception of the issue of unlimited foreign law inheritance certificates,
 - transactions in registered cases excluding those pending on 31 December 2009.
- Transfer of business under Land law (section 37 RPfIG):
 - Legal basis: Section 2 of the Deposition Act (HintG) of 8 October 2010 (GVBl. I p. 306)
 - delegated tasks: the business of the depository.

Mecklenburg-Vorpommern

- Repeal of reservations by judges (§ 19 RPfIG):
 - Legal basis: Order of 11 December 2007 on the lifting of judges' reservations in probate court proceedings (GVOBl. M-V 2008 S. 2)
 - Delegated tasks: the business of estate planning.
- Transfer of transactions under Land law (section 37 RPfIG):
 - Legal basis: Section 2 of the Deposition Act (HintG M-V) of 9 November 2010 (GVOBl. M-V p. 642)
 - delegated tasks: the business of the depository.

Niedersachsen

- Repeal of reservations by judges (§ 19 RPfIG):
 - Legal basis: Section 14(1) of the Regulation on the regulation of competences in jurisdiction and the administration of justice (ZustVO-Justiz) of 18 December 2009 (Nds. GVBl. S. 506) as amended by the Regulation amending the Regulation on jurisdiction and administration of justice of 7 April 2014 (Nds. GVBl. p. 95) and by Article 1(1) of the Regulation amending the Regulation on jurisdiction and administration of justice of 10 January 2017 (Nds. GVBl. p. 7)
 - delegated tasks:
 - the business of estate planning,
 - transactions in proceedings relating to the European Certificate of Succession,
 - transactions in register matters.
- Transfer of administrative assistance (Section 24b RPfIG):
 - Legal basis: Section 14(2) of the Regulation on the regulation of competences in jurisdiction and the administration of justice (ZustVO-Justiz) of 18 December 2009 (Nds. GVBl. S. 506)
 - delegated tasks: the business of administrative assistance.

- Transfer of transactions under Land law (section 37 RPfIG):
 - o Legal basis: § 3 Abs. 2 Satz 2, 3 of the Lower Saxony Deposit Act (NHintG) of 9 November 2012 (Nds. GVBl. S. 431)
 - o delegated tasks: the business of the depository.

North Rhine-Westphalia

- Transfer of legal aid business (Paragraph 20(2) of the RPfIG):
 - o Legal basis: Verordnung zur Übertragung richterlicher Aufgaben in der Arbeitsgerichtsbarkeit of 22 October 2014 (GV. NRW. S. 678)
 - o Delegated tasks: the transactions referred to in section 20(2) RPfIG, if the chair delegates the proceedings to the Rechtspfleger in this respect, only in the labour courts, limited until 31 December 2019 (section 2 of the Regulation of 22 October 2014).
- Transfer of transactions under Land law (section 37 RPfIG):
 - o Legal basis: Section 25 of the Law on Justice in the State of North Rhine-Westphalia (Justizgesetz North Rhine-Westphalia - JustG NRW) of 26 January 2010 (GV. NRW. S. 30)
 - o delegated tasks:
 - the duties under the Church Dismissal Act,
 - the granting of the enforcement order under the Arbitration Office Act,
 - the transactions in probate matters pursuant to §§ 78, 79 of the Justice Act of North Rhine-Westphalia.
 - o Legal basis: Section 2 of the Deposit Law of North Rhine-Westphalia (HintG NRW) of 16. March 2010 (GV. NRW. S. 192)
 - o delegated tasks: the business of the depository.

Rheinland-Pfalz

- Repeal of reservations by judges (§ 19 RPfIG):
 - o Legal basis: § 1 Abs. 1 of the Landesverordnung zur Übertragung von Aufgaben auf den Rechtspfleger und den Urkundsbeamten der Geschäftsstelle vom 15. Mai 2008 (GVBl. S. 81) amended by Art. 1 No. 1 of the First Provincial Regulation amending the Provincial Regulation on the transfer of tasks to the judicial officer and the clerk of the court of 15. April 2010 (GVBl. p. 83)
 - o delegated tasks:
 - the transactions relating to childcare, with the exception of
 - of the transactions pursuant to Section 15 (1) Nos. 7 to 9 RPfIG,
 - the selection and appointment of a caregiver in connection with the first decision on the arrangement of care
 - the transactions in probate matters with the exception of the transactions under Section 16 (1) no. 1 RPfIG,

- the transactions in register matters.
- Transfer of administrative assistance (Section 24b RPfIG):
 - Legal basis: Section 1(2) of the Landesverordnung zur Übertragung von Aufgaben auf den Rechtspfleger und den Urkundsbeamten der Geschäftsstelle of 15. May 2008 (GVBl. S. 81)
 - Delegated tasks: the business of administrative assistance.
- Transfer of transactions under Land law (section 37 RPfIG):
 - Legal basis: Landesgesetz zur Übertragung von Aufgaben auf den Rechtspfleger of 11. June 1974 (GVBl. S. 225) as amended by § 50 of the Arbitration Act (Schiedsmannsordnung - SchO) of 14. December 1977 (GVBl. p. 433) and by § 21 of the Voluntary Jurisdiction Act (LFGG) of 12. October 1995 (GVBl. p. 421, 426)
 - delegated tasks:
 - the issuing of the enforcement order in accordance with the rules of arbitration,
 - the land register transactions in accordance with the state law on voluntary jurisdiction,
 - the distribution procedure under the Land Expropriation Act,
 - the management of the yard roll in accordance with the Provincial Law on the Court Order.

Saarland

- Repeal of reservations by judges (§ 19 RPfIG):
 - Legal basis: § 1 of the Regulation on the transfer of tasks to the judicial officer and the registrar of documents of the Registry of 2. March 2015 (Amtsbl. I p. 206)
 - Delegated tasks:
 - the business in probate matters, with the exception of the business under Section 16 (1) no. 1 RPfIG,
 - the transactions in register matters.
- Transfer of transactions under Land law (section 37 RPfIG):
 - Legal basis: Section 2 of the Deposition Act of 18. November 2010 (Official Journal I p. 1409)
 - delegated tasks: the business of the depository - limited until 31 December 2020 (Section 32 of the Act of 18 November 2010).

Sachsen

- Repeal of reservations by judges (§ 19 RPfIG):
 - Legal basis: § 5a of the Regulation of the Saxon State Ministry of Justice on the organisation of the judiciary (Sächsische Justizorganisationsverordnung - SächsJOrgVO) in the version of the announcement of 7. March 2016 (SächsGVBl. S. 103)
 - delegated tasks: the business of estate planning.

- Transfer of legal aid business (Paragraph 20(2) of the RPfIG):
 - o Legal basis: Section 5b of the Ordinance of the Saxon State Ministry of Justice on the organisation of the judiciary (Sächsische Justizorganisationsverordnung - SächsJOrgVO) in the version published on 7. March 2016 (SächsGVBl. p. 103)
 - o amended by Article 1 No 4 of the Fifth Ordinance of the Saxon State Ministry of Justice amending the Saxon Ordinance on the Organisation of the Judiciary of 2.5 October 2017 (SächsGVBl. p. 552)
 - o delegated tasks: the transactions referred to in section 20 (2), section 25a sentence 2 RPfIG, if the chair assigns the proceedings to the Rechtspfleger to this extent.
- Transfer of transactions under state law (section 37 RPfIG):
 - o Legal basis: Section 47 of the Law on Justice in the Free State of Saxony of 24 November 2010 (SächsGVBl. p. 482)
 - o Delegated tasks: issuing certificates of harmlessness.
 - o Legal basis: Section 2 of the Law on the deposit procedure in the Free State of Saxony (Sächsisches Hinterlegungsgesetz SächsHintG) of 11. June 2010 (SächsGVBl. p. 154)
 - o delegated tasks: the business of the depository.

Sachsen-Anhalt

- Transfer of business under Land law (§ 37 RPfIG):
 - o Legal basis: Section 2 of the Deposit Law of the Land of Saxony-Anhalt of 22. March 2010 (GVBl. LSA S. 150)
 - o delegated tasks: the business of the depository.

Schleswig-Holstein

- Transfer of business under Land law (§ 37 RPfIG):
 - o Legal basis: Section 2 of the Deposition Act (HintG) of 3. November 2010 (GVOBl. Schl.-H. S. 685)
 - o delegated tasks: the business of the depository.

Repeal of reservations Thüringen

- By judges (§ 19 RPfIG):
 - o Legal basis: Thüringer Verordnung zur Aufhebung von Richtervorbehalt vom 20. Oktober 2008 (GVBl. S. 426) amended by the First Regulation amending the Thuringian Regulation to abolish judges' reservations of 17 July 2013 (GVBl. p. 285)
 - o Delegated tasks: the transactions in register matters.
- Transfer of transactions under Land law (section 37 RPfIG):
 - o Legal basis: Section 2 of the Thüringer Hinterlegungsgesetz (ThürHintG) of 9 September 2010 (GVBl. p. 294)

- o delegated tasks: the business of the depository.

Organisation of the category/profession

Organising Structure	The appointing authorities are the higher regional courts of the individual federal states.
Contact Details of any Professional Organisations in Connection with this Court Staff	Association of German Senior Judicial Officers (BDR): http://www.bdr-online.de/bdr/ and the respective national associations of this association

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Senior Judicial Officer (Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hessen, Mecklenburg-Vorpommern, Niedersachsen, North Rhine-Westphalia, Rheinland-Pfalz, Saarland, Sachsen, Sachsen-Anhalt, Schleswig-Holstein, Thüringen) performs tasks which ‘require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	GERMANY
Name of Court Staff Category	<p>In German: Rechtspfleger</p> <p>In English: Senior Judicial Officer – North Rhine-Westphalia</p>
Statutory/Legal Basis for this Post	<p>Rechtspflegergesetz: Act covering Senior Judicial Officers, version of the promulgation of 5 November 1969, Federal Law Gazette) Part I, page 2065), as most recently amended by Art. 5 of the Act of 7 December 2011, Federal Law Gazette [BGBl.] Part I 2582</p> <p>http://www.gesetze-im-internet.de/rpflg_1969/index.html</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <p>The profession of Rechtspflegerin/Rechtspfleger belongs to category 2, the first entry office in the judiciary of the state of North Rhine-Westphalia.</p> <p>Applicants for the profession of judicial officer must meet the following requirements:</p> <ul style="list-style-type: none"> - a school education entitling them to study at a university or a level of education recognised by law as equivalent - not yet 39 years of age at the time of recruitment and thus not yet 42 years of age at the time of probationary civil service; as a severely disabled person or disabled person of equal status (§ 2, paragraph 3, Social Code Book IX, regularly not yet 42 years of age or not yet 45 years of age - German / German within the meaning of Article 116 of the Constitutional Law - standing up for the free democratic basic order in the sense of the Constitutional Law - physical, mental, physical and health suitability for the career; severely disabled persons are only required to have the minimum physical fitness necessary for the career

	<ul style="list-style-type: none"> - Capacity for service from the point of view of a public health officer - the willingness to work independently in a wide range of areas of responsibility in courts and public prosecutor's offices and to make independent decisions <p>Aspects of EU law: are optional</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at the higher regional courts</p> <p>Process:</p> <ul style="list-style-type: none"> - Usually: interview by a recruitment panel - Then follow: <ul style="list-style-type: none"> o 2 years at the university for applied sciences in North Rhine-Westphalia, o 1 year of practising time at different sections of the regional courts. - That end with a written and an oral state exam.
Alternative Access Routes	<p>Transfer routes from other professions: Yes – Civil servants in lower levels of court staff have the opportunity to take part in the initial training and became a Rechtspfleger. During the training time, they get their regular salary. This opportunity is offered only to very good staff members.</p>

Responsibilities, Duties, Tasks

Rechtspfleger work in the courts, public prosecutor's offices and in the administration of justice. They are an independent organ of jurisdiction.

In voluntary jurisdiction, judicial officers make important decisions in land register matters, make almost all entries in the commercial and association register, grant family and guardianship court approvals and are also active in probate proceedings for the granting of inheritance certificates, the making of wills and the securing of estates. They help those seeking legal assistance by, for example, arranging, interpreting and taking up their verbally presented petition for legal action. In civil, family and criminal proceedings, they determine the costs to be reimbursed, including lawyers' fees. They handle insolvency cases, conduct foreclosures and are active in the enforcement of fines and prison sentences. Finally, they find a broad field of activity in the administration of justice, i.e. in the management of a court or public prosecutor's office as well as in personnel administration, construction, budget and IT departments.

- The Civil Division of the Cologne District Court has two departments, 370 and 378, through which **foreign cases** are handled. The Rechtspfleger of the Civil Division is in part **entrusted with the processing of both incoming and outgoing foreign requests for service and legal assistance for the entire**

court (with the exception of foreign service and requests for legal assistance in criminal matters). From here, all foreign notifications and requests for legal assistance are initiated centrally, translations are commissioned and compliance with European regulations in the proceedings here is monitored.

- **Inheritance law:**
 - Responsible **to grant certifications for the heir(s)**. Throughout Germany, the Rechtspfleger is responsible for legal succession, in parts of Germany also for succession by will. In any case, he/she is responsible for making a protocol of what an heir wants, so you have to have certain knowledge of that field.
 - Security of the inheritance (under certain circumstances).
- **Land register: All registrations in that register (who is the owner; mortgages, way rights, all kind of rights of use)**
- **Commercial registry: Registration of private companies and partnerships, partially of limited and stock corporations; differs from state to state**
- **Enforcement Court**
 - Order of attachment of claims
 - Cross-border attachment order
- **Insolvency court:** If the proceedings have been opened by a judge, the Rechtspfleger. For example, they monitor and manage the insolvency proceedings and check the activities of the insolvency administrator. They are also responsible for convening the creditors' meeting.
- **Family court:**
 - Granting family court authorisations: Family court approval is required for certain legal transactions involving underage children. These include, for example, real estate transactions (acquisition, sale, creation of an encumbrance, borrowing, participation in companies).
 - Substitution of the consent to the change of name: If the parent with custody marries again, the child from the first marriage can be given the new family name. The precondition is that the non-custodial parent agrees. If he or she refuses to give his or her consent, this can be replaced by the Family Law Officer if it is absolutely necessary for the welfare of the child. In this procedure the parents, the youth welfare office and, if necessary, the child must be heard.
 - List of assets in the event of remarriage or death.
 - If a person who has minor children marries someone other than the father of the child, the Family Court receives a notification from the registry office. It requests the parent with custody to provide information about the children's assets. It is to be ensured that the child's assets are kept separate from the assets of the parent together with the spouse.
 - If a minor child is involved in an estate as heir or co-heir, the family court also receives a notification from the registry office. The parent with custody rights is requested to notify the child's share of the estate. If the share of the estate exceeds € 15,000, a list of assets must be submitted.

- The proceedings serve to protect the child's assets.
 - Review of legal aid: If a party has been granted procedural aid without an order for payment by instalments for a procedure, the court will review within 4 years after the conclusion of the procedure whether the financial situation of the party has improved significantly. If this is the case, the judicial officer will order that the procedural costs attributable to the party be repaid in monthly instalments. All income and expenses must be proven by submitting appropriate receipts.
- **Legal application office:** The Rechtspfleger shall record applications from citizens. These may be of various kinds (e.g. applications for custody or rights of access). Legal advice cannot be provided in this case.

Organisation of the category/profession

Organising Structure	<p>Higher regional courts (Cologne, Düsseldorf, Hamm)</p> <p>University for applied sciences of North Rhine-Westphalia</p> <p>https://www.justiz.nrw.de/Karriere_neu/02_new_duales_studium/13_new_it_diplom_rechtspfleger/index.php</p> <p>https://www.fhr.nrw.de/beh_sprachen/beh_sprache_EN/index.php (in English)</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Senior Judicial Officer (North Rhine-Westphalia) performs tasks which ‘require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

Remarks

Germany is a federal state where the training of the judicial professions falls into the competence of the 16 states. Therefore, the situation between the states may differ slightly; however, the overall situation is comparable nationwide. Findings in this Questionnaire are based on data delivered by the State of Berlin. They are exemplifying the situation and are indicative for the whole country.

COUNTRY	GERMANY
Name of Court Staff Category	<p>In German: Justizsekretär (similar names, depending on region and formal employment scheme: Justizfachwirt, Justizfachangestellter)</p> <p>In English: Justice Clerk/Secretary of Justice (Berlin)</p>
Statutory/Legal Basis for this Post	<p>Ordinance of 8. August 2019 on the introduction of training and examinations for the general judicial service Training and examination Regulations on the general judicial service (APOaJD)</p> <p>Law and Ordinance Gazette for Berlin 75th Volume No. 21 20. August 2019S. 509</p> <p>https://www.berlin.de/rechthaber-gesucht/wp-content/uploads/Anforderungsprofil-Justizsekretäre.pdf</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - At least one of the following educational qualifications is required: <ul style="list-style-type: none"> o the intermediate school-leaving certificate according to the School Act (formerly Realschulabschluss) or § 21 Paragraph 1 Sentence 2 Number 3 of the School Act (formerly Realschulabschluss) or o the vocational education and training matriculation standard (formerly lower secondary school leaving certificate) and a supportive completed vocational training or

	<ul style="list-style-type: none"> ○ the vocational training certificate and a completed apprenticeship in a training relationship under public law, or ○ a level of education recognised as equivalent - German nationality within the meaning of Article 116(1) of the Basic Law, or - be a national of another Member State of the European Union, or - the nationality of another State party to the Agreement on the European Economic Area, or - the nationality of a third country to which the Federal Republic of Germany and the European Union have contractually granted a corresponding right to recognition of professional qualifications. <p>The training takes place in a two-year preparatory service and consists of practical and theoretical sections as well as the examination procedure. The specialist theoretical sections take place at a court and the practical professional sections at a court or in the public prosecutor's office.</p> <p>In the practical training, the trainees pass through almost all the specialist departments of a court. There you will deal with cases such as inheritance disputes, family matters, criminal proceedings or foreclosures, but also with register or administrative matters. In the course of their practical training at the public prosecutor's office, they are involved in a wide variety of investigative procedures and the enforcement of sentences following a conviction.</p> <p>The training ends with a written and oral final examination.</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level (Supreme Court of Berlin = Kammergericht)</p> <p>Process: Aptitude tests, selection interviews by the Training Department of the Court of Appeal</p>
Alternative Access Routes	Transfer routes from other professions: N/A
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Specific competences regarding judicial decisions - Procedures - Management - Administrative tasks 	

This court staff category plays an important role in:

- Civil law and procedures (cross-border civil procedures)
- Commercial law and procedures (cross-border commercial procedures)
- Criminal law and procedures (cross-border criminal procedures)
- Service of judicial and extra-judicial documents
- Administrative law and procedures
- Assistance to judges. senior judicial officer and public prosecutors
- Management of Courts
- Human resources/personnel issues
- Budget
- Health, safety, building administration

The service units, in which judicial secretaries work together, are important positions in the court. They work independently and on instructions, and they are the most important link between judges, judicial officers, public prosecutors, lawyers, plaintiffs, defendants, caretakers, heirs, the administration of the court or other parties to proceedings in the court. They manage the court files and ensure that communication between all parties involved is as smooth as possible.

All the files of the Court of First Instance pass through the desks of the Secretaries of Justice. Independently and on their own responsibility, they carry out office work in teams, the so-called service units. They answer enquiries from citizens and lawyers about new, ongoing or terminated proceedings, take minutes of court hearings or calculate costs and deadlines.

Secretaries of Justice:

- process incoming and outgoing mail,
- create files, keep files and archive them,
- are contact points for the public,
- calculate and monitor deadlines,
- maintain electronic court records,
- prepare judgments on behalf of judges, judicial officers and public prosecutors, resolutions and summonses,
- arrange for notifications (e.g. of judgments) and monitor their execution,
- prepare minutes of court proceedings,
- grant access to files upon request,
- calculate court costs and monitor incoming payments.

Organisation of the category/profession

Organising Structure	Präsident des Kammergerichts Berlin
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Justice Clerk/Secretary of Justice (Berlin) performs tasks which ‘might require the application of EU law’.

- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)

In German: Verordnung ([EG] Nr. 1393/2007 des Europäischen Parlaments und des Rates vom 13. November 2007 über die Zustellung gerichtlicher und außergerichtlicher Schriftstücke in Zivil- oder Handelssachen in den Mitgliedstaaten [Zustellung von Schriftstücken]

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	GERMANY
Name of Court Staff Category	In German: Amtsanwalt
	In English: Official of the Public Prosecution Office
Statutory/Legal Basis for this Post	<p>Gerichtsverfassungsgesetz:</p> <p>a) § 142 GVG (Gerichtsverfassungsgesetz)</p> <p>Section 142</p> <p>(1) The official duties of the public prosecution office shall be discharged:</p> <ol style="list-style-type: none"> 1. at the Federal Court of Justice by a Federal Prosecutor General and by one or more federal prosecutors; 2. at the Higher Regional Courts and the Regional Courts by one or more public prosecutors; 3. at the Local Courts by one or more public prosecutors or officials of the public prosecution office with a right of audience before the Local Courts. <p>(2) The competence of the officials of the public prosecution office with a right of audience before the Local Courts shall not encompass the Local Court proceedings to prepare public charges in criminal matters falling under the jurisdiction of courts other than the Local Courts.</p> <p>(3) Trainee jurists may be assigned responsibility for discharging the duties of an official of the public prosecution office with a right of audience before the Local Courts and, in an individual case, for discharging the duties of a public prosecutor under the latter's supervision.</p> <p>b) § 145 Abs. 2 GVG (Gerichtsverfassungsgesetz)</p> <p>Section 145</p> <p>(2) Officials of the public prosecution office with a right of audience before the Local Courts may only discharge the official duties of the public prosecution office at the Local Courts.</p> <p>Court Constitution Act (GVG) as amended by the notice of nine Mai 1975, Federal</p>

	<p>Law Gazette) Part I, page 1077), as most recently amended by Art. 8 Abs. 1 of the Act of 8 July 2019, Federal Law Gazette [BGBl.] Part I 1002 http://www.gesetze-im-internet.de/rpflg_1969/index.html http://www.gesetze-im-internet.de/englisch_gvg/englisch_gvg.html#p0703</p>
<p><i>Access to the Court Staff Category</i></p>	
<p>Main Access Conditions</p>	<p>Qualifications:</p> <ul style="list-style-type: none"> - Secondary school/high school diploma - Higher education degree <p>a) Justiz NRW (North Rhine-Westphalia provides training nationwide, i.e. for all federal states. The range and scope of activities is the same in all federal states.)</p> <p>https://www.menschen-im-sinn.justiz.nrw/berufe/gerichte-und-staatsanwaltschaften/amtsanwalt-mwd</p> <p>https://www.justiz.nrw.de/BS/recht_a_z/A/Amtsanaewaltin_Amtsanaewalt/index.php</p> <p>https://www.justiz.nrw/Karriere_neu/berufsbilder_2019/videos/01_amtsanwalt/index.php</p> <p>b) Fachhochschule für Rechtspflege NRW</p> <p>Fachwissenschaftliches Studium für den Amtsanwaltsdienst:</p> <p>https://www.fhr.nrw.de/aufgaben/lehre/amtsanaewalte/index.php</p> <p>Ausbildungs- und Prüfungsordnung Amtsanwalte (APOAA):</p> <p>https://recht.nrw.de/lmi/owa/br_bes_text?menu=1&sq=0&anw_nr=2&gld_nr=%202&uql_nr=203011&val=9804&ver=0&sq=1&menu=1&aufgehoben=N&keyword=amtsanw%E4lte&bes_id=9804</p> <p>Job description:</p> <p>https://www.fhr.nrw.de/aufgaben/lehre/amtsanaewalte/berufsbild/index.php</p> <p>Official Lawyer Training:</p> <p>https://www.fhr.nrw.de/aufgaben/lehre/amtsanaewalte/amtsanaewalt_sausbildung/index.php</p> <p>c) Others:</p> <p>https://justizministerium.hessen.de/karriere/berufe-der-rechtspflege/amtsanaewaltin-amtsanwalt</p>

	<p>Aspects of EU law: are optional</p> <p>Aspects of EU law must be taken into account by the public prosecutor, especially in the law on driving licences. The field of activity of the public prosecutor includes § 21 StVG (Road Traffic Act).</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at regional level</p> <p>Process:</p> <ul style="list-style-type: none"> - State/public exam - Interview by recruitment panel - Private candidature to a public office
Alternative Access Routes	<p>Transfer routes from other professions: Yes – Occasionally, fully qualified lawyers are employed as public prosecutors.</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Specific competences or responsibilities of the profession/category - Procedures - Administrative tasks <p>Essentially, the tasks of the public prosecutor (e.g. during interrogations, requests for legal assistance) are generally comparable to those of the public prosecutor. The public prosecutor is active in criminal law and criminal procedure.</p> <p>(Cf. the activity of the public prosecutor).</p> <p>This court staff category plays an important role in:</p> <ul style="list-style-type: none"> - Criminal law and procedures (cross-border criminal procedures) - Management of courts (E-justice, data protection, authentication of judicial and extra-judicial documents, court programming/management of courts agendas, human resources/personnel issues, budget) 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Recruitment authorities are the General Public Prosecutor's Offices of the federal states Ministries of Justice of the federal states:</p> <ul style="list-style-type: none"> - https://justizportal.justiz-bw.de/pb/,Lde/Startseite - https://www.berlin.de/sen/justva/

	<ul style="list-style-type: none"> - https://mdj.brandenburg.de/ - https://www.justiz.bremen.de/ - https://www.hamburg.de/justizbehoerde/ - https://justizministerium.hessen.de/justiz - https://www.regierung-mv.de/Landesregierung/jm/ - https://www.mj.niedersachsen.de/startseite/ - https://www.justiz.nrw/ - https://jm.rlp.de/de/ministerium/ - https://www.saarland.de/ministerium_justiz.htm - https://www.justiz.sachsen.de/ - https://mj.sachsen-anhalt.de/ - https://www.schleswig-holstein.de/DE/Landesregierung/II/ii_node.html - https://justiz.thueringen.de/
Contact Details of any Professional Organisations in Connection with this Court Staff	<ul style="list-style-type: none"> - German Association of Public Lawyers e.V. (DAAV) http://www.amtsanwaltsverein.de/ - National Groups of the DAAV http://www.amtsanwaltsverein.de/landesgruppen/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Official of the Public Prosecution Office performs tasks which ‘might require the application of EU law’.

- Criminal law and procedures (cross-border criminal procedures)
- Management of courts (E-justice, data protection, authentication of judicial and extra-judicial documents, court programming/management of courts agendas, human resources/personnel issues, budget)

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	GERMANY
Name of Court Staff Category	In German: Justizwachtmeister
	In English: Court wardens/security staff – Berlin
Statutory/Legal Basis for this Post	Gesetz über die sicherheits- und ordnungsrechtlichen Befugnisse der Justizbediensteten (JSOG)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - At least the vocational training maturity (§ 21 Abs. 1 Nr. 1 Schulgesetz Berlin, formerly Hauptschulabschluss) or an equivalent school qualification, German nationality within the meaning of Article 116 of the Basic Law or another nationality within the meaning of Section 7 (1) of the Civil Service Tax Act. - Be at least 21 and not more than 39 years old on the day of recruitment. - Exceptions: <ul style="list-style-type: none"> o Persons with a severe disability (§ 29 Abs.1 LfbG, § 5 Abs.2 Nr. 2 LVO-Just) and their equals may not be older than 44 years on the day of employment. o Temporary soldiers with a minimum service period of 12 years (no maximum age limit according to § 7 para. 6 SVG). o The maximum age limit is for applicants who are already working in the civil service, in order to increase the time they have spent in the Berlin civil service immediately before (§ 32 Para. 1 LfbG). o Applicants who are already 40 years of age or older at the time of recruitment (presumably 04 May 2020) and do not meet the above-mentioned exceptions may participate in the selection procedure subject to reservation. If the increase in the maximum age limit by the legislator comes into

	<p>force before the date of recruitment, the reservation does not apply.</p> <ul style="list-style-type: none"> - be willing to change their working hours. - have good physical fitness and present the sports badge of the German Sports Federation, which must not be older than one year, in gold or silver until the selection interview. Oldest date of issue 1 year until the application deadline on 30.09.2019 (date of issue from 30.09.2018 to 30.09.2019). In addition to the certificate, the corresponding test card must also be submitted. - have the legal prerequisites for appointment to civil service (e.g. loyalty to the constitution, no criminal record) and appear suitable according to your personality. - do not have any tattoos or body jewellery with right-wing or left-wing extremist or extremist, degrading, sexist or misogynist, violence glorifying or inhuman representations, as well as tattoos or body jewellery visible in uniforms, which could damage the reputation of the judiciary. The individual case will be decided in the selection procedure. The same applies to body jewellery which could be suitable to cause danger to oneself or others (e.g. earrings, piercings). - have the health suitability and no significant visual impairment (the lenses must not be more than spherical + 2.0 diopters or - 3.0 diopters cylindrical +/- 3.0 diopters. The raw visual acuity must not be less than 0.3 in one eye and must be significantly better in the other eye). An ophthalmologic certificate is required for the selection interview, please make an appointment with an ophthalmologist in advance if necessary. - A completed vocational training is desirable, but not a prerequisite. <p>Aspects of EU law: not known</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <p>Process:</p> <ul style="list-style-type: none"> - Aptitude tests, selection interviews by the Training Department of the Court of Appeal and medical examination - The training lasts a total of six months and includes a specialist course and practical instruction at a training court. A final examination does not have to be taken. Those who have successfully completed the preparatory service are generally accepted as a probationary civil servant as chief constable.

Alternative Access Routes	Transfer routes from other professions: N/A
<i>Responsibilities, Duties, Tasks</i>	
<p>- Administrative tasks</p> <ul style="list-style-type: none"> ○ Primarily responsible for security tasks and is an important contact point between the public seeking justice and the judiciary. Because reliability is particularly important in these security-related areas, they are granted official status. They work at the district courts, the regional court, the court of appeal, the Senate Administration for Justice, Consumer Protection and Anti-Discrimination, the administrative court, the higher administrative court, the social court, the public prosecutor's office, the district attorney's office and the general public prosecutor's office. ○ Chief constables, work in the alarm centre of a court, check at the entrance that no weapons or dangerous objects enter the court and ensure the safety of those present in the courtroom. ○ In the administration of justice, he receives incoming mail, distributes it and ensures that official mail is sent and files arrive at their destination. ○ He works in courts and public prosecutors' offices. Sensitive mail that enters the court or is sent from here, for example from or to the public prosecutor's office, must also be handled with particular care. After all, these are important documents and files, which are usually subject to data protection. Therefore, incoming and outgoing mail as well as the distribution of mail in the house is also handled by the chief constable. <p>This Court staff category plays an important role in:</p> <ul style="list-style-type: none"> - Health & Safety, building administration 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Der Präsident des Kammergerichts</p> <p>For more information on the profession of Justizwachtmeister see:</p> <p>https://www.berlin.de/karriereportal/arbeitgeberin-berlin/justiz/justizhauptwachtmeister-in/</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Court wardens/security staff (Berlin) does not perform tasks ‘that require the application of EU law’.

GREECE

1- GENERAL INFORMATION

Answering institution(s)**National School of the Judiciary**2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁴⁰**Remarks for Greece**

All categories of Court Staff in Greece are transferred from the workplace to another workplace inside the Court House, the Prosecutors' Office or the Administrative Court House in order to serve the needs of the Court. This is quite a typical procedure for the Greek Courts.

This is the reason why the three categories identified may be Type 1, or Type 2 or Type 3.

In the table below, an overview of Court staff in Greece is presented, including their Type and, when applicable, Functions⁴¹.

Category ⁴²	Type	Functions	Approximate numbers
Judicial Clerks (Administrative Court Officers)	Type 1/2/3	Functions 1/2/3/4	871
Judicial Clerks (PPO)	Type 1/2/3	Functions 1/2/3/4	1,653
Judicial Clerks (Court officers)	Type 1/2/3	Functions 1/2/3/4	4,267

Additional information:

- Type:
 - 1 – Court staff performing tasks which 'require the application of EU law'
 - 2 – Court staff performing tasks which 'might require the application of EU law'
 - 3 – Court staff not performing tasks 'that require the application of EU law'

⁴⁰ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

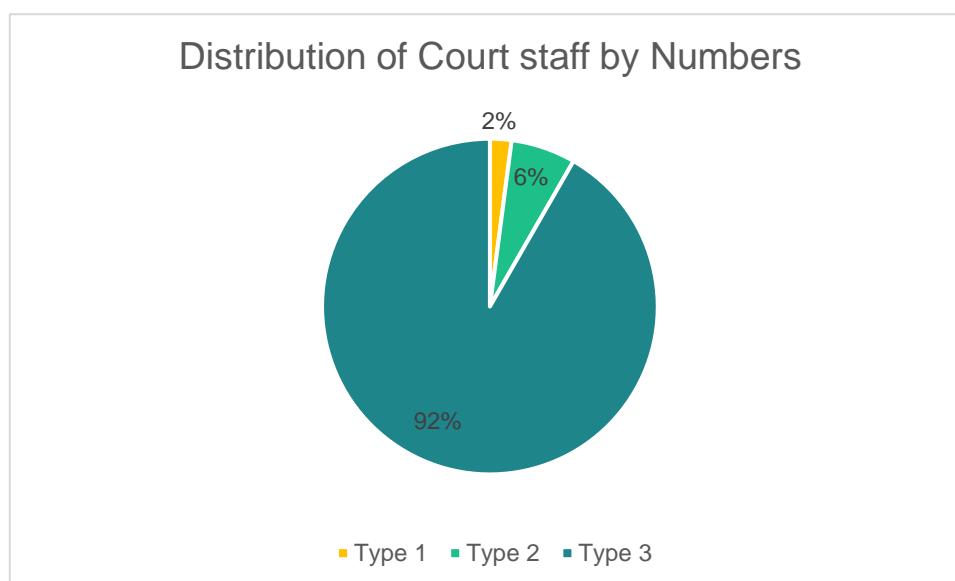
⁴¹ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

⁴² All categories of Court Staff in Greece are transferred from workplace in another workplace inside the Court House or the Prosecutors' Office or the Administrative Court House.

- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	141	2%
Type 2	423	6%
Type 3	6,227	92%
TOTAL	6,791	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Greece, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	GREECE
Name of Court Staff Category	In Greek: Δικαστικοί Υπάλληλοι
	In English: Judicial Clerks/Officers. The term covers persons working in court offices, in the public prosecution offices, in the administrative court offices
Statutory/Legal Basis for this Post	Law 2812/2000 (Code of Judicial Officers) https://www.e-nomothesia.gr/kat-dikasteria-dikaiousune/n-2812-2000.html In Greek : Κώδικας Δικαστικών Υπαλλήλων
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Qualifications: <ul style="list-style-type: none"> - Secondary school/High School Diploma - Higher education degree (it is not a prerequisite, but an asset to many things, such as promotion and salary)
Main Recruitment Procedure	The Ministry of Justice decides, according to the state budget, how many workplaces it will proclaim and those who are interested sit a state written exam
Alternative Access Routes	Many lawyers take the state exam to become judicial clerks (Is this an alternative access route? Maybe not, because it requires the same procedure)
<i>Responsibilities, Duties, Tasks</i>	
<p>Judicial clerks working in Court Offices carry out a wide range of tasks, such as:</p> <ul style="list-style-type: none"> - Communicate with lawyers and citizens both over the phone and at the public counter. Respond to applications from citizens and lawyers related to their cases - Deal with telephone queries from citizens and lawyers about national and European procedures 	

- Complete court documents related to the European Small Claims Procedure, European Payment Order Procedure, European account freezing order of assets, European Certificate of Succession
- Involved in the preparation of videoconferences under Article 17 (Direct taking of evidence by the requesting court) on cooperation between the courts of the Member States in the taking of evidence in civil and commercial matters and fill in the document-transmission of request to collect evidence in another Member State)
- Registration of lawsuits, appeals, applications, legal documents, legal certificates, etc.
- Supervision of files and transmission of documents in civil procedures related in particular to service of judicial and extra-judicial documents under the service of documents Regulation
- Filling in forms related to enforcement of court decisions under Regulations Brussels I bis, Brussels I bis recast, Brussels II bis and Maintenance obligations
- Assistance to presiding and investigating judges
- Administrative tasks and management tasks
- They apply all necessary procedures in order to ensure the smooth running of the court service, check all applications lodged at court, deal with human resources and logistics

These court staff members play an important role in:

- Cross-border civil procedures (including family law matters, inheritance law matters, insolvency law matters)
- Cross-border commercial procedures in particular European small claims Procedure, European payment order Procedure, European account freezing order of assets, Taking of evidence Regulation
- E-justice (forms, information, organisation Technology and Communication, videoconferencing)
- General management and human resources
- Authentication of judicial and extra-judicial documents

Judicial clerks working in Public Prosecution Offices carry out a wide range of tasks, such as:

- Communicate with lawyers and citizens both over the phone and at the public counter. Respond to applications from citizens and lawyers related to their cases
- Assistance to the prosecutors
- Deal with telephone queries from citizens and lawyers about national and European criminal law procedures
- Involve in the preparation of videoconference under the Regulation (Direct taking of evidence by the requesting court) on cooperation between the courts of the Member States in the taking of evidence in criminal matters and fill the document-transmission of request to collect evidence in another Member State)

- Complete court documents related to European Arrest Warrant, Extradition agreement, detention orders, judicial assistance and submit them to the Prosecutor (national competent judicial authority) in charge
- Contact points in case the requested Member State requires further information related to the enforcement of the EAW, under the supervision of the Prosecutor in charge, Coordinating cross-border activities related to SIS alerts, Contacting the Member State that issued the alert when a match (hit) has been made and the required action has been taken, Contacting the Member State that issued the alert when the required action cannot be taken, Contacting the Member State that issued the alert when a match (hit) has been made and the required action has been taken, Coordinating cross-border activities related to SIS alerts
- Contact points with Interpol, SIRENE, Eurojust, European Judicial Network (EJN) (oral and written communications)
- Administrative tasks and management tasks
- They apply all necessary procedures in order to ensure the smooth running of the Prosecutors' office, check all applications lodged at the office, deal with human resources and logistics

These court staff members play an important role in:

- Criminal law (national and European)
- Cross-border criminal procedures (European Arrest Warrant, Extradition agreement, detention orders, judicial assistance)
- Contacting the European and national Judicial, Police and Public authorities regarding criminal law matters
- E-justice (forms, information, organisation Technology and Communication, videoconferencing)
- General management and human resources
- Authentication of judicial and extra-judicial documents

Judicial clerks working in Administrative Court Offices carry out a wide range of tasks, such as:

- Communicate with lawyers and citizens both over the phone and at the public counter. Respond to applications from citizens and lawyers related to their cases.
- Complete court documents related to foreigners seeking asylum in Greece
- Complete court documents about foreigners who are to be deported because they reside and work in Greece illegally
- Assistance to administrative judges
- Administrative tasks and management tasks
- They apply all necessary procedures in order to ensure the smooth running of the court service, check all applications lodged at court, deal with human resources and logistics

These court staff members play an important role in:

- Asylum Law procedures
- General management and human resources
- Authentication of judicial and extra-judicial documents

Organisation of the category/profession

Organising Structure	Ministry of Justice
Contact Details of any Professional Organisations in Connection with this Court Staff	In Greek: Ομοσπονδία Δικαστικών Υπαλλήλων Ελλάδας http://www.odye.gr/ In English: Federation of Judicial Officers in Greece

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

All categories of Court Staff in Greece are transferred from the workplace to another workplace inside the Court House or the Prosecutors' Office or the Administrative Court House in order to service the needs of the Court. This is a quite typical procedure for the Greek Courts.

This is the reason that they may be Type 1, or Type 2 or Type 3.

TYPE 1 – Judicial clerks working in Court Offices, Judicial clerks working in Public Prosecution Offices, Judicial clerks working in Administrative Court Offices perform tasks which 'require the application of EU law'.

- Complete court documents related to European small claims Procedure, European payment order Procedure, European account freezing order of assets, European Certificate of succession
- Filling in forms related to enforcement of court decisions under Regulations Brussels I bis, Brussels I bis recast, Brussels II bis and Maintenance obligations
- Involve in the preparation of videoconference under Article 17 (Direct taking of evidence by the requesting court) on cooperation between the courts of the Member States in the taking of evidence in civil and commercial matters and fill the document-transmission of request to collect evidence in another Member State)
- Complete court documents related to European Arrest Warrant, Extradition agreement, detention orders, judicial assistance and submit them to the Prosecutor (national competent judicial authority) in charge

- Contact points in case the requested Member State requires further information related to the enforcement of the EAW, under the supervision of the Prosecutor in charge, Coordinating cross-border activities related to SIS alerts, Contacting the Member State that issued the alert when a match (hit) has been made and the required action has been taken, Contacting the Member State that issued the alert when the required action cannot be taken, Contacting the Member State that issued the alert when a match (hit) has been made and the required action has been taken, Coordinating cross-border activities related to SIS alerts
- Contact points with Interpol, SIRENE, Eurojust, European Judicial Network (EJN) (oral and written communications)
- Complete court documents related to foreigners seeking asylum in Greece
- Complete court documents about foreigners who are to be deported because they reside and work in Greece illegally

TYPE 2 – Judicial clerks working in Court Offices, Judicial clerks working in Public Prosecution Offices, Judicial clerks working in Administrative Court Offices perform tasks which ‘might require the application of EU law’.

TYPE 3 – Judicial clerks working in Court Offices, Judicial clerks working in Public Prosecution Offices, Judicial clerks working in Administrative Court Offices does not perform tasks ‘that require the application of EU law’.

HUNGARY

1- GENERAL INFORMATION

Answering institution(s)	National Office for the Judiciary
	Office of the Prosecutor General

2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁴³**Remarks for Hungary**

While the categories of Assistant Judge and Trainee Judge are clearly judicial in nature, we kept them in the court staff category because this is how they are defined in Hungarian law.

In the table below, an overview of the Court staff in Hungary is presented, including their Type and, when applicable, Functions⁴⁴.

Category	Type	Functions	Approximate numbers
<i>Courts</i>			
Assistant Judge	Type 1	Functions 2/3	926
Specialised Court Clerk (Adviser)	Type 1	Functions 2	11
Trainee Judge	Type 1	Functions 2/3	218
Clerical Worker	Type 2	Functions 1	1,513
Specialised Court Clerk (Administrator of Enforcement)	Type 2	Functions 3	60
Specialised Court Clerk (Administrator)	Type 2	Functions 3	610
Court Clerk	Type 3	N/A	3,369
Physical worker	Type 3	N/A	1,207

⁴³ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁴⁴ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

<i>Office of the Prosecutor General</i>			
Administrators' assistant	Type 3	N/A	5
Archivist	Type 3	N/A	14
Auto mechanic	Type 3	N/A	4
Car driver	Type 3	N/A	98
Caretaker	Type 3	N/A	15
Classified information administrator	Type 3	N/A	155
Cleaner	Type 3	N/A	242
Computer technician	Type 3	N/A	158
Concierge	Type 3	N/A	20
Courier	Type 3	N/A	163
Electrician	Type 3	N/A	5
Fire safety officer	Type 3	N/A	3
Garage manager	Type 3	N/A	4
Heating	Type 3	N/A	6
HR administrator	Type 3	N/A	35
Librarian	Type 3	N/A	4
Maintenance worker	Type 3	N/A	52
Office administrator	Type 3	N/A	458
Officers	Type 3	N/A	1,245
Press secretary	Type 3	N/A	Not available
Registrar	Type 3	N/A	43
Responsible for occupational safety	Type 3	N/A	15
Secretary/Clerk	Type 3	N/A	615

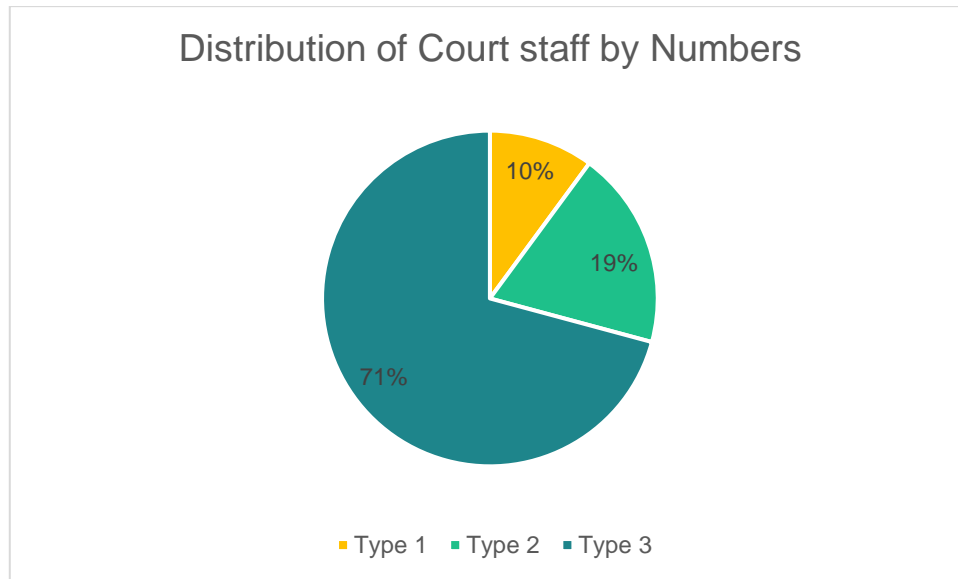
Security guard	Type 3	N/A	11
Shorthand typist	Type 3	N/A	120
Statistician	Type 3	N/A	13
Telephone operator	Type 3	N/A	21

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	1,155	10%
Type 2	2,183	19%
Type 3	8,100	71%
TOTAL	11,438	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Hungary, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	HUNGARY (Courts)
Name of Court Staff Category	In Hungarian: Bírósági titkár In English: Assistant Judge
Statutory/Legal Basis for this Post	Section 2 (2) a) and four of Act LXVIII of 1997 on the service status of judicial employees In Hungarian: Az igazságügyi alkalmazottak szolgálati jogviszonyáról szóló 1997. évi LXVIII. törvény 2. § (2) bekezdésének a) pontja és 4. §-a
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Qualifications: <ul style="list-style-type: none"> - Legal Bar Exam - Master's degree in law - Aspects of EU law are compulsory
Main Recruitment Procedure	Recruitment procedure: <ul style="list-style-type: none"> - Interview with the Court President - Successful candidates are appointed by the president of the Regional Court / regional Court of Appeal / Curia of Hungary
Alternative Access Routes	Transfer routes from other professions: Yes
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Specific competencies regarding judicial decisions - Procedures - Administrative tasks - Assistance to the judiciary in drafting decisions 	
Assistant judges play an important role in:	

- Civil law and procedures (cross-border civil procedures)
- Commercial law and procedures (cross-border commercial procedures)
- Criminal law and procedures (cross-border criminal procedures)
- Procedural rights in criminal procedures
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors

EU law aspects: are important

Organisation of the category/profession

Organising Structure	<ul style="list-style-type: none"> - National Office for the Judiciary - Courts where they are delegated
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Assistant Judge performs tasks which ‘require the application of EU law’.

- Assistance to the judiciary in drafting decisions

- Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
- Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters
- Council Framework Decision 2008/675/JHA of 24 July 2008 on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings
- Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States
- Council Decision 2009/316/JHA of 6 April 2009 on the establishment of the European Criminal Records Information System (ECRIS) in application of Article 11 of Framework Decision 2009/315/JHA
- Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union - Council Declaration on Article 10(9) - Declaration by the United Kingdom on Article 20
- 2002/584/JHA: Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States
- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA
- Council Directive 2006/112/EC of 28 November 2006 on the common system of value-added tax
- Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	HUNGARY (Courts)
Name of Court Staff Category	In Hungarian: Főtanácsadó (tisztviselőnek minősül)
	In English: Adviser (specialised court clerk)
Statutory/Legal Basis for this Post	Section 6 (1a) of Act LXVIII of 1997 on the service status of judicial employees In Hungarian: Az igazságügyi alkalmazottak jogállásáról szóló 1997. évi LXVIII. törvény 6. § (1a) bekezdése
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - University level degree in the area of expertise <p>Aspects of EU law: Not known</p>
Main Recruitment Procedure	<p>Recruitment at which level: It depends on the court level where the employee shall take up their duties</p> <p>Recruitment procedure:</p> <ul style="list-style-type: none"> - Interview with the court president - Selection through written application
Alternative Access Routes	Transfer routes from other professions: Yes
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Assistance to judges in drafting decisions - Forming legal opinions on court cases, reporting on legal documents 	
This court staff category plays an important role in:	

- Civil law and procedures
- Commercial law and procedures
- Criminal law and procedures (cross-border criminal procedures)
- Procedural rights in criminal procedures
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Assistance to judges

Aspects of EU law: are important for this court staff category

Organisation of the category/profession

Organising
Structure

- [National Office for the Judiciary](#)
- court where they are employed

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Advisers of the Curia (Supreme Court of Hungary) performs tasks which ‘require the application of EU law’.

- These advisers work for the judicial councils of the Curia. Their tasks: support decision-making, commenting draft legislation, analysis of judicial practice, training activity, administrative tasks. They often work on cases in which they need to apply EU law.
- They might deal with any of the instruments of EU law.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	HUNGARY (Courts)
Name of Court Staff Category	In Hungarian: Bírósági fogalmazó
	In English: Trainee Judge
Statutory/Legal Basis for this Post	<p>Section 3 of Act LXVIII of 1997 on the service status of judicial employees</p> <p>In Hungarian: Az igazságügyi alkalmazottak szolgálati jogviszonyáról szóló 1997. évi LXVIII. törvény 3. §-a</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Master's degree in Law <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Recruitment: takes place at regional level</p> <p>Procedure:</p> <ul style="list-style-type: none"> - Entrance exam for trainee judges (written test + interview before the board of judges) - Interview with the court president <p>An entrance exam is organised by the Hungarian Academy of Justice. The exam has a written and an oral part. The president of the regional court/regional court of appeal can only choose from applicants who pass the exam. Other court staff with a law degree may also take this entrance exam in order to become a trainee judge.</p>
Alternative Access Routes	

Responsibilities, Duties, Tasks

- Procedures
- Administrative tasks
- Assistance to the judiciary in drafting decisions
- Legal opinions and reporting the verbal content of statements of complaint or complaints and any other type of legal documents addressed to the court

This court staff category plays an important role in:

- Civil law and procedures
- Commercial law and procedures
- Criminal law and procedures (cross-border criminal procedures)
- Procedural rights in criminal procedures
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges

Aspects of EU law: are important for this court staff category

Organisation of the category/profession

<p>Organising Structure</p>	<ul style="list-style-type: none"> - National Office for the Judiciary - Courts where they are appointed <p>Primarily the courts where trainee judges are delegated supervise and examine the work done by trainee judges. Secondly, they may participate in initial training taking place at the Hungarian Academy of Justice.; Besides, Hungarian trainee judges regularly participate in the international seminars of the European Judicial Training Network (EJTN) and the European Law Academy.</p>
<p>Contact Details of any Professional</p>	

Organisations in Connection with this Court Staff	
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QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Trainee Judge performs tasks which ‘require the application of EU law’.

- Assistance to the judiciary in drafting decisions
 - Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
 - Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000
 - Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
 - Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
 - Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters
 - Council Framework Decision 2008/675/JHA of 24 July 2008 on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings
 - Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States
 - Council Decision 2009/316/JHA of 6 April 2009 on the establishment of the European Criminal Records Information System (ECRIS) in application of Article 11 of Framework Decision 2009/315/JHA
 - Convention established by the Council in accordance with Article 34 of the Treaty on European Union, on Mutual Assistance in Criminal Matters between the Member States of the European Union - Council Declaration on Article 10(9) - Declaration by the United Kingdom on Article 20

- 2002/584/JHA: Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States
- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA
- Council Directive 2006/112/EC of 28 November 2006 on the common system of value-added tax
- Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	HUNGARY (Courts)
Name of Court Staff Category	In Hungarian: Írnok (ide értendő a bírósági jegyzőkönyvvezető és a cégszerkesztő)
	In English: Clerical worker (including court reporters and company administrators)
Statutory/Legal Basis for this Post	Section 7 (1) of Act LXVIII of 1997 on the service status of judicial employees In Hungarian: 1997. évi LXVIII. törvény 7. § (1) bekezdése az igazságügyi alkalmazottak szolgálati jogviszonyáról
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - High school diploma <p>Aspects of EU law: Not known</p>
Main Recruitment Procedure	<p>Recruitment at which level: It depends on the court level where the employee shall take up their duties</p> <p>Recruitment procedure:</p> <ul style="list-style-type: none"> - Interview with the court president - Selection through written application
Alternative Access Routes	Transfer routes from other professions: Yes
<i>Responsibilities, Duties, Tasks</i>	
<p>This court staff category only performs administrative and procedural tasks in all areas of law.</p> <ul style="list-style-type: none"> - Assistance to judges, assistant judges, trainee judges and court administrators, performing their instructions 	

<ul style="list-style-type: none"> - Management of Courts (E-justice, data protection, authentication of judicial and extra-judicial documents, court programming/management of court agendas, human resources/personnel issues, budget, health and safety, building administration) 	
<i>Organisation of the category/profession</i>	
Organising Structure	<ul style="list-style-type: none"> - National Office for the Judiciary - Courts where they are employed
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Clerical Workers (including company administrators and court reporters) performs tasks which ‘might require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	HUNGARY (Courts)
Name of Court Staff Category	In Hungarian: Végrehajtási ügyintéző (tisztviselőnek minősül)
	In English: Administrator of Enforcement (Specialised Court Clerk)
Statutory/Legal Basis for this Post	Sections 260 (1), 261, 262 (1), 263. (1) of Act LIII of 1994 on Judicial Enforcement In Hungarian: A bírósági végrehajtásról szóló 1994. évi LIII. törvény 260. § (1), 261. §, 262. § (1), 263. § (1) bekezdései
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - University level degree - Successful exam on enforcement administration - Taking an oath <p>Aspects of EU law: Not known</p>
Main Recruitment Procedure	Recruitment by way of tender , calls for applications by the president of the regional court The position is also open for assistant judges and court administrators.
Alternative Access Routes	Transfer routes from other professions: Yes
<i>Responsibilities, Duties, Tasks</i>	
The administrator of enforcement works under the direction and supervision of a judge, but with independent liability. In the cases below, the administrator of enforcement is authorised to carry out all the measures, which are within the judge's powers in connection with such cases.	

- If the claim to be enforced is based on the decision of the court or on a court-approved settlement, the administrator of enforcement shall issue a certificate of enforcement or earnings withholding order in connection with ordering the enforcement on behalf of the court;
- In connection with the implementation of enforcement, the administrator of enforcement shall perform the following procedural acts in any case under the jurisdiction of a judge, on behalf of the court:
 - o terminate enforcement upon the judgment debtor providing satisfaction;
 - o suspend enforcement upon request by the judgment creditor, or order the continuance of enforcement proceedings suspended for such reason;
 - o terminate or restrict the enforcement procedure upon request by the judgment creditor or if so prescribed by another act;
 - o order the seizure of an item otherwise exempt in order to recover the purchase price of such item, loan for purchase, or the costs of manufacture or repair, provided that this measure became necessary after the issuance of the enforcement order;
 - o in case of auction of moveable property, order the defaulting bidder to pay the purchase price difference;
 - o establish the fee of the official receiver of immovable property.

Based on the above, **this court staff category plays an important role in:**

- Civil law and procedures
- Service of judicial and extra-judicial documents
- Enforcement of court decisions

Aspects of EU law: exist but constitute only a small aspect of the overall duties

Organisation of the category/profession

Organising Structure	- Courts where they are employed
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Administrator of Enforcement (Specialised Court Clerk) performs tasks which 'might require the application of EU law'.

- They order enforcement proceedings. They might need to apply EU law in cross-border enforcement cases.
 - Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
 - Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	HUNGARY (Courts)
Name of Court Staff Category	<p>In Hungarian: Bírósági ügyintéző (tisztviselőnek minősül)</p> <p>In English: Court administrator (specialised court clerk)</p>
Statutory/Legal Basis for this Post	<p>Section 6 (2) of Act LXVIII of 1997 on the service status of judicial employees</p> <p>Government Regulation No. 56/2008 (III. 26.) on the tasks performed by court administrators</p> <p>In Hungarian: 1997. évi LXVIII. törvény 6. § (2) bekezdése az igazságügyi alkalmazottak szolgálati jogviszonyáról</p> <p>56/2008. (III. 26.) Korm. Rendelet a bírósági ügyintézők által ellátható egyes feladatokról</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Higher education (graduate) degree <p>Aspects of EU law: Not known</p>
Main Recruitment Procedure	<p>Recruitment at which level: It depends on the court level where the employee shall take up their duties</p> <p>Recruitment procedure:</p> <ul style="list-style-type: none"> - Interview with the court president - Selection through written application
Alternative Access Routes	<p>Transfer routes from other professions: Yes</p>

Responsibilities, Duties, Tasks

In cases provided for by law, a court administrator has powers to act with independent signatory authority, outside a hearing, under the guidance and supervision of an assistant judge.

- Low-responsibility procedural decisions
- Administrative tasks
- Management

This court staff category plays an important role in:

- Civil law and procedures
- Commercial law and procedures
- Criminal law and procedures (cross-border criminal procedures)
- Service of judicial and extra-judicial documents
- Assistance to judges and assistant judges

Aspects of EU law: exist but constitute only a small aspect of the overall duties

Organisation of the category/profession

Organising
Structure

- [National Office for the Judiciary](#)
- Courts where they are employed

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Court Administrator (Specialised Court Clerk) performs tasks which ‘might require the application of EU law’.

- Assistance to the judiciary in drafting decisions.

- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000;
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters;
- Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters;
- Council Framework Decision 2008/675/JHA of 24 July 2008 on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings;
- Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States;
- Council Decision 2009/316/JHA of 6 April 2009 on the establishment of the European Criminal Records Information System (ECRIS) in application of Article 11 of Framework Decision 2009/315/JHA.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	HUNGARY (Courts)
Name of Court Staff Category	In Hungarian: Tisztviselő
	In English: Court Clerk
Statutory/Legal Basis for this Post	<p>Section 2 (1) d) and 6 (3) of Act LXVIII of 1997 on the service status of judicial employees</p> <p>In Hungarian: Az igazságügyi alkalmazottak szolgálati jogviszonyáról szóló 1997. évi LXVIII. törvény 2. § (1) bek. d) pontja és 6. § (3) bekezdése</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - High school diploma - additional qualifications specified for the position - 3 years of professional experience <p>Aspects of EU law: Not known</p>
Main Recruitment Procedure	<p>Recruitment at which level: It depends on the court level where the employee shall take up their duties</p> <p>Recruitment procedure:</p> <ul style="list-style-type: none"> - Interview with the court president - Selection through written application
Alternative Access Routes	<p>Transfer routes from other professions: Yes</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>This court staff category only performs administrative and procedural tasks in all areas of law.</p>	

<ul style="list-style-type: none"> - Assistance to judges, assistant judges, trainee judges and court administrators, performing their instructions - Management of Courts (E-justice, data protection, authentication of judicial and extra-judicial documents, court programming/management of court agendas, human resources/personnel issues, budget, health and safety, building administration) 	
<i>Organisation of the category/profession</i>	
Organising Structure	<ul style="list-style-type: none"> - National Office for the Judiciary - Courts where they are employed
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Court Clerk does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	HUNGARY (Office of the Prosecutor General)
Name of Court Staff Category	In English: Officers (including paralegals, who are officers exercising prosecutorial sub-powers with independent liability under prosecutors' supervision)
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Section 15 (1) of Act CLXIII of 2011 on the Prosecution Service of Hungary - Section 1 (2) d) and Chapter XV of Act CLXIV of 2011 on the Status of the Prosecutor General, Prosecutors and Other Prosecution Employees and the Prosecution Career (hereinafter: 'Prosecutorial Employment and Career Act') - Section 2 of Order 4/2012. (I.6.) issued by the Prosecutor General on Specific Issues Relating to the Status of Prosecution Employees
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Section 122 (1) of the Prosecutorial Employment and Career Act</p> <p>Conditions for officers:</p> <ul style="list-style-type: none"> - at least secondary school leaving qualification - Hungarian citizen - not placed under guardianship limiting the ability to act or are not being subject to advocated decision-making with prejudice to legal capacity <p>Conditions for paralegals:</p> <ul style="list-style-type: none"> - relevant higher education degree - Hungarian citizen - not placed under guardianship limiting the ability to act or are not being subject to advocated decision-making with prejudice to legal capacity <p><i>(further conditions or requirements for certain positions not provided for by law are specified under an Order issued by the Prosecutor General (Sections 2-2/A) of Order 4/2012. (I.6.) issued by the Prosecutor General)</i></p>

Main Recruitment Procedure	<ul style="list-style-type: none"> - by job advertisement, by job application (e.g. Director of Finances) or by individual application - interview carried out by: <ul style="list-style-type: none"> o a human resources caseworker, o selection board, or o a head prosecutor. - appointment after undergoing and having been selected in a selection procedure: <ul style="list-style-type: none"> o in case of chief prosecution offices and their subordinated prosecution offices, by chief prosecutors o in case of officers of the Office of the Prosecutor General, the Head of the Department for Human Resources, Continuing Training and Administration of the Office of the Prosecutor General, o in case of officers working in special positions, by the Prosecutor General.
Alternative Access Routes	<p>Transfer from one position to another is possible.</p> <p>It is possible to apply for a position not via job advertisement or not via call for application.</p>

Responsibilities, Duties, Tasks

Main responsibilities, duties and tasks:

- Management
- Administrative duties
- Assistance to the judiciary in drafting decisions

Plays an important role in:

- Assistance to prosecutors
- E-justice
- Data protection
- Authentication of (judicial and extra-judicial) documents
- Human resources/personnel issues
- Budgetary issues
- Health and safety, building management/administration

Paralegals and officers as court staff category play an important role in the following:

- civil law, family law and civil procedures
- company law and procedures of company registry courts
- criminal law and criminal procedures, tasks of prosecutorial investigations
- administrative, case management and management duties
- human resources, employment matters, training
- management tasks
- statistical tasks
- codification
- IT matters
- communication and spokespersons' duties
- data protection matters
- economic, financial and procurement matters
- e-justice

Paralegals and officers do not carry out tasks having an EU law dimension **generally**, such tasks are carried out only in some exceptional, special positions (e.g. at the Department for International and European Affairs of the Office of the Prosecutor General, at the International Cooperation and Coordination Division of the Central Chief Prosecution Office of Investigation)

Organisation of the category/profession

Organising Structure

- The Head of the Department for Human Resources, Continuing Training and Administration of the Office of the Prosecutor General
- Place of work in the Prosecution Service as specified by the appointment

Contact Details of any Professional Organisations in Connection with this Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Officers (including paralegals) do not perform tasks that require knowledge of EU law.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	HUNGARY (Office of the Prosecutor General)
Name of Court Staff Category	In English: Secretary/Clerk of the Prosecution Service
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Section 15 (1) of Act CLXIII of 2011 on the Prosecution Service of Hungary - Section 1 (2) e) and Chapter XV of Act CLXIV of 2011 on the Status of the Prosecutor General, Prosecutors and Other Prosecution Employees and the Prosecution Career (hereinafter: 'Prosecutorial Employment and Career Act') - Section 2 (2) of Order 4/2012. (I.6.) issued by the Prosecutor General on Specific Issues Relating to the Status of Prosecution Employees
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Section 122 (2) of the Prosecutorial Employment and Career Act</p> <p>Conditions for secretaries/clerks of the Prosecution Service:</p> <ul style="list-style-type: none"> - at least secondary school leaving qualification - Hungarian citizen or persons entitled to free movement and residence under the Act on the Entry into and Residence in Hungary of Persons Entitled to Free Movement and Residence (hereinafter referred to as 'FMRA') or their family member as defined in FMRA - not placed under guardianship limiting the ability to act or are not being subject to advocated decision-making with prejudice to legal capacity - have Hungarian language skills sufficient for the fulfilment of their job responsibilities. <p><i>(further conditions and exam requirements for certain positions not provided for by law are specified under an Order issued by the Prosecutor General (Section 2/A) of Order 4/2012. (I.6.) issued by the Prosecutor General)</i></p>
Main Recruitment Procedure	<ul style="list-style-type: none"> - by job advertisement, or by individual application - interview carried out by:

	<ul style="list-style-type: none"> ○ a human resources caseworker, ○ selection board, or ○ a head prosecutor. <ul style="list-style-type: none"> - appointment after undergoing and having been selected in a selection procedure: <ul style="list-style-type: none"> ○ in case of chief prosecution offices and their subordinated prosecution offices, by chief prosecutors ○ in case of secretaries/clerks of the Office of the Prosecutor General, the Head of the Department for Human Resources, Continuing Training and Administration of the Office of the Prosecutor General.
Alternative Access Routes	<p>Transfer from one position to another is possible.</p> <p>It is also possible to apply for a position not via a job advertisement.</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>Main responsibilities, duties and tasks:</p> <ul style="list-style-type: none"> - Management - Administrative duties - Assistance to the judiciary in drafting decisions <p>Plays an important role in:</p> <ul style="list-style-type: none"> - Assistance to prosecutors - E-justice - Authentication of (judicial and extra-judicial) documents <p>Employees belonging to the category of secretaries/clerks of the Prosecution Service do not carry out tasks having an EU dimension.</p>	
<i>Organisation of the category/profession</i>	
Organising Structure	Place of work in the Prosecution Service as specified by the appointment
Contact Details of any Professional Organisations in	

Connection with
this Court Staff

*QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING
KNOWLEDGE OF AND TRAINING IN EU LAW*

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Secretary/Clerk does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
<i>Courts</i>		
Physical Worker	including cleaning staff, driver, court usher, receptionist, janitor, cook, waiter.	1,207
<i>Office of the Prosecutor General</i>		
Computer technician	Maintaining and repairing technological equipment (e.g. routers) or peripheral devices.	158
Security guard	He keeps order in the prosecution office's buildings.	11
Heating	It handles central heating in prosecutor office's offices.	6
Garage manager	Garage supervisors plan, organise, direct, coordinate and participate in the day-to-day running of the prosecution office's garages and specialist vehicle maintenance.	4
Auto mechanic	Repair prosecution office's cars and they perform maintenance work on vehicles to keep them road-worthy.	4
Car driver	He is responsible for moving vehicles from one point to another under the direction of the garage manager.	98
Caretaker	He is responsible for the maintenance of the prosecution office's buildings.	15

Archivist	Responsible for custody of the prosecution office's documents.	14
Office administrator	She/he is responsible for describing the documents created during the prosecution office's work.	458
Registrar	She/he keeps the minutes during prosecution interrogations.	43
Maintenance worker	Maintenance workers, also known as repair workers, fix and maintain mechanical equipment, buildings, and machines. Tasks include plumbing work, painting, flooring repair and upkeep, electrical repairs and heating and air conditioning system maintenance in prosecution office's buildings.	52
Courier	It delivers documents between departments and services in the prosecutor office's office buildings.	163
Librarian	He takes care of the prosecutor office's libraries.	4
Responsible for occupational safety	He is responsible for a safe workplace in prosecution office's buildings.	15
Concierge	He is responsible for the public's entrance to the prosecution office's buildings.	20
Press secretary	Responsible for liaising with the press.	Not available
Statistician	She/he compiles prosecution statistics.	13
HR administrator	Performs labour administration related to prosecutors and other workers.	35

Cleaner	She/he keeps the prosecution office's buildings clean.	242
Telephone operator	She/he telephone operator in the prosecutor's office buildings.	21
Fire safety officer	Performs fire protection tasks.	3
Administrators' assistant	Assists the office administrator.	5
Electrician	Performs electrical installation in prosecutor's office buildings.	5
Shorthand typist	She/he describes prosecution documents.	120
Classified information administrator	It handles classified documents in the course of prosecutorial work.	155

IRELAND

1- GENERAL INFORMATION

Answering institution(s)	Committee for Judicial Studies
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁴⁵

In the table below, an overview of the Court staff in Ireland is presented, including their Type and, when applicable, Functions⁴⁶.

Category		Type	Functions	Approximate numbers
Circuit Registrar	Court	Type 1	Functions 1/4	50
Combined Manager	Office	Type 1	Functions 1/4	20
County Registrar		Type 1	Functions 3	20
District Court Clerk		Type 1	Functions 1/4	50
High Court Registrar		Type 1	Functions 1/4	30
Judicial Assistants		Type 1	Functions 1/2	81
Judicial Researcher		Type 1	Functions 2	6
Master of the High Court		Type 1	Functions 3	1
Clerical officer		Type 3	N/A	322
Court usher/crier		Type 3	N/A	43

Additional information:

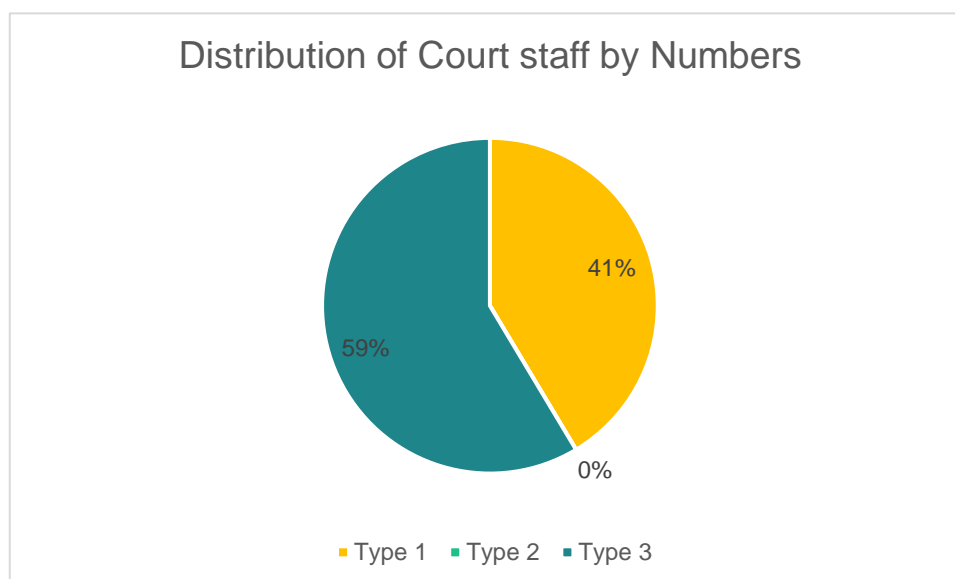
⁴⁵ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁴⁶ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	258	41%
Type 2	0	0%
Type 3	365	59%
TOTAL	623	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Ireland, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	IRELAND
Name of Court Staff Category	In English: Circuit Court Registrar
Statutory/Legal Basis for this Post	Circuit Court Registrars: (Nominated Signatories on Behalf of the Combined Court Office Manager) Court and Court Officers Act 2009
<i>Access to the Court Staff Category</i>	
Main Access Conditions	There are no access conditions to these roles. All of the persons are employed by the Courts Service as public servants, and are of a certain grade. Some of the people employed in these roles will have undertaken law degrees or qualified as barristers or solicitors but this is not obligatory.
Main Recruitment Procedure	Public servants in Ireland are recruited by the Public Appointments Service. Therefore, a person could be appointed directly to these posts as the result of an external competition. Alternatively, Internal promotional competitions within the Courts Service may lead to the person being promoted to the grades above.
Alternative Access Routes	N/A
<i>Responsibilities, Duties, Tasks</i>	
<p>The Registrar's main function is to assist the judge:</p> <ul style="list-style-type: none"> - The Registrar has a list of all the cases before the court for the day. They call out each case in turn so that the parties can identify themselves to the court - When a witness is called in a case, it is the Registrar who hands the witness the Bible and reads out the oath for the witness to repeat - The Registrar keeps the court documents (writs, etc.) for each case and hands them to the judge as each case is called 	

- When the court makes an order, the Registrar keeps a note of the order
- After the day in court, the Registrar drafts the orders that the judge has made that day and keeps a record of those orders
- The Registrar generally deals with the administration necessary for the smooth running of the courts
- The Registrar may also undertake functions in relation to the service of documents regulation and the recognition and enforcement of EU judgments The Registrar will also assist the County Registrar/Judge with the completion of forms and orders in relation to EU civil and commercial matters, as well as the administration of these instruments

Organisation of the category/profession

Organising Structure	Registrars are employees of the Courts Service of Ireland. Information about the structure of the directorates of the Courts Service and the responsibilities and contact details of each directorate is available on the Courts Service website .
Contact Details of any Professional Organisations in Connection with this Court Staff	As above

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Circuit Court Registrar performs tasks which 'require the application of EU law'.

- The Registrar's main function is to assist the judge: The Registrar may also undertake functions in relation to the service of documents regulation and the recognition and enforcement of EU judgments. The Registrar will also assist the County Registrar/Judge with the completion of forms and orders in relation to EU civil and commercial matters, as well as the administration of these instruments.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	IRELAND
Name of Court Staff Category	In English: Combined Office Manager
Statutory/Legal Basis for this Post	Combined Court Office Manager: Court and Court Officers Act 2009
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>There are no access conditions to these roles. All of the persons are employed by the Courts Service as public servants, and are of a certain grade.</p> <p>Some of the people employed in these roles will have undertaken law degrees or qualified as barristers or solicitors but this is not obligatory.</p>
Main Recruitment Procedure	Public servants in Ireland are recruited by the Public Appointments Service. Therefore, a person could be appointed directly to these posts as the result of an external competition. Alternatively, Internal promotional competitions within the Courts Service may lead to the person being promoted to the grades above.
Alternative Access Routes	N/A
<i>Responsibilities, Duties, Tasks</i>	
<p>The combined office manager may on occasion act as a Registrar and carry out duties below.</p> <p>The Registrar's main function is to assist the judge:</p> <ul style="list-style-type: none"> - The Registrar has a list of all the cases before the court for the day. They call out each case in turn so that the parties can identify themselves to the court - When a witness is called in a case, it is the Registrar who hands the witness the Bible and reads out the oath for the witness to repeat - The Registrar keeps the court documents (writs, etc.) for each case and hands them to the judge as each case is called 	

- When the court makes an order, the Registrar keeps a note of the order
- After the day in court, the Registrar drafts the orders that the judge has made that day and keeps a record of those orders
- The Registrar generally deals with the administration necessary for the smooth running of the courts
- The Registrar may also undertake functions in relation to the service of documents regulation and the recognition and enforcement of EU judgments (including maintenance). The Registrar will also assist the County Registrar/Judge with the completion of forms and orders in relation to EU civil and commercial matters, as well as the administration of these instruments

In addition to the tasks specified above for Clerks and Registrars, Combined office managers are also responsible for the overall management of a court office/building, including contract management and expenditure of the office.

In addition to the responsibilities of Clerks and Registrars above this court staff category plays an important role in:

- Management
- Administrative tasks

Organisation of the category/profession

Organising Structure	<p>Combined office managers are staff of the Courts Service of Ireland.</p> <p>Information about the structure of the directorates of the Courts Service and the responsibilities and contact details of each directorate is available on the Courts Service website.</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	As above

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Combined Office Manager performs tasks which 'require the application of EU law'.

- The combined office manager may on occasion act as a Registrar. The Registrar's main function is to assist the judge: The Registrar may also undertake functions in relation to the service of documents regulation and the recognition and enforcement of EU judgments (including [maintenance](#)). The Registrar will also assist the County Registrar/Judge with the completion of forms and orders in relation to EU civil
- In certain cases, for example EU small claims, the [District Court clerk is the decision-maker in uncontested cases](#)

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	IRELAND
Name of Court Staff Category	In English: County Registrar
Statutory/Legal Basis for this Post	County Registrars Part 2 of the Court Officers Act 1926 (as amended), see also section 34 of the Courts and Court Officers Act 1995 , Order
<i>Access to the Court Staff Category</i>	
Main Access Conditions	A county registrar is an official attached to the Irish Circuit Court who carries out a number of quasi-judicial and administrative functions regarding the functioning of the court within the county or counties to which he or she is assigned. No person shall be appointed to be County Registrar unless at the time of their appointment he is a barrister or solicitor of not less than eight years' standing who is then actually practising. Persons are required to have studied EU law prior to their admittance to the Law Society Professional Practice Course or the Barrister at law degree in Kings Inns. However, some people in this role may have qualified prior to the study of EU law becoming a requirement.
Main Recruitment Procedure	County registrars are appointed by the government on the nomination of the Appointments Advisory Board following an open competition.
Alternative Access Routes	N/A
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - County Registrars perform a number of quasi-judicial functions which are conferred on them by statute - for example holding motions courts and case progression hearings, conducting arbitrations under the Landlord and Tenant (Ground Rents) Acts and the taxation of costs. - They are independent in the exercise of these functions and appeals against their decisions are made directly to the circuit court judge. 	

- County Registrars also act as **district probate registrars** in the fourteen district probate registries outside of Dublin (where the probate office is located). The district probate registry provides a facility to search, apply for and obtain grants of probate and letters of administration in relation to the estates of deceased persons.
- The County Registrar is also **the sheriff and responsible for the enforcement of court orders and acts as returning officer for all referenda and elections in every county except Dublin and Cork.**
- [Order 18 of the Circuit Court Rules](#), 2001 provides the various types of orders which the County Registrar may make.
- Pursuant to [Order 23A](#) of the Circuit Court rules, County registrars are the **competent authority for the taking of evidence regulation**, though the Combined Office manager and the court registrars/clerks may process the paperwork on his/her behalf. The County Registrar exercises functions in relation to the European Enforcement Orders pursuant to [Order 18 of the Circuit Court Rules](#).

Organisation of the category/profession

Organising Structure	There is no structure or institution in charge of the organisation of County Registrars. Contact can be made through the Courts Service.
Contact Details of any Professional Organisations in Connection with this Court Staff	There is no structure or institution in charge of the organisation of County Registrars. Contact can be made through the Courts Service.

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – County Registrars performs tasks which ‘require the application of EU law’.

- County Registrars perform a number of quasi-judicial functions which are conferred on them by statute:
 - Pursuant to [Order 23A](#) of the Circuit Court rules, County registrars are the competent authority for the taking of evidence regulation, taking of evidence for EU Courts: S.I. No. 302 of 2013
 - In this Order, unless the context otherwise requires: ‘County Registrar’ means, in accordance with the Regulations—

- (a) the county registrar for the county or county borough in which the witness from whom evidence is to be taken resides, or carries on any profession, trade, business or other occupation;
- (b) in the circumstances specified in regulation 3(3) of the Regulations, such county registrar as may be designated by the Chief Executive of the Courts Service or by such member of staff of the Courts Service as he or she may authorise in that behalf;
- the 'Regulation' means Council Regulation (EC) No 1206/2001 of 28 May 2001 on the cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters;
- The County Registrar exercises functions in relation to the European Enforcement Orders pursuant [to Order 18 of the Circuit Court Rules.](#)

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	IRELAND
Name of Court Staff Category	In English: District Court Clerk
Statutory/Legal Basis for this Post	District Court Clerks: Part 3 of the Court Officers Act 1926 (as amended).
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>There are no access conditions to these roles. All of the persons are employed by the Courts Service as public servants, and are of a certain grade.</p> <p>Some of the people employed in these roles will have undertaken law degrees or qualified as barristers or solicitors but this is not obligatory.</p>
Main Recruitment Procedure	Public servants in Ireland are recruited by the Public Appointments Service. Therefore, a person could be appointed directly to these posts as the result of an external competition. Alternatively, Internal promotional competitions within the Courts Service may lead to the person being promoted to the grades above.
Alternative Access Routes	N/A
<i>Responsibilities, Duties, Tasks</i>	
<p>The Clerks main function is to assist the judge:</p> <ul style="list-style-type: none"> - The Clerk has a list of all the cases before the court for the day. They call out each case in turn so that the parties can identify themselves to the court - When a witness is called in a case, it is the Clerk who hands the witness the Bible and reads out the oath for the witness to repeat - The Clerk keeps the court documents (writs, etc.) for each case and hands them to the judge as each case is called - When the court makes an order, the Clerk keeps a note of the order 	

- After the day in court, the Clerk drafts the orders that the judge has made that day and keeps a record of those orders
- The Clerk generally deals with the administration necessary for the smooth running of the courts
- In certain cases, for example EU small claims, the [District Court clerk is the decision-maker in uncontested cases](#). The clerk may also undertake functions in relation to the [service of documents regulation](#) and the recognition and enforcement of EU judgments (including [maintenance](#)). The clerks will also assist the Judge with the completion of forms and orders in relation to EU civil and commercial matters, as well as the administration of these instruments

Organisation of the category/profession

Organising Structure	Clerks are employees of the Courts Service of Ireland. Information about the structure of the directorates of the Courts Service and the responsibilities and contact details of each directorate is available on the Courts Service website .
Contact Details of any Professional Organisations in Connection with this Court Staff	As above

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – District Court Clerk performs tasks which 'require the application of EU law'.

- The Clerks main function is to assist the judge of the District Court.
- In certain cases, for example EU small claims, the [District Court clerk is the decision-maker in uncontested cases](#). The clerk may also undertake functions in relation to the [service of documents regulation](#) and the recognition and enforcement of EU judgments (including [maintenance](#)). The clerks will also assist the Judge with the completion of forms and orders in relation to EU civil and commercial matters, as well as the administration of these instruments.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	IRELAND
Name of Court Staff Category	In English: High Court Registrar
Statutory/Legal Basis for this Post	High Court Registrars Section 4 of the Court Officers Act 1926 (as amended) & the Eighth Schedule to the Courts (Supplemental Provisions) Act 1961 .
<i>Access to the Court Staff Category</i>	
Main Access Conditions	There are no access conditions to these roles. All of the persons are employed by the Courts Service as public servants, and are of a certain grade.
Main Recruitment Procedure	Public servants in Ireland are recruited by the Public Appointments Service. Therefore, a person could be appointed directly to these posts as the result of an external competition. Alternatively, Internal promotional competitions within the Courts Service may lead to the person being promoted to the grades above.
Alternative Access Routes	N/A
<i>Responsibilities, Duties, Tasks</i>	
<p>The Registrar's main function is to assist the judge:</p> <ul style="list-style-type: none"> - The Registrar has a list of all the cases before the court for the day. They call out each case in turn so that the parties can identify themselves to the court - When a witness is called in a case, it is the Clerk/Registrar who hands the witness the Bible and reads out the oath for the witness to repeat - The Clerk/Registrar keeps the court documents (writs, etc.) for each case and hands them to the judge as each case is called - When the court makes an order, the Registrar keeps a note of the order - After the day in court, the Registrar drafts the orders that the judge has made that day and keeps a record of those orders 	

- The Registrar generally deals with the administration necessary for the smooth running of the courts
- The registrar may also undertake functions in relation to the [service of documents regulation](#) and the recognition and enforcement of EU judgments (including [maintenance](#)). The registrars will also assist the Master/ Judge with the completion of forms and orders in relation to EU civil and commercial matters, as well as the administration of these instruments

Organisation of the category/profession

Organising Structure	<p>Clerks and Registrars are employees of the Courts Service of Ireland.</p> <p>Information about the structure of the directorates of the Courts Service and the responsibilities and contact details of each directorate is available on the Courts Service website.</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	As above

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – High Court Registrar performs tasks which ‘require the application of EU law’.

- The Registrar’s main function is to assist the judge: The registrar may also undertake functions in relation to the [service of documents regulation](#) and the recognition and enforcement of EU judgments (including [maintenance](#)). The registrars will also assist the Master/ Judge with the completion of forms and orders in relation to EU civil and commercial matters, as well as the administration of these instruments.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	IRELAND
Name of Court Staff Category	In English: Judicial Assistants
Statutory/Legal Basis for this Post	<p>The role of the Judicial Assistant is a relatively recent addition to the Superior Courts of Ireland. Following the report of the Special Group on Public Service Numbers and Expenditure Programmes and the subsequent enactment of the Financial Measures in the Public Interest (Amendment) Act 2011, new appointees as Judges of the Supreme Court, Court of Appeal, High Court and Circuit Court are no longer entitled to the services of an individual Usher or Crier. Rather, they are provided with the services of Judicial Researchers and Judicial Assistants (a separate Factsheet and Questionnaire are submitted for Judicial Researchers in the Judicial Research Office (JRO)).</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Candidates must be in possession of the following:</p> <ul style="list-style-type: none"> - Hold at least a 2.1 in a law degree (LLB or BCL) at a minimum of level 8 on the National Framework of Qualifications or a professional law qualification (barrister or solicitor) or have successfully completed the Diploma in Law from The Honourable Society of King’s Inns; - Have a good understanding of the work of the Irish courts system; - Have knowledge of modern online research methods, materials and databases; - Have some experience conducting legal research (this can include academic research or research in the course of court case preparation).
Main Recruitment Procedure	<p>The Courts Service recruits Judicial Assistants under licence from the Commission for Public Service Appointments. All recruitment competitions are organised in compliance with guidelines set down by that body. These can be viewed online at http://www.cpsa.ie.</p> <p>The Courts Service advertises these vacancies with the Public Appointments Service (PAS).</p>

Alternative Access Routes	N/A
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Responsibilities, Duties, Tasks

The majority of JAs are assigned to individual judges. Their primary role is to provide legal research and judicial assistance to the assigned Judge.

Judicial Assistants provide practical court assistance to members of the judiciary, as well as research support and case-specific legal and administrative support. Their main tasks are as follows:

- Attending to the **day-to-day court requirements** of judges:
 - o Collecting post
 - o Collecting papers from the Central Office
 - o Summarising submissions
 - o Liaising with Court Registrars
 - o Accompanying the Judge to Court.
- Undertaking **legal research** tasks for their assigned Judge as well as the Courts Service Legal Research Managers.
 - o Researching and compiling written memoranda (e.g. research of discrete legal issues or areas of law, including the application of EU law where required)
 - o Attending to queries via email and phone when necessary and appropriate (e.g. clarification of legal position, sending cases/legislation/memos, etc., including the application of EU law if necessary).
- Providing **drafting and proofreading** assistance to Superior Court judges for the **preparation of judgments**;
- Contributing to the **compilation, updating and maintaining** Bench Books on specific areas of law and court lists (including the application of EU law where necessary);
- **Contributing to a monthly newsletter** compiled by the Judicial Research Office for distribution to judges in all jurisdictions (including the application of EU law where relevant);
- **Providing research, drafting and proofreading assistance** to judges **in respect of papers/speeches** to be delivered at conferences and seminars (including the application of EU law where appropriate);
- Attending conferences, CPD and Legal Update events on behalf of the Courts Service and ensuring the information is disseminated among colleagues. (Certain events involve consideration/include presentations on the application of EU law).
- - o Specific competences regarding judicial decisions
 - o Procedures

<ul style="list-style-type: none"> ○ Administrative tasks ○ Assistance to the judiciary in drafting decisions 	
<i>Organisation of the category/profession</i>	
Organising Structure	Managers of the Judicial Assistants Website of the Courts Service of Ireland: https://beta.courts.ie/
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judicial Assistants performs tasks which ‘require the application of EU law’.

- Judicial Assistants provide research, drafting and administrative support services to Irish Judges in relation to all areas of Irish law and EU law.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	IRELAND
Name of Court Staff Category	In English: Judicial Researcher
Statutory/Legal Basis for this Post	Following the enactment of the Financial Measures in the Public Interest (Amendment) Act 2011 (see http://www.irishstatutebook.ie/eli/2011/act/39/section/2/enacted/en/html#sec2), new appointees as Judges of the Supreme Court, Court of Appeal, High Court and Circuit Court are no longer entitled to the services of an individual Usher or Crier. Rather, they are provided with the services of Judicial Researchers and Judicial Assistants (a separate Factsheet and Questionnaire are being provided for Judicial Assistants).
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Candidates must be in possession of the following:</p> <ul style="list-style-type: none"> - Hold at least a 2.1 in a law degree (LLB or BCL) at a minimum of level 8 on the National Framework of Qualifications or a professional law qualification (barrister or solicitor) or have successfully completed the Diploma in Law from The Honourable Society of King's Inns; - Have a good understanding of the work of the Irish courts system; - Have knowledge of modern online research methods, materials and databases; - Have some experience conducting legal research (this can include academic research or research in the course of court case preparation); - Modules on EU law are required for law degrees/diplomas.
Main Recruitment Procedure	<p>The Courts Service recruits Judicial Researchers under licence from the Commission for Public Service Appointments. All recruitment competitions are organised in compliance with guidelines set down by that body. These can be viewed online at www.cpsa.ie.</p> <p>The Courts Service advertises these vacancies with the Public Appointments Service.</p>

Alternative Access Routes	N/A
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Administrative tasks - Assistance to the judiciary in drafting decisions - Judicial Researchers provide research, drafting and administrative support services to Irish Judges in relation to all areas of Irish law and EU law. - Assistance to judges and/or public prosecutors 	
Organising Structure	Managers of the Judicial Assistants Website of the Courts Service of Ireland: https://beta.courts.ie/
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judicial Researchers performs tasks which ‘require the application of EU law’.

- Judicial Researchers provide research, drafting and administrative support services to Irish Judges in relation to all areas of Irish law and EU law.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	IRELAND
Name of Court Staff Category	In English: Master of the High Court
Statutory/Legal Basis for this Post	Master of the High Court Part 2 of the Court Officers Act 1926 (as amended) & the Eighth Schedule to the Courts (Supplemental Provisions) Act 1961
<i>Access to the Court Staff Category</i>	
Main Access Conditions	No person shall be appointed to be Master of the High Court unless at the time of their appointment they are a barrister of not less than ten years' standing who is then actually practising. Persons are required to have studied EU law prior to their admittance to the Law Society Professional Practice Course or the Barrister at law degree in Kings Inns.
Main Recruitment Procedure	The Master is appointed by the government following an open competition.
Alternative Access Routes	N/A
<i>Responsibilities, Duties, Tasks</i>	
<p>The Master of the High Court is an official attached to the court with the power to make a range of minor interlocutory orders and give judgment in uncontested matters. The Master in Ireland is not a judge, but rather a 'quasi-judicial office holder'. The functions of the Master are specified in Order 63 of the Rules of the Superior Court</p> <p>Pursuant to Order 63 of the Superior Court Rules, the Master exercises functions in relation to the European Enforcement Orders and the European Order for Payment.</p> <p>The Master is the Central Body for the Service of Documents regulation.</p>	
<i>Organisation of the category/profession</i>	

Organising Structure	There is no structure or institution in charge of the organisation of Masters of the High Court or County Registrars. Contact can be made through the Courts Service.
Contact Details of any Professional Organisations in Connection with this Court Staff	There is no structure or institution in charge of the organisation of Masters of the High Court or County Registrars. Contact can be made through the Courts Service.

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Master of the High Court performs tasks which ‘require the application of EU law’.

- The Master of the High Court is an official attached to the court with the power to make a range of minor interlocutory orders and give judgment in uncontested matters. The Master in Ireland is not a judge, but rather a ‘quasi-judicial office holder’.
- The Master exercises functions in relation to the [European Enforcement Orders](#) and the [European Order for Payment](#).
- The Master is the [Central Body for the Service of Documents regulation](#)

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Court usher/crier	Acts as personal assistant for judge, puts judge on and off the bench, and possibly may drive the judge	43
Clerical officer	Clerical/admin work, either in a court office or a support office (e.g. HR)	322

The cleaning staff, buildings maintenance, etc., are all with external companies and are not employed by the Courts Service.

ITALY

1- GENERAL INFORMATION

Answering institution(s)

Scuola Superiore della Magistratura

2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁴⁷

In the table below, an overview of the Court staff in Italy is presented, including their Type and, when applicable, Functions⁴⁸.

Category	Type	Functions	Approximate numbers
Director	Type 1	Functions 1/4	1,455
Expert Court Registrar	Type 1	Functions 2	3,658
Judicial Officer	Type 1	Functions 1	4,707
Judiciary Assistant	Type 1	Functions 2	10,497
Bailiff	Type 2	Functions 3	613
Linguistic Assistant	Type 2	Functions 1	7
Linguistic Officer	Type 2	Functions 1	27
Technical Officer	Type 2	Functions 1	22
Technical Assistant	Type 2	Functions 1	0
Accountant	Type 3	N/A	210
Accounting Officer	Type 3	N/A	260
Auxiliary Clerk	Type 3	N/A	2,998
IT Assistant	Type 3	N/A	376
IT Expert	Type 3	N/A	148
Judicial Operator	Type 3	N/A	3,513

⁴⁷ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁴⁸ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

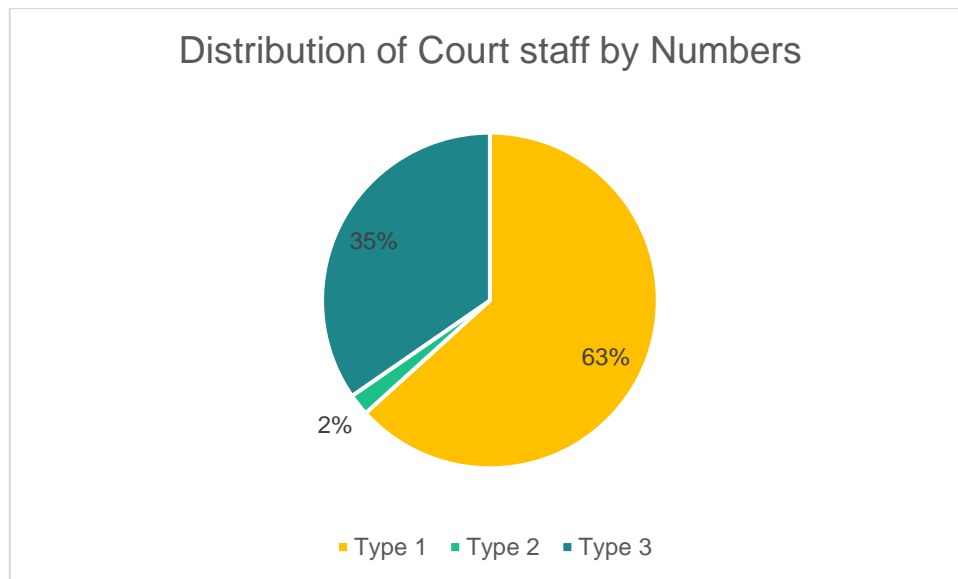
Librarian	Type 3	N/A	20
Officer NEP	Type 3	N/A	1,956
Officer of the Organisation	Type 3	N/A	12
Statistical Officer	Type 3	N/A	61
Driver	Type 3	N/A	1,566

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	20,317	63%
Type 2	669	2%
Type 3	11,120	35%
TOTAL	32,106	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Italy, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Direttore</p> <p>In English: Director</p> <p>This Court Staff category works in first and second instance Courts (including Labour Courts, Juvenile Courts, Courts for surveillance over the enforcement of criminal sentences), in first and second instance Public Prosecutor's Offices and at the Supreme Court</p>
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3</p> <p>Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement</p> <p>Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>Decree of the Ministry of Justice 9 November 2017 - Remodelling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles</p> <p>Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Master's degree or (in old University system) bachelor's degree in law, political science, business and accounting or equivalent by law; - Knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.

Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</p> <p>Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p> <p>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi</p>
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that '<i>Employment in public administration is accessed through competitive examinations, except in the cases established by law</i>'.</p> <p>This statutory provision applies to the above-mentioned Court staff category</p>

Responsibilities, Duties, Tasks

[Decree of the Ministry of Justice 9 November 2017](#) - Remodelling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles

[Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili](#)

Administrative tasks

- Highly specialised activities in **administrative or judicial procedures**, carrying out guidelines and objectives drafted by the office manager;
- **Management and/or coordination of Registry offices of Law Courts;**
- Activities related to **staff training**;
- **Study and research activities;**
- **Development of administration programmes;**
- **Participation, as member or secretary, to collegial bodies, commissions and committees operating within the Administration.**

Duties are performed in:

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Data protection
- Human resources/personnel issues

Organisation of the category/profession

Organising Structure	Ministry of Justice – Department of judicial organisation, personnel and services Directorate-General for Personnel and Training
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW**Instructions**

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Director performs tasks which ‘require the application of EU law’.

- Civil law and procedures (cross-border civil procedures); commercial law and procedures (cross-border commercial procedures); criminal law and procedures

(cross-border criminal procedures); data protection; human resources/personnel issues.

- Human resources, training, logistics; general management; Procedural rights in criminal procedures (such as access to interpretation & translation, access to information, etc.).

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Cancelliere Esperto</p> <p>In English: Expert Court Registrar</p> <p>This Court Staff category works in first and second instance Courts (including Labour Courts, Juvenile Courts, Courts for surveillance over the enforcement of criminal sentences), in first and second instance Public Prosecutor’s Offices and at the Supreme Court.</p>
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3</p> <p>Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement</p> <p>Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>Decree of the Ministry of Justice 9 November 2017 - Remodelling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles</p> <p>Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - High school diploma; - Knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.

Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</p> <p>Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche, art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p> <p>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi</p>
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that '<i>Employment in public administration is accessed through competitive examinations, except in the cases established by law</i>'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>

Responsibilities, Duties, Tasks

[Decree of the Ministry of Justice 9 November 2017](#) - Remodelling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles

[Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili](#)

Administrative tasks

Employees who, following present guidelines and using IT tools provided to the office, carry out **qualified collaboration tasks for the magistrate in the various aspects related to the office's activity**, also assisting the magistrate (if public prosecutor) in the preliminary investigation or (if judge) in the hearing, with **tasks of drafting and signing minutes of the hearing, issuing of certified copies and receiving documents, also by IT tools**.

Duties are performed in:

- Civil law and procedures
 - o Cross-border civil procedures

- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors

Organisation of the category/profession

Organising Structure	Ministry of Justice – Department of judicial organisation, personnel and services Directorate-General for Personnel and Training
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Expert Court Registrar performs tasks which ‘require the application of EU law’.

- Assistance to judges and/or public prosecutors and enforcement of court decisions in civil, commercial or criminal law procedures; access to justice; rights of the victim, rights of the child

- Respond to enquiries from members of the public, solicitors and party litigants on European Payment Order Procedure and Taking of evidence Regulation; Administrative duties - checking and processing all applications lodged at court, i.e. civil and commercial and simplified divorce applications; assistance to judges and public prosecutors in matters related to the application of European Arrest Warrant; cross-border civil and commercial procedures (including family law matters).

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Funzionario Giudiziario</p> <p>In English: Judicial Officer</p> <p>This Court Staff category works in first and second instance Courts (including Labour Courts, Juvenile Courts, Courts for surveillance over the enforcement of criminal sentences), in first and second instance Public Prosecutor's Offices and at the Supreme Court</p>
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3</p> <p>Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement</p> <p>Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>Decree of the Ministry of Justice 9 November 2017 – Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles</p> <p>Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Bachelor's degree, master's degree or bachelor's degree in law (in old University system), business and accounting, political science or other equivalents by law; - Knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.

Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</p> <p>(Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p> <p>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi</p>
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that '<i>Employment in public administration is accessed through competitive examinations, except in the cases established by law</i>'.</p> <p>This statutory provision applies to the above-mentioned Court staff category</p>

Responsibilities, Duties, Tasks

[Decree of the Ministry of Justice 9 November 2017](#) – Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles

[Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili](#)

Administrative tasks

- Specialised content activities, involving **subsidiary management tasks for the realization of guidelines and objectives**, defined by the office manager;
- Qualified collaboration to jurisdiction accomplished by **supervision of the activities attributed by law to the competence of the expert registrar**;
- **management of a section or department within the chancellery offices**;
- **participation in teaching activities** of the Administration in areas of expertise.

Duties are performed in:

- Civil law and procedures

- Cross-border civil procedures
- Commercial law and procedures
 - Cross-border commercial procedures
- Criminal law and procedures
 - Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Authentication of judicial and extra-judicial documents

Organisation of the category/profession

Organising Structure	Ministry of Justice – Department of judicial organisation, personnel and services Directorate-General for Personnel and Training
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judicial Officer performs tasks which ‘require the application of EU law’.

- civil law and procedures (cross-border civil procedures); commercial law and procedures (cross-border commercial procedures); criminal law and procedures (cross-border criminal procedures); service of judicial and extra-judicial documents; enforcement of Court decisions; authentication of judicial and extra-judicial documents.
- communication to a wide range of customers both over the phone and at the public counter. Response to enquiries from members of the public, solicitors and party litigants advising them on court procedure and assisting in the completion of some court documents such as Small Claims (national procedure), European Small Claims Procedures, European Payment Order Procedure and simplified divorce applications; cross-border civil and commercial procedures (including family law matters); human resources, training.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Assistente Giudiziario</p> <p>In English: Judiciary Assistant</p> <p>This Court Staff category works in first and second instance Courts (including Labour Courts, Juvenile Courts, Courts for surveillance over the enforcement of criminal sentences), in first and second instance Public Prosecutor’s Offices and at the Supreme Court</p>
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>Decree of the Ministry of Justice 9 November 2017 – Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles Rimodulazione dei profili professionali del personale non dirigenziale dell’Amministrazione giudiziaria, nonché individuazione di nuovi profili</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - high school diploma; - knowledge of a foreign language; - practical knowledge of the most common office automation equipment and IT applications.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p>

	<p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</p> <p>(Decreto Legislativo 30 marzo 2001, n. 165 – Norme generali sull’ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p> <p>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull’accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi</p>
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that ‘<i>Employment in public administration is accessed through competitive examinations, except in the cases established by law</i>’.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>

Responsibilities, Duties, Tasks

[Decree of the Ministry of Justice 9 November 2017](#) – Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles

[Rimodulazione dei profili professionali del personale non dirigenziale dell’Amministrazione giudiziaria, nonché individuazione di nuovi profili](#)

Administrative tasks

- Collaboration in judicial, accounting, technical or administrative duties;
- updating and conservation of documents and files;
- the main task is **assistance to the magistrate in the preliminary investigation** (to public prosecutors) **or in judicial hearing** (to judges), with the duty of drafting and signing the relevant minutes and reporting witnesses.

Duties are performed in:

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures

- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors

Organisation of the category/profession

Organising Structure	Ministry of Justice – Department of judicial organisation, personnel and services Directorate-General for Personnel and Training
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judiciary Assistant performs tasks which ‘require the application of EU law’.

- Assistance to judges and/or public prosecutors and enforcement of court decisions in civil, commercial or criminal law procedures; access to justice; rights of the victim, rights of the child
- Respond to enquiries from members of the public, solicitors and party litigants on European Payment Order Procedure and Taking of evidence Regulation; Administrative duties - checking and processing all applications lodged at court, i.e.

civil and commercial and simplified divorce applications; assistance to judges and public prosecutors in matters related to the application of European Arrest Warrant.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	In Italian: Ufficiale Giudiziario
	In English: Bailiff
Statutory/Legal Basis for this Post	<p>Decree of the President of the Italian Republic D.P.R. DPR 15 December 1959, n. 1229 (ordinamento degli ufficiali giudiziari e degli aiutanti ufficiali giudiziari)</p> <p><u>National General Collective Agreement</u> Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>Classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - High school diploma; - Knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: <u>Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</u></p> <p>(Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree <u>D.P.R. 9 May 1994, n. 487</u></p> <p>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle</p>

	pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that '<i>Employment in public administration is accessed through competitive examinations, except in the cases established by law</i>'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>A classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p> <p>Specific competences regarding judicial decisions</p> <p>The bailiff has the duty to execute enforceable titles (such as sentences, injunctions/payment orders, promissory notes, eviction validations, transfer decrees, etc.) issued by judges (i.e. payment orders, eviction validations, sentences, decrees) or by private parties (i.e. promissory notes).</p>	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Bailiff performs tasks which ‘might require the application of EU law’.

- enforcement of judicial decisions
- cross-border commercial procedures, in particular enforcement of European Payment Order.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Assistente Linguistico</p> <p>In English: Linguistic Assistant</p>
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3</p> <p>Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement</p> <p>Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - High school diploma in language-oriented institutes; - Written and spoken knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</p> <p>(Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p>

	Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that 'Employment in public administration is accessed through competitive examinations, except in the cases established by law'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010	
Administrative tasks	
<ul style="list-style-type: none"> - Translation of simple texts; - Collaboration with higher professional skills in research and studies on documents and deeds. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Linguistic Assistant performs tasks which 'might require the application of EU law'.

- The translation or conference interpreting service might recommend training in basic topics of EU law in case the service is to be performed by linguistic officers in such topics.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	In Italian: Funzionario Linguistico
	In English: Linguistic Officer
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Bachelor's degree, master's degree or degree (in old University system) in foreign languages or equivalent by law; - Interpreter school diploma in, at least, two languages; - Practical knowledge of the most common office automation equipment and IT applications.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: <u>Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</u></p> <p>(Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p>

	<p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p> <p>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi</p>
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that 'Employment in public administration is accessed through competitive examinations, except in the cases established by law'.</p> <p>This statutory provision applies to the above mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>	
<p>Administrative tasks – management</p> <ul style="list-style-type: none"> - Highly specialised translation or conference interpreting services; - Management of an organic unit established for translation and interpreting service. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Linguistic Officer performs tasks which ‘might require the application of EU law’.

- The translation or conference interpreting service might recommend training in basic topics of EU law in case the service is to be performed by linguistic officers in such topics.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Assistente Tecnico</p> <p>In English: Technical Assistant</p>
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>Decree of the Ministry of Justice 9 November 2017 – Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - High school diploma; - Any professional title required by law for the performance of the assigned tasks; - Knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</p>

	<p>(Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree <u>D.P.R. 9 May 1994, n. 487</u></p> <p><u>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi</u></p>
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the <u>Constitution of the Italian Republic</u> states that '<i>Employment in public administration is accessed through competitive examinations, except in the cases established by law</i>'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>

Responsibilities, Duties, Tasks

Decree of the Ministry of Justice 9 November 2017 - Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles

Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili

Administrative tasks

- Employees carrying out **construction works, maintenance or reparation works** to goods and plants and performing evaluation tests on interventions with the aid of IT equipment;
- Employees **providing support in all activities carried out by higher professionalism technical profiles** (i.e. technical officer).

Duties are performed in:

- Health and safety; building administration;
- Logistics.

Organisation of the category/profession

Organising Structure	Ministry of Justice – Department of judicial organisation, personnel and services Directorate-General for Personnel and Training
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Technical Assistant performs tasks which ‘might require the application of EU law’.

- The task involving ‘support in all activities carried out by higher professionalism technical profiles (i.e. technical officer)’ could hypothetically need training in EU law

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	In Italian: Funzionario Tecnico
	In English: Technical Officer
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>Decree of the Ministry of Justice 9 November 2017 – Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Bachelor's degree, master's degree or bachelor's degree in engineering, architecture or equivalent by law; - Any professional title required by law for the performance of the assigned tasks; - Knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.
Main Recruitment Procedure	The recruitment procedure: takes place at national level

	<p>State public exam: <u>Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</u></p> <p>(Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree <u>D.P.R. 9 May 1994, n. 487</u></p> <p><u>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi</u></p>
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the <u>Constitution of the Italian Republic</u> states that '<i>Employment in public administration is accessed through competitive examinations, except in the cases established by law</i>'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>

Responsibilities, Duties, Tasks

Decree of the Ministry of Justice 9 November 2017 – Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles

(Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili)

Administrative tasks

- **Highly specialised activities within the specific technical field (engineering, architecture)**, in order to achieve the guidelines and objectives defined by the office manager;
- Logistical and technical activities related to **purchase and management of assets**; seeking of the most suitable solutions for the needs of the structures of the Judicial Administration; **participation in the tender commissions for the contracts and testing of the erected works**;
- **Technical drafting of the works to be carried out and direction of the works**;
- **Ordinary and extraordinary maintenance** of the technical and technological real estate assets.

Duties are performed in:

- Health and safety; building administration	
<i>Organisation of the category/profession</i>	
Organising Structure	Ministry of Justice – Department of judicial organisation, personnel and services Directorate-General for Personnel and Training
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Technical Officer performs tasks which ‘might require the application of EU law’.

- participation in tender commissions works, which might involve the drafting of invitation to tenders or public tender offer.
- general management; logistics; tender commission work.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Contabile</p> <p>In English: Accountant</p>
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - High school diploma Technical-Commercial Institute or diplomas equivalent by law; - Knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above-mentioned (Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p>

	Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that 'Employment in public administration is accessed through competitive examinations, except in the cases established by law'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010	
Administrative tasks – Budget – Administrative law and procedures	
<ul style="list-style-type: none"> - Groundwork for calculations, reports and accounting of medium complexity; - Application of accounting rules and collection of accounting data and financial flows. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Accountant does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	In Italian: Funzionario Contabile
	In English: Accounting Officer This Court Staff category works in first and second instance courts (including Labour Courts, Juvenile Courts, Courts for surveillance over the enforcement of criminal sentences), in first and second instance Public Prosecutor's Offices and at the Supreme Court.
Statutory/Legal Basis for this Post	Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018 The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Bachelor's degree, master's degree or bachelor's degree in law, business and accounting, political science or equivalent by law; - Knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: <u>Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</u></p>

	<p>(Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree <u>D.P.R. 9 May 1994, n. 487</u></p> <p><u>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi</u></p>
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the <u>Constitution of the Italian Republic</u> states that '<i>Employment in public administration is accessed through competitive examinations, except in the cases established by law</i>'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
<p><u>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</u></p>	
<p>Administrative tasks – Budget – Administrative law and procedures</p> <ul style="list-style-type: none"> - Highly specialised activities in financial accounting procedures, aimed at realizing guidelines and objectives drafted by the office manager; - Auditing of accounting and economic-financial data; - Cash management, drafting of accounting documents aimed at the purchase of goods or services; - Monitoring the exact application of current legislation on State general accounting and of entrepreneurial criteria of management economics; drafting of budget and financial statements; - Participation in teaching activities of the Administration in areas of expertise. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>

Contact Details of
any Professional
Organisations in
Connection with
this Court Staff

*QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING
KNOWLEDGE OF AND TRAINING IN EU LAW*

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Accounting Officer does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Ausiliario</p> <p>In English: Auxiliary Clerk</p> <p>This Court Staff category works in first and second instance Courts (including Labour Courts, Juvenile Courts, Courts for surveillance over the enforcement of criminal sentences), in first and second instance Public Prosecutor's Offices and at the Supreme Court.</p>
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>Decree of the Ministry of Justice 9 November 2017 – Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Secondary school diploma
Main Recruitment Procedure	Recruitment procedures: provided by law no. 56/1987 and subsequent modifications: practical skill tests.

Alternative Access Routes	None.
<i>Responsibilities, Duties, Tasks</i>	
<p><u>Decree of the Ministry of Justice 9 November 2017</u> - Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles</p> <p>Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili</p>	
<p>Administrative tasks</p> <ul style="list-style-type: none"> - Handling of files, objects, documents, and book material; - Photocopying and collating paper and digital copies; - Collection and delivery of correspondence; - Reception to the public. 	
<i>Organisation of the category/profession</i>	
Organising Structure	Ministry of Justice – Department of judicial organisation, personnel and services Directorate-General for Personnel and Training
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Auxiliary Clerk does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Assistente Informatico</p> <p>In English: IT Assistant</p>
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Computer Science Diploma or equivalent diploma by law; or high school diploma and certificate of computer training course; - Knowledge of a foreign language.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</p> <p>(Decreto Legislativo 30 marzo 2001, n. 165 – Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p> <p>(Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle</p>

	pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi)
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that 'Employment in public administration is accessed through competitive examinations, except in the cases established by law'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p> <p>E-justice (organisation of Information Technology & Communication, videoconferencing)</p> <ul style="list-style-type: none"> - Installation and configuration of systems or software packages according to Administration's safety procedures; - User assistance and problem solving related to the application of the foreseen safety procedures; - Operational management of the systems; - Support to higher professional skills in the IT field. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – IT Assistant does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	In Italian: Funzionario Informatico
	In English: IT Expert
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Bachelor's degree, master's degree or degree in computer science, engineering, physics, mathematics, or other degree with IT specialisation; - Knowledge of a foreign language.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned (Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p>

	Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that 'Employment in public administration is accessed through competitive examinations, except in the cases established by law'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010	
<p>E-justice (organisation of Information Technology & Communication, videoconferencing)</p> <ul style="list-style-type: none"> - High specialised activities in the field of IT procedures, aimed at realizing guidelines and objectives drafted by the office manager; - IT programmes development, revision, optimisation and maintenance; - Coordination and planning of the development and management of IT systems; - Supervision of the correct keeping of IT systems; - Participation in teaching activities of the Administration in areas of expertise. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – IT Expert does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Operatore Giudiziario</p> <p>In English: Judicial Operator</p> <p>This Court Staff category works in first and second instance Courts (including Labour Courts, Juvenile Courts, Courts for surveillance over the enforcement of criminal sentences), in first and second instance Public Prosecutor's Offices and at the Supreme Court.</p>
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>Decree of the Ministry of Justice 9 November 2017 – Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Secondary school diploma
Main Recruitment Procedure	Recruitment procedures: provided by law no. 56/1987 and subsequent modifications: practical skill tests.

Alternative Access Routes	None
<i>Responsibilities, Duties, Tasks</i>	
<p><u>Decree of the Ministry of Justice 9 November 2017</u> – Remodeling of the professional profiles of the non-managerial staff of the Judicial Administration, and establishment of new professional profiles</p> <p><u>Rimodulazione dei profili professionali del personale non dirigenziale dell'Amministrazione giudiziaria, nonché individuazione di nuovi profili</u></p>	
<p>Administrative tasks</p> <ul style="list-style-type: none"> - Surveillance of access to judiciary offices; - Regulation of the flow of the public to whom provide information; - Retrieval, reordering and elementary classification of files, deeds and documents; - Aid to higher professional skills performed by simple office activities requiring the use of IT systems; - Employees in charge of custody and supervision of the administration's assets and facilities; - Employees assigned to a telephone station with the task of forwarding the relevant communications and possibly providing the appropriate information to the public; - Employees assigned to the call of the hearing. 	
<i>Organisation of the category/profession</i>	
Organising Structure	Ministry of Justice – Department of judicial organisation, personnel and services Directorate-General for Personnel and Training
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Judicial Operator does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	In Italian: Funzionario Bibliotecario
	In English: Librarian
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Bachelor's degree, master's degree or degree (in old University system) in literature, sciences for cultural heritage or other equivalent by law; - Knowledge of Latin; - Knowledge of a foreign language.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: <u>Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</u></p> <p>(Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree <u>D.P.R. 9 May 1994, n. 487</u></p>

	Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that 'Employment in public administration is accessed through competitive examinations, except in the cases established by law'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010	
Administrative tasks	
<ul style="list-style-type: none"> - Purchase, selection, conservation and responsibility of the use of Administration's book and documentary heritage, surveillance of its use by users, research and information activities; - Qualified information and scientific advice to institutional users; - Management and promotion of projects between libraries of the Judiciary Legal Network (Polo Giuridico); - Participation in teaching activities of the Administration in areas of expertise. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Librarian does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	<p>In Italian: Funzionario Notificazioni, Esecuzioni e Protesti</p> <p>In English: Officer NEP (notifications and summonses, execution of deeds of judiciary authority and protests office)</p>
Statutory/Legal Basis for this Post	<p>Decree of the President of the Italian Republic D.P.R. DPR 15 December 1959, n. 1229 (ordinamento degli ufficiali giudiziari e degli aiutanti ufficiali giudiziari)</p> <p><u>National General Collective Agreement</u> Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Bachelor's degree, master's degree or bachelor's degree in law (in old University system), business and accounting, political science or other equivalent by law; - Knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.
Main Recruitment Procedure	<p>The recruitment procedure takes place at national level</p> <p>State public exam: <u>Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</u></p> <p>(Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p> <p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree <u>D.P.R. 9 May 1994, n. 487</u></p>

	Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that 'Employment in public administration is accessed through competitive examinations, except in the cases established by law'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
The classification system of non-managerial staff of the Judicial Administration – Annex to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010	
Administrative tasks	
<ul style="list-style-type: none"> - Tasks assigned to the bailiff by law [The bailiff has the duty to execute enforceable titles (such as sentence, injunction/payment order, promissory note, eviction validation, transfer decree, etc.) issued by judges (i.e. payment order, eviction validation, sentences, decrees) or by private parties (i.e. promissory notes)]; - Duty of keeping and administrating the treasury collected by bailiffs of the N.E.P. unit; - Direction of N.E.P. unit. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Officer NEP does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	In Italian: Funzionario dell'organizzazione
	In English: Officer of the Organisation
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Bachelor's degree, master's degree or bachelor's degree in law (in old University system), business and accounting, political science, sociology, statistic and demographic science, labour psychology or other equivalent by law;</p> <p>knowledge of a foreign language;</p> <p>practical knowledge of the most common office automation equipment and IT applications.</p>
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned</p> <p>(Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p>

	<p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p> <p>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi</p>
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that 'Employment in public administration is accessed through competitive examinations, except in the cases established by law'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>	
<p>Administrative tasks – Management</p> <ul style="list-style-type: none"> - Study and development of working methods and resources assigned to organisational structures of the judiciary system, on a national or local basis; - Participation in teaching activities of the Administration in areas of expertise. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Officer of the Organisation does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ITALY
Name of Court Staff Category	In Italian: Funzionario Statistico
	In English: Statistical Officer
Statutory/Legal Basis for this Post	<p>Legislative Decree n. 165 of 30 March 2001, art. 35 par. 1 a) and 3 Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche</p> <p>National General Collective Agreement Contratto collettivo nazionale di Lavoro comparto Funzioni centrali – periodo 2016/2018</p> <p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Bachelor's degree, master's degree or bachelor's degree (in old University system) in statistical sciences, statistical and actuarial sciences or other equivalent by law; - Knowledge of a foreign language; - Practical knowledge of the most common office automation equipment and IT applications.
Main Recruitment Procedure	<p>The recruitment procedure: takes place at national level</p> <p>State public exam: Legislative Decree n. 165 of 30 March 2001 art. 35, par. 1 a) and 3, as above mentioned (Decreto Legislativo 30 marzo 2001, n. 165 - Norme generali sull'ordinamento del lavoro alle dipendenze delle amministrazioni pubbliche) art. 35</p>

	<p>Main rules of the procedure of the State public exam are disciplined by Presidential Decree D.P.R. 9 May 1994, n. 487</p> <p>Decreto del Presidente della Repubblica 9 maggio 1994, n. 487 - Regolamento recante norme sull'accesso agli impieghi nelle pubbliche amministrazioni e le modalità di svolgimento dei concorsi, dei concorsi unici e delle altre forme di assunzione nei pubblici impieghi</p>
Alternative Access Routes	<p>None.</p> <p>Art. 97, par. 3, of the Constitution of the Italian Republic states that '<i>Employment in public administration is accessed through competitive examinations, except in the cases established by law</i>'.</p> <p>This statutory provision applies to the above-mentioned Court staff category.</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>The classification system of non-managerial staff of the Judicial Administration – Annexe to national collective agreement for non-managerial staff of the Ministry of Justice, signed on 29 July 2010</p> <p>Administrative tasks</p> <ul style="list-style-type: none"> - Groundwork and setting of statistical data collection procedures; - Coordination and supervision on data collections; - Analysis of data; - Report of research's results. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>Ministry of Justice –</p> <p>Department of judicial organisation, personnel and services</p> <p>Directorate-General for Personnel and Training</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Statistical Officer does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Driver	Service (driving)	1,566

LATVIA

1- GENERAL INFORMATION

Answering institution(s)	Judicial Training Centre
	Office of the Prosecutor General

2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁴⁹

In the table below, an overview of the Court staff in Latvia is presented, including their Type and, when applicable, Functions⁵⁰.

Category	Type	Functions	Approximate numbers
<i>Courts (1st and 2nd Instance Courts)</i>			
Assistant to a Chief Judge	Type 1	Functions 1/2	30
Court Consultant	Type 1	Functions 1	101
Judicial Assistant	Type 1	Functions 2	558
Court Interpreter	Type 2	Functions 2	79
Court Recorder	Type 2	Functions 1/2/3	400
Court Secretary	Type 2	Functions 1	168
Deputy Head of the Chancellery	Type 2	Functions 1/3/4	40
Head of the Chancellery	Type 2	Functions 1/3	38
Court Administrator	Type 3	N/A	21
Court Archivist	Type 3	N/A	50
<i>Supreme Court</i>			

⁴⁹ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁵⁰ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

Adviser (Secretariat of the Council for the Judiciary)	Type 1	Functions 2	3
Assistant to a Senator (Department of Administrative Cases, Department of Civil Cases, Department of Criminal Cases)	Type 1	Functions 2/3	37
Assistant to the Chair of the Department (Department of Administrative Cases, Department of Civil Cases, Department of Criminal Cases)	Type 1	Functions 2	3
Consultant (Department of Administrative Cases, Department of Civil Cases, Department of Criminal Cases, Division of Case-law and Research)	Type 1	Functions 2/3	4
Legal Research Counsel (Division of Case-law and Research)	Type 1	Functions 2	8
Scientific adviser (Departments of Civil, Criminal or Administrative Cases)	Type 1	Functions 2	3
Head of the Administration (Administration)	Type 3	N/A	1
Legal adviser (Administration)	Type 3	N/A	1
Project Manager (Administration)	Type 3	N/A	1
Archivist (Chancery)	Type 3	N/A	1
Court Secretaries (Chancery)	Type 3	N/A	11
Deputy Head of the Chancery (Chancery)	Type 3	N/A	2
Head of the Chancery of the Supreme Court (Chancery)	Type 3	N/A	1
Senior Specialist of Document Circulation (Chancery)	Type 3	N/A	2

Specialist of Document Circulation (Chancery)	Type 3	N/A	1
Head of the Division ensuring the secrecy regime (Division ensuring the secrecy regime)	Type 3	N/A	1
Senior specialist (Division ensuring the secrecy regime)	Type 3	N/A	1
Consultant on law application issues (Division of Case-law and Research)	Type 3	N/A	3
Head of the Division of Case-law and Research (Division of Case-law and Research)	Type 3	N/A	1
Legal text editor (Division of Case-law and Research)	Type 3	N/A	1
Computer graphic artist (Division of Communication)	Type 3	N/A	1
Head of the Division of Communication (Division of Communication)	Type 3	N/A	1
International cooperation specialist (Division of Communication)	Type 3	N/A	1
Press secretary (Division of Communication)	Type 3	N/A	1
Accountant (Division of Finance)	Type 3	N/A	2
Car driver (Division of Finance)	Type 3	N/A	1
Head of the Division of Finance (Division of Finance)	Type 3	N/A	1
Security guard (Division of Finance)	Type 3	N/A	1
Technical specialist (Division of Finance)	Type 3	N/A	3
Head of the Division of Human Resources	Type 3	N/A	1

(Division of Human Resources)			
Personnel selection and development consultant (Division of Human Resources)	Type 3	N/A	1
Head of the Division of Information Technologies (Division of Information Technologies)	Type 3	N/A	1
Specialist of information technologies (Division of Information Technologies)	Type 3	N/A	1
Consultant (Secretariat of the Council for the Judiciary)	Type 3	N/A	1
Head of the Secretariat of the Council for the Judiciary (Secretariat of the Council for the Judiciary)	Type 3	N/A	1
<i>Office of the Prosecutor General</i>			
Data Protection Officer	Type 1	Functions 1	1
Legal Assistant to a European Prosecutor, Legal Assistants to European Delegated Prosecutors	Type 1	Functions 2/3	5
Project Coordinator	Type 1	Functions 4	1
Project Leader	Type 1	Functions 1/4	1
Administrative Director	Type 3	N/A	1
Adviser to the Prosecutor General	Type 3	N/A	1
Archive Manager	Type 3	N/A	9
Assistant to a Prosecutor	Type 3	N/A	80
Assistant to the Administrative Director	Type 3	N/A	1
Bookbinder	Type 3	N/A	4

Car Driver	Type 3	N/A	41
Chief Archivist	Type 3	N/A	1
Computer System and Computer Network Administrator	Type 3	N/A	1
Computer Systems and Computer Network Security Administrator	Type 3	N/A	1
Customer registrar (receptionist)	Type 3	N/A	2
Deputy Administrative Director Responsible for the Matters Concerning Information Technology	Type 3	N/A	1
Deputy Administrative Director Responsible for the Matters Concerning Maintenance, Material-Technical Support and Transport issues	Type 3	N/A	1
Deputy Administrative Director Responsible for the Matters Concerning Planning, Finance and Personnel Issues	Type 3	N/A	1
Deputy Head of Department - Information Systems Administrator	Type 3	N/A	2
Deputy Head of Department Responsible for Matters Concerning Information Systems and Technology	Type 3	N/A	1
Deputy Head of Department Responsible for Matters Concerning Translation Administration and Document Circulation	Type 3	N/A	1
Deputy Head of Finance	Type 3	N/A	1
Deputy Head of Real Estate Management Department	Type 3	N/A	1
Deputy Head of Road Transport Management Department	Type 3	N/A	1

Deputy Head of Security Maintenance Department - Head of Internal Security Section	Type 3	N/A	1
Electrician	Type 3	N/A	1
Fire Safety and Civil Protection Engineer	Type 3	N/A	1
Head of Department	Type 3	N/A	6
Head of Information Technology Services	Type 3	N/A	1
Head of Internal Audit Department	Type 3	N/A	1
Head of the Secrecy Regime Department	Type 3	N/A	1
Head of Unit	Type 3	N/A	1
Household Maintenance Manager	Type 3	N/A	1
House-manager	Type 3	N/A	2
Information Management Specialist	Type 3	N/A	1
Information System Administrator	Type 3	N/A	1
Information System Maintainer	Type 3	N/A	3
Information Technology Administrator	Type 3	N/A	2
Internal Auditor	Type 3	N/A	1
Jurist-methodologist in Matters of Internal Standards	Type 3	N/A	1
Legal Adviser	Type 3	N/A	2
Manager of the Information Systems Security Policy	Type 3	N/A	1
Operator of Copying Machines	Type 3	N/A	1
Personal Data Protection Specialist	Type 3	N/A	1

Personnel Manager	Type 3	N/A	4
Postal Courier	Type 3	N/A	2
Press Secretary	Type 3	N/A	1
Procurement Specialist	Type 3	N/A	2
Project Coordinator	Type 3	N/A	1
Project Manager	Type 3	N/A	1
Protocol and Event Management Specialist	Type 3	N/A	1
Public Relations Specialist	Type 3	N/A	1
Quality Consultant	Type 3	N/A	1
Records Clerk	Type 3	N/A	28
Records Department Manager	Type 3	N/A	11
Road Transport Coordinator	Type 3	N/A	1
Secretariat Manager	Type 3	N/A	42
Secretary of the Prosecutor General	Type 3	N/A	1
Security Information System Maintainer	Type 3	N/A	1
Senior Accountant	Type 3	N/A	8
Senior Information System Maintainer	Type 3	N/A	1
Senior Labour Protection Specialist	Type 3	N/A	1
Senior Records Department Manager	Type 3	N/A	2
Senior Specialist	Type 3	N/A	1
Storekeeper	Type 3	N/A	1
Supply Manager	Type 3	N/A	1
Technician of Premises Internal Communications Maintenance;	Type 3	N/A	4

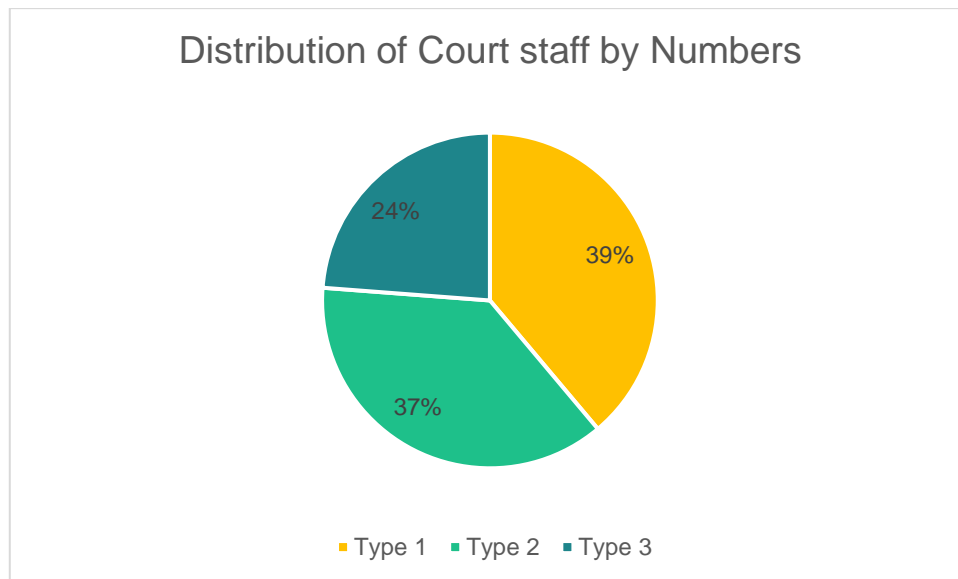
Engineering Networks Technician			
Telecommunications Systems Administrator	Type 3	N/A	1
Translator	Type 3	N/A	45

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	755	39%
Type 2	725	37%
Type 3	462	24%
TOTAL	1,942	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Latvia, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (1 st and 2 nd Instance Courts)
Name of Court Staff Category	In Latvian: Tiesas priekšsēdētāja palīgs
	In English: Assistant to a Chief Judge
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847 - Tiesu darba kārtības noteikumi – iekšējais normatīvais akts Rules of procedure of courts – An internal regulatory enactment (no URL)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: Higher education degree in law</p> <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <p>Vacancies are advertised in public through the Court Administration (open competition).</p> <p>The recruitment procedure is decided by the Head of the court. The recruitment process may vary from court to court.</p>
Alternative Access Routes	Vacancies are advertised among assistants to a judge, selected by Chief Judge.
<i>Responsibilities, Duties, Tasks</i>	
<p>Aim of position: To provide professional assistance to the Chief Judge to ensure the quality of the court's work.</p>	

Tasks:

- In frames of competence to organise and supervise the work of court staff;
- To receive visitors, including on issues related to the organisation of court work;
- To draft replies to complaints, submissions and proposals, including those related to the organisational work of the court and personnel management issues;
- To prepare draft orders at the request of the Chief Judge, list and store orders;
- To register data in the Court Information System within the scope of the competence;
- To organise meetings of court staff, judges, other law enforcement institutions and authorities;
- To take part in organising a competition for vacancies and in selection interviews for court staff;
- On the order of the Chief Judge, to organise training, seminars and discussions;
- To prepare, together with the court archivist and the head of the chancellery, the draft annual nomenclature of court cases;
- To request clarification from the court staff on the basis of an order from the Chief Judge;
- To monitor compliance with service standards in the courts;
- To prepare reports;
- To provide information to the media on pending cases as directed by the Chief Judge;
- To perform duties and tasks related to the record-keeping of court staff.

General responsibilities:

- Procedures
- Management
- Administrative tasks

This court staff category plays an important role in:

- In civil matters:
 - o Civil law and procedures
 - o Cross-border civil procedures
 - o Commercial law and procedures
 - o Cross-border commercial procedures
 - o Service of judicial and extra-judicial documents
 - o Human rights
 - o Access to justice
 - o Rights of the child

- Competition law and procedures
- Assistance to judges and/or public prosecutors
- In criminal matters:
 - Criminal law and procedures
 - Cross-border criminal procedures
 - Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
 - Service of judicial and extra-judicial documents
 - Human rights
 - Access to justice
 - Rights of the victim
 - Rights of the child
 - Assistance to judges and/or public prosecutors
- In administrative matters:
 - Administrative law and procedures
 - Competition law and procedures (only in regional courts)
 - Service of judicial and extra-judicial documents
 - Human rights
 - Access to justice
 - Environmental law and procedures
 - Rights of the child
 - Assistance to judges and/or public prosecutors

In general for all categories:

- Management of courts
 - E-justice (organisation of Information Technology & Communication, videoconferencing)
 - Data protection
 - Court programming/management of court agendas
 - Human Resources/personnel issues
 - Budget
 - Health & safety, building administration

Organisation of the category/profession

Organising
Structure

The Court Administration
<https://ta.gov.lv/LV>

	https://ta.gov.lv/EN/news_1540
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Assistant to a Chief Judge performs tasks which ‘require the application of EU law’.

The chief judge can have several assistants with separated specific tasks. In general, tasks are related to assistance in managing human recourses; communication and representation of the court on behalf of the Chief Judge with visitors, litigants and the media; preparation of draft responses on submissions and complaints related to the performance of judges or court staff. In many courts, assistants perform the tasks of court consultant – compile and analyse court practice and statistics. As assistant to the chief judge, the assistant should have an overview of the range of international procedures related to judicial procedures and international cooperation, human rights, access to justice and service of judicial and extra-judicial documents in a specific field of law.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (1 st and 2 nd Instance Courts)
Name of Court Staff Category	In Latvian: Tiesas konsultants
	In English: Court Consultant There is not such a position in all courts
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847 - Tiesu darba kārtības noteikumi – iekšējais normatīvais akts Rules of procedure of courts - An internal regulatory enactment (No URL)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Higher education in law or social sciences Aspects of EU law: are compulsory
Main Recruitment Procedure	Vacancies are advertised among court staff. If unsuccessful, vacancies are advertised in public through the Court Administration (open competition).
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>A court consultant shall generalise and analyse court practice and statistics, as well as carry out other methodological work.</p>	
<p>The main responsibilities, duties and tasks are related with:</p>	

- Specific competences regarding judicial decisions
- Procedures

Tasks:

- Collect and analyse court practice and statistics of the administrative district court
- Use the Court Information System for performing duties

This court staff category plays an important role in:

- Service of judicial and extra-judicial documents
- Human rights
- Access to justice
- Rights of the child
- Administrative law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)
 - o Data protection

Organisation of the category/profession

Organising Structure	Tiesu administrācija/ The Court Administration https://ta.gov.lv/LV https://ta.gov.lv/EN/news_1540
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Court Consultant performs tasks which ‘require the application of EU law’.

As a Court consultant compiles and analyses court practice and statistics, the tasks are as much about the application of EU law as judges (and assistants to a judge). Therefore, the Court consultant must be able to navigate all these issues, as well as the judge and assistants to judges.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (1 st and 2 nd Instance Courts)
Name of Court Staff Category	In Latvian: Tiesneša palīgs
	In English: Judicial Assistant
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847 - Tiesu darba kārtības noteikumi – iekšējais normatīvais akts Rules of procedure of courts – An internal regulatory enactment (No URL)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: Higher education degree in law</p> <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <p>Vacancies are advertised in public through the Court Administration (open competition).</p> <p>The recruitment procedure is decided by the Head of the court. The recruitment process may vary from court to court.</p> <ul style="list-style-type: none"> - Interview by recruitment panel - Interview by the head of the court - Practical tests (testing practical skills)
Alternative Access Routes	<p>Vacancies are advertised among court staff (mostly – Court Hearing Secretary)</p> <p>The recruitment process is similar to open competition.</p>

Responsibilities, Duties, Tasks

Aim of position: To provide professional assistance to the judge to ensure the quality of the court's work and reasonable time limits for the trial.

Tasks:

- To prepare cases for examination (in the administrative process – also transfer documents if necessary, check if further evidence is needed, call witnesses or take other actions regarding with principle of objective investigation);
- To conduct research and summarise the applicable legal norms and court practice/judicature;
- To prepare introductory parts of judgments;
- To prepare drafts of court rulings, e.g.:
 - o Decisions about acceptance of the application and initiation of a court matter, leaving the application not proceeded with or refusal to accept the application, draft decisions about the invitation of third parties, etc.;
 - o Drafts of provisional regulation and court judgments.
- To draw up drafts of other documents, such as letters, information requests, etc.;
- To register data in the Court Information System and to monitor the correspondence of the entered data to the actual state;
- To draft reports;
- To accept visitors;
- To train and supervise subordinate court hearing secretary;
- To perform the duties of court hearing secretary when necessary;
- To anonymize judgments for inserting in a public access system.

Additional tasks for the assistant to a judge in regional courts:

- To examine received in court appellate complaints or ancillary complaints, prepare drafts about initiating of appellate proceedings, refusal or leaving an appellate complaint without adjudication, etc.;
- To prepare cases for secondary examination in Court of Appellate Instance.

General responsibilities:

- Procedures
- Management
- Administrative tasks
- Assistance to the judiciary in drafting decisions

This court staff category plays an important role in:

- In civil matters:
 - Civil law and procedures
 - Cross-border civil procedures
 - Commercial law and procedures
 - Cross-border commercial procedures
 - Service of judicial and extra-judicial documents
 - Human rights
 - Access to justice
 - Rights of the child
 - Competition law and procedures
 - Assistance to judges and/or public prosecutors
- In criminal matters:
 - Criminal law and procedures
 - Cross-border criminal procedures
 - Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
 - Service of judicial and extra-judicial documents
 - Human rights
 - Access to justice
 - Rights of the victim
 - Rights of the child
 - Assistance to judges and/or public prosecutors
- In administrative matters:
 - Administrative law and procedures
 - Competition law and procedures (only in regional courts)
 - Service of judicial and extra-judicial documents
 - Human rights
 - Access to justice
 - Environmental law and procedures
 - Rights of the child
 - Assistance to judges and/or public prosecutors

Organisation of the category/profession

Organising
Structure

[The Court Administration](#)

Contact Details of any Professional Organisations in Connection with this Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judicial Assistant performs tasks which ‘require the application of EU law’.

Assistant to a judge in administrative matters

In Latvia, various categories of cases requiring the application of EU law are examined in administrative courts, such as those related to public procurement, European Structural funds, asylum, customs and value-added tax, environment, consumer rights protection, citizenship and migration, competition law (the last only in Administrative regional court), etc.

One of the responsibilities of the Assistant to a judge is to provide the necessary rulings and judicature for dealing with cases, so the Assistant to a judge must be well-versed in EU law and CJEU practice in the relevant fields.

One of the main tasks of an Assistant to a Judge is to prepare draft rulings, so the Assistant to a Judge must be able to apply EU law properly. The court may decide to ask the CJEU for the interpretation or validity of a provision of EU law. The Assistant to a Judge must also draft such a document.

Primarily applicable also are the Treaty on European Union and Treaty on the Functioning of the European Union.

Assistant to a Judge must take care of the protection of personal data when preparing cases for examination, receiving visitors and anonymizing court decisions, therefore knowledge of regulations about data protection is needed as well.

Assistant to a judge in civil matters

The main tasks for assistants to judges are related to professional and overall assistance to judges on their duties.

Assistants to judges are the first persons who, upon receipt in court, acquaint and examine the content of the statement of claim or application, to draft decisions of whether or not to commence a civil proceeding. Assistants are widely involved in international cooperation, especially in the context of the EU (Treaty on European Union and Treaty on the Functioning of the European Union). The majority of assistants also prepare drafts of court decisions and judgments at least in an examination of cases of simplified procedure (small claim procedures).

The EU law instruments (regulations) relevant to these tasks:

- Primarily applicable Treaty on European Union and Treaty on the Functioning of the European Union.
- Regulations:
 - Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters;
 - Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations;
 - Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000;
 - Regulation (EU) No 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters;
 - Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure;
 - Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure;
 - Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings;
 - Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims;
 - Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters;
 - Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I);
 - Regulation (EC) No 864/2007 of the European Parliament and of the Council of 11 July 2007 on the law applicable to non-contractual obligations (Rome II);
 - Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000;
 - Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation;
 - Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters;

- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters;
- Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession;
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).
- Directives
 - Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters;
 - Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights;
 - Council Directive 2010/24/EU of 16 March 2010 concerning mutual assistance for the recovery of claims relating to taxes, duties and other measures;
 - Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions;
 - Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation');
 - Directive 2014/104/EU of the European Parliament and of the Council of 26 November 2014 on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union.

Assistant to a judge in criminal matters

The main tasks for assistants to judges in criminal matters are related with professional and overall assistance to judges or investigating judges (Criminal Procedure Law of the Republic of Latvia, Section 40 – 41) on their duties in preparing court rulings, in applying procedural sanctions, deciding on received applications and requests, etc. If necessary, assistants are widely involved in international cooperation in criminal matters, such as circulation of information, mutual recognition of judgments and judicial decisions, etc., especially across the EU (Treaty on European Union and Treaty on the Functioning of the European Union).

Therefore, the assistant to the judge needs almost the same knowledge of EU laws and principles of criminal procedures as the judge. The most common (but not only) EU law instruments relevant to these tasks are:

- Treaty on European Union and Treaty on the Functioning of the European Union;
- Convention on Mutual Assistance in Criminal Matters between the EU countries;

- Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition of judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union;
- Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition of judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions;
- Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings;
- Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States;
- Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters;

- For assistants of investigation judges, also, regulations on the European Arrest Warrant (2002/584/JHA: Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States – Statements made by certain Member States on the adoption of the Framework Decision);
- Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (1 st and 2 nd Instance Courts)
Name of Court Staff Category	In Latvian: tiesas tulks
	In English: Court Interpreter
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847 - Tiesu darba kārtības noteikumi - iekšējais normatīvais akts Rules of procedure of courts - An internal regulatory enactment (No URL)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Desirable higher education in the humanities or social sciences - Practical work experience in Russian-Latvian and Latvian-Russian translation and interpretation <p>Aspects of EU law: not known</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level.</p> <p>Procedure:</p> <ul style="list-style-type: none"> - Interview by recruitment panel - Interview by the head of the court - Practical tests (testing practical skills)
Alternative Access Routes	<p>Transfer routes from other professions: No – There are no alternative routes in Latvia to access the profession except through public competition.</p>

*Responsibilities, Duties, Tasks***The main responsibilities, duties and tasks are related with:**

- Specific competences regarding judicial decisions
- Procedures

Tasks:

- To assist in court hearings and to provide legal high-quality interpretation and translation from Latvian into Russian and from Russian to Latvian;
- To translate court rulings and other documents necessary for court proceedings;
- To ensure interpretation to participants during acquaintance with case materials, in accordance with the laws and regulations
- To provide assistance to colleagues in translations for communication with parties

This court staff category plays an important role in:

- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Procedural rights in criminal procedures
- Human rights
- Access to justice

Organisation of the category/profession

Organising Structure	The Court Administration
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW**Instructions**

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Court Interpreter performs tasks which ‘might require the application of EU law’.

The duties of the Court Interpreter require an understanding of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

Intermediately: Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (1 st and 2 nd Instance Courts)
Name of Court Staff Category	In Latvian: tiesas sēžu sekretārs
	In English: Court Hearing Secretary A Court Recorder – in accordance with official translation in law ‘On Judicial Power’
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847 - Tiesu darba kārtības noteikumi – iekšējais normatīvais akts Rules of procedure of courts - An internal regulatory enactment (No URL)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: Secondary (higher education in law is desirable);</p> <p>Aspects of EU law: preferably, not necessarily</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <p>The recruitment process is set by the head of the court; the recruitment process may vary from court to court.</p> <ul style="list-style-type: none"> - Interview by recruitment panel - Interview by the head of the court - Practical tests (testing practical skills)
Alternative Access Routes	<p>Transfer routes from other professions: No – There are no alternative routes in Latvia to access the profession except through public competition.</p>
<i>Responsibilities, Duties, Tasks</i>	

Aim of position: Ensuring timely and high-quality internal and external circulation of court documents. Recording the course of a court sitting, in accordance with the laws and regulations.

Tasks:

- To participate in the court sitting and record the course of a court sitting. Afterwards to draw up the minutes of a court sitting within the term set by the judge and law;
- To anonymize judgments for placement in a public access system;
- To conduct cases for examination, in accordance with instructions of judge and assistant to a judge;
- To register data in the Court Information System and to monitor the correspondence of the entered data to the actual state, within the competence of the position;
- To summon persons to court, to notify participants of examination of case;
- To ascertain whether summoned persons appeared (arrested or detained persons were escorted) at the court hearing, and, if not, to clarify the reasons and report about the reasons to the judge;
- To verify the personal data of the participants;
- If the case is adjourned, to inform the participants of the next hearing;
- To arrange the case file and all documents received thereafter, in accordance with the document keeping procedures. To fill in the list of documents in the file;
- To formalize the case file after examination and to hand it over to the Chancellery;
- To use restricted access databases for work duties;
- To prepare and send out notifications or other information, in accordance with instructions of judge and assistant to a judge;
- To ensure acquaintance with case materials upon request of participants;
- To ensure videoconferencing;
- To prepare the case for referral to a court of another instance;
- To require escorting to the court arrested or detained persons, communication with the Prisons Administration and prisons (especially court hearing secretary in criminal matters)

General responsibilities:

- Procedures
- Management
- Administrative tasks

This court staff category plays an important role in:

- Civil law and procedures
- Criminal law and procedures

- Administrative law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)
 - o Data protection

Organisation of the category/profession

Organising Structure	The Court Administration
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Court Recorder performs tasks which ‘might require the application of EU law’.

Since duties of Court recorder involves the communication with participants of proceedings and anonymization of court rulings, the duties of the Court recorder require knowledge and application of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

Also, as the Court hearing secretary is responsible for correspondence (for summons, preparation and sending out notifications or other information) EU law instruments could be relevant in the field of correspondence and provision of information, such as:

Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000

Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings.

Mostly the Court Hearing secretary is the first person who communicates with participants of the case. Therefore, the Court Hearing secretary should have a general overview of EU law principles.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (1 st and 2 nd Instance Courts)
Name of Court Staff Category	In Latvian: Tiesas sekretārs
	In English: Court Secretary
Statutory/Legal Basis for this Post	Tiesu darba kārtības noteikumi – iekšējais normatīvais akts Rules of procedure of courts - An internal regulatory enactment (No URL)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Secondary education (at least ongoing studies in law are preferable) - Preferable previous experience in document keeping procedures <p>Aspects of EU law: preferable, not necessarily</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <p>The recruitment process is set by the head of the court; the recruitment process may vary from court to court.</p> <p>Vacancies are publicly advertised in public through the Court Administration (open competition). Selected candidates are interviewed usually by the Head of the court, Deputy Head and Head of Chancellery. In some courts, candidates are also required to pass the Latvian grammar test.</p>
Alternative Access Routes	No, there are no alternative routes in Latvia to access the profession except through public competition.

Responsibilities, Duties, Tasks

Aim of position: To ensure timely and high-quality internal and external circulation of court documents

The main responsibilities, duties and tasks are related with:

- Procedures
- Administrative tasks

Tasks:

- To accept and register visitors' submissions and applications, to provide visitors with the necessary information;
- To represent the court for visitors (take on a role of court's 'face');
- To acquaint persons with the case files stored in the chancellery or archive and to ensure their preservation;
- To prepare information about cases and other current documents;
- To issue the documents and true copies of court rulings;
- To conduct document registration and processing;
- To process restricted access information;
- To use various restricted access databases to perform the duties;
- To enter data into the Court Information Systems and other databases;
- If necessary, to take actions to transfer court ruling for execution after its entry into force;
- To anonymise court rulings, if necessary;
- To prepare drafts of responses, by directions of Head of Chancellery;
- To prepare and send court correspondence;
- To provide video conferencing;
- If necessary, to replace other colleagues from chancellery.

This court staff category plays an important role in:

- Civil law and procedures
- Criminal law and procedures
- Administrative law and procedures
- Service of judicial and extra-judicial documents
- Human rights
- Access to justice
- Management of courts

- E-justice (organisation of Information Technology & Communication, videoconferencing)
- Data protection

Organisation of the category/profession

Organising Structure

The Court Administration

<https://ta.gov.lv/LV>

https://ta.gov.lv/EN/news_1540

Contact Details of any Professional Organisations in Connection with this Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Court Secretary performs tasks which ‘might require the application of EU law’.

The tasks of the court secretary relate to understanding data protection, the international circulation of documents and information, and knowledge related to European enforcement orders, such as:

- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000.
- Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings.
- Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims.
- Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (1 st and 2 nd Instance Courts)
Name of Court Staff Category	In Latvian: Tiesas kancelejas vadītāja vietnieks
	In English: Deputy Head of the Chancellery
Statutory/Legal Basis for this Post	Tiesu darba kārtības noteikumi – iekšējais normatīvais akts Rules of procedure of courts – An internal regulatory enactment (No URL)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Higher education in law or social sciences. - Professional experience in court, other law enforcement institution or in a position relevant to record-keeping procedures. <p>Aspects of EU law: can be, not necessarily</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level The recruitment process is set by the head of the court; the recruitment process may vary from court to court.</p> <ul style="list-style-type: none"> - Interview by recruitment panel - Interview by the head of the court
Alternative Access Routes	Internal recruitment procedure among the court staff
<i>Responsibilities, Duties, Tasks</i>	
<p>Aim of position: Ensure the courts' recordkeeping in accordance with legal regulation.</p>	

Tasks:

- To ensure the work of employees of Chancellery in accordance with orders of Head of Chancellery or Chief Judge;
- To ensure and monitor the service of documents, ensuring the protection of the personal data of individuals;
- To ensure reception of visitors at the court chancellery;
- To ensure recordkeeping;
- To organise files of court litigations and recordkeeping in accordance with the nomenclature of cases;
- To ensure registration and inventory of incoming and outgoing correspondence;
- To ensure and monitor the execution of court rulings;
- To enter data into Court Information System, in accordance with competence of position;
- To check over and gather the files of examined cases;
- To ensure timely referral of cases to a court of another instance;
- To ensure timely transfer of cases to the court archive;
- To certify copies of documents submitted to the court;
- To use restricted access databases for work duties;
- To ensure the timely provision of accurate and updated information in court premises, accessible to visitors;
- To coordinate work of court hearing secretaries and interpreters to ensure the proper progress of a court hearing.

The main responsibilities, duties and tasks are related with:

- Specific competences regarding judicial decisions
- Procedures
- Management
- Administrative tasks

Categories significant for duties:

- Service of judicial and extra-judicial documents
- Civil law and procedures (partly)
- Criminal law and procedures (partly)
- Administrative law and procedures (partly)
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Enforcement of court decisions
- Human rights
- Access to justice

<ul style="list-style-type: none"> - Management of courts <ul style="list-style-type: none"> o E-justice (organisation of Information Technology & Communication, videoconferencing) o Data protection o Court programming/management of court agendas o Human Resources/personnel issues 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>The Court Administration</p> <p>https://ta.gov.lv/LV</p> <p>https://ta.gov.lv/EN/news_1540</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Deputy Head of the Chancellery performs tasks which ‘might require the application of EU law’.

The tasks of the court secretary relate to understanding data protection, the international circulation of documents and information, and knowledge related to European enforcement orders, such as:

- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000.
- Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings.

- Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims.
- Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (1 st and 2 nd Instance Courts)
Name of Court Staff Category	<p>In Latvian: Tiesas kancelejas vadītājs</p> <p>In English: Head of the Chancellery</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847 - Tiesu darba kārtības noteikumi – iekšējais normatīvais akts Rules of procedure of courts - An internal regulatory enactment (No URL)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Higher education in law or social sciences. - At least one year’s professional experience in court, other law enforcement institution or in a position relevant to record-keeping procedures. Experience in management is preferable. <p>Aspects of EU law: can be, not necessarily</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <p>The recruitment process is set by the head of the court; the recruitment process may vary from court to court.</p> <ul style="list-style-type: none"> - Interview by recruitment panel - Interview by the head of the court
Alternative Access Routes	<p>No, there are no alternative routes in Latvia to access the profession except through public competition.</p>

Responsibilities, Duties, Tasks

Aim of position: Ensure the flow of court records in accordance with legal regulation.

Tasks:

- To manage, organise and supervise work of employees of Chancellery;
- To coordinate work of court hearing secretaries and interpreters to ensure the proper progress of a court hearing;
- To organise the reception of visitors at the court chancellery;
- To ensure and monitor the service of documents, ensuring the protection of the personal data of individuals;
- To prepare the draft annual nomenclature of court cases;
- To monitor the recording of incoming and outgoing mail;
- To monitor the volume and quality of data entry and record data in the Court Information System;
- To monitor the recording and enforcement of ancillary court decisions;
- To monitor whether writs of execution are sent and registered in the Court Information System;
- To monitor the timely referral of cases to a court of another instance;
- To monitor the timely transfer of cases to the court archive;
- To certify the copies of documents;
- To use restricted access databases for work duties;
- To coordinate and monitor the timely provision of accurate and updated information in court facilities, accessible to visitors.

The main responsibilities, duties and tasks are related with:

- Specific competences regarding judicial decisions
- Procedures
- Management
- Administrative tasks

Categories significant for duties:

- Service of judicial and extra-judicial documents
- Civil law and procedures (partly)
- Criminal law and procedures (partly)
- Administrative law and procedures (partly)
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Enforcement of court decisions

- Human rights
- Access to justice
- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)
 - o Data protection
 - o Authentication of judicial and extra-judicial documents
 - o Court programming/management of court agendas
 - o Human Resources/personnel issues
 - o Budget

Organisation of the category/profession

Organising Structure	The Court Administration https://ta.gov.lv/LV https://ta.gov.lv/EN/news_1540
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Head of the Chancellery performs tasks which ‘might require the application of EU law’.

The Head of Chancellery manages the work of employees of chancellery, court hearing secretaries and interpreters, is the main supervising person for proper circulation of documents, and also is responsible for transferring for enforcement of court decisions and writs of execution. Therefore, tasks can be relevant with an understanding of data protection, international circulation of documents and information, and knowledge related to European enforcement orders.

- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000.
- Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings.
- Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims.
- Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (1 st and 2 nd Instance Courts)
Name of Court Staff Category	In Latvian: Tiesas administrators
	In English: Court Administrator
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847 - Tiesu darba kārtības noteikumi – iekšējais normatīvais akts Rules of procedure of courts - An internal regulatory enactment (No URL)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Secondary or secondary vocational education. EU law aspect – not required
Main Recruitment Procedure	Vacancies are publicly advertised in public through the Court Administration (open competition).
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>The main responsibilities, duties and tasks are related with:</p> <ul style="list-style-type: none"> - Management - Administrative tasks <p>Tasks:</p> <ul style="list-style-type: none"> - To plan and organise the administrative and economic work of courts; - Organise and monitor the work of manual workers. 	

- To repair equipment defects.
- Regularly inspect the technical condition of courtrooms

Court Administrator plays a role in:

- Management of courts
 - o Health & safety, building administration

Organisation of the category/profession

Organising
Structure

Tiesu administrācija/ The court administration

<https://ta.gov.lv/LV>

https://ta.gov.lv/EN/news_1540

Contact Details of
any Professional
Organisations in
Connection with
this Court Staff

Tiesas darbinieku arodbiedrība

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Court Administrator does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (1 st and 2 nd Instance Courts)
Name of Court Staff Category	In Latvian: Tiesas arhīvistis
	In English: Court Archivist
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Arhīvu likums Archives Law https://likumi.lv/ta/en/en/id/205971 - Tiesu darba kārtības noteikumi – iekšējais normatīvais akts Rules of procedure of courts - An internal regulatory enactment (No URL)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: Secondary or secondary vocational education.</p> <p>EU law aspect: not required</p>
Main Recruitment Procedure	Vacancies are publicly advertised in public through the Court Administration (open competition).
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>The main responsibilities, duties and tasks are related with:</p> <ul style="list-style-type: none"> - Specific competences regarding judicial decisions - Administrative tasks <p>Tasks:</p> <ul style="list-style-type: none"> - Accept and organise files and other documents in the archive. 	

- Organise selection of files and documents for disposal.
- Upon request, issue files and court rulings from the court archive.
- Record files and documents in the Court Information System.
- To prepare, together with the assistant of the Chief Judge and the Head of the Chancellery, the draft annual nomenclature of court cases and to participate in the work of the Committee of Experts on Archives.

This court staff category plays an important role in:

- Management of courts
 - o Data protection

Organisation of the category/profession

Organising Structure	Tiesu administrācija/ The court administration https://ta.gov.lv/LV https://ta.gov.lv/EN/news_1540
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Court Archivist does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Supreme Court)
Name of Court Staff Category	In Latvian: Padomnieks (Tieslietu padomes sekretariāts)
	In English: Adviser (Secretariat of the Council for the Judiciary)
Statutory/Legal Basis for this Post	Latvijas Republikas likums 'Par tiesu varu' Law of the Republic of Latvia 'On Judicial Power' https://likumi.lv/ta/en/en/id/62847
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Master's degree in law; - At least five years' experience in the judiciary or in scientific research on relevant field of law; - Fluent Latvian language skills and good language skills at least on one foreign language (English, German or French); - Excellent computer skills; - Analytical thinking and argumentation skills; - High responsibility, accuracy and initiative; - Good communication and collaboration skills; - Work organisation and planning skills. <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	Through inner or public competition <ul style="list-style-type: none"> - Practical tests (testing theoretical and practical skills); - Interview by recruitment panel.
Alternative Access Routes	No, there are no alternative routes

<i>Responsibilities, Duties, Tasks</i>	
<p>Tasks:</p> <ul style="list-style-type: none"> - to prepare analytical information on issues considered by the Judicial Council - to prepare drafts of decisions of the Judicial Council - to prepare drafts of policy planning documents of the Council of Justice - to carry out scientific research on issues of national, European Union and international law - to carry out scientific research on case-law of international courts and on foreign courts' practice - to prepare the necessary information for the Network of the Presidents of the Supreme Courts of the European Union, the Network of the Judicial Councils of the European Union and other institutions of international cooperation 	
<i>Organisation of the category/profession</i>	
Organising Structure	http://www.at.gov.lv/en/par-augstako-tiesu/struktura
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Adviser (Secretariat of the Council for the Judiciary) performs tasks which 'require the application of EU law'.

- Duties can relate to all instruments of EU law in a specific field of law

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Supreme Court)
Name of Court Staff Category	<p>In Latvian: Augstākās tiesas tiesneša palīgs (Administratīvo lietu departaments), Tiesneša palīgs (Civillietu departaments), Tiesneša palīgs (Krimināllietu departaments)</p> <p>In English: Assistant to a Senator (The Department of Administrative Cases), Assistant to a Senator (The Department of Civil Cases), Assistant to a Senator (The Department of Criminal Cases)</p>
Statutory/Legal Basis for this Post	<p>Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Assistant to a Senator (The Department of Administrative Cases) – Qualifications:</p> <ul style="list-style-type: none"> - Higher education degree in law (preferably Master’s degree); - At least two years’ experience in the position of assistant to a judge or court consultant; - Fluent Latvian language skills and good language skills in at least one foreign language (English, German or French). - Analytical thinking and argumentation skills. <p>Assistant to a Senator (The Department of Civil Cases) – Qualifications:</p> <ul style="list-style-type: none"> - Higher education degree in law (preferably Master’s degree) - Previous experience as an assistant to a judge in Civil matters - Fluent Latvian, good Russian language skills - Excellent computer skills;

	<ul style="list-style-type: none"> - creative approach and analytical skills <p>Assistant to a Senator (The Department of Criminal Cases) – Qualifications:</p> <ul style="list-style-type: none"> - Higher education degree in law (preferably Master's degree); - Fluent Latvian, good Russian language skills; - Excellent computer skills; - creative approach and analytical skills - Good communication and collaboration skills <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Through inner or public competition</p> <ul style="list-style-type: none"> - Practical tests (testing theoretical and practical skills); - Interview by recruitment panel (includes direct Senator and the Chair of the Department).
Alternative Access Routes	No, there are no alternative routes

Responsibilities, Duties, Tasks

Assistant to a Senator (The Department of Administrative Cases)

Tasks: To prepare cases for examination, including:

- to prepare table relationships;
- to compile the applicable legal norms;
- to compile and analyse applicable case-law (judicature), including that of administrative courts, general jurisdiction courts, The Constitutional Court, European Court of Human Rights, Court of Justice of the European Union;
- to provide scientific research for the preparation of cases and the drafting of court rulings, including the compilation and study of legal doctrines and other relevant sources (e.g. historical development of applicable law, the practice of other institutions, etc.);
- to prepare drafts of court rulings;
- to process court rulings after examination of the case;
- to draft court rulings on the admissibility of incoming documents;
- on the order of relevant Senator to conduct correspondence with the participants of the proceedings, state and other institutions, to ensure the examination of the case. To prepare the case after the examination and to hand it over to the

Supreme Court's Chancery. To place court rulings into Court Information System and internal disk of the Department of Administrative Cases;

- to draft replies to submissions, complaints or information requests, in accordance with the orders of the Chair of the Department

Assistant to a Senator (The Department of Civil Cases)

Tasks:

- to follow up to changes in legislation and other laws and regulations, inform Senators thereof;
- to examine complaints and submissions by individuals, in accordance with the directions of Senator or the Chair of the Department;
- to research the specific court cases and documents, and report the results of research to the Senator;
- to prepare drafts of court documents (decisions, letters, etc.);
- to prepare draft references on the professional activities of judges of lower instances;
- to prepare cases for examination in assignment sittings or court hearing sessions.
- to process court rulings after examination the case and to place into the Court Information System
- to prepare draft opinions on draft laws and other legislative acts

Assistant to a Senator (The Department of Criminal Cases)

Tasks:

- to follow up to changes in legislation and other laws and regulations, inform Senators thereof;
- to examine complaints and submissions by individuals, in accordance with the directions of Senator or the Chair of the Department;
- to research the specific court cases and documents, and report the results of research to the Senator;
- to prepare drafts of court documents (decisions, letters, etc.);
- to prepare cases for trial;
- to process court rulings after examination the case and to place into the Court Information System;
- to prepare draft references on the professional activities of judges of lower instances;
- by order of Senator to communicate with other state institutions, e.g. the Prosecution, jails, etc.

<i>Organisation of the category/profession</i>	
Organising Structure	http://www.at.gov.lv/en/par-augstako-tiesu/struktura
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Assistants to a Senator (Department of Administrative Cases), Assistants to a Senator (Department of Civil Cases), and Assistants to a Senator (Department of Criminal Cases) perform tasks which 'require the application of EU law'.

Tasks are similar to tasks of Senators. Assistants to Senators prepare drafts of court rulings and other documents; therefore, they have the same requirements as Senators for the application of all instruments of EU law, related to the category of matters in their departments.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Supreme Court)
Name of Court Staff Category	<p>In Latvian: Departamenta priekšsēdētāja palīgs (Administratīvo lietu departaments), Departamenta priekšsēdētāja palīgs (Civillietu departaments), Departamenta priekšsēdētāja palīgs (Krimināllietu departaments)</p> <p>In English: Assistant to the Chair of the Department (The Department of Administrative Cases), Assistant to the Chair of the Department (The Department of Civil Cases), Assistant to the Chair of the Department (The Department of Criminal Cases)</p>
Statutory/Legal Basis for this Post	<p>Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Assistant to the Chair of the Department (The Department of Administrative Cases) – Qualifications:</p> <ul style="list-style-type: none"> - Higher education degree in law (preferably Master’s degree); - Previous experience in a position of assistant to a senator in the Department of Administrative Cases of the Supreme Court; - Fluent Latvian language skills and good language skills at least on one foreign language (English, German or French); - Excellent computer skills (MS Office, Internet); - Analytical thinking and argumentation skills <p>Assistant to the Chair of the Department (The Department of Civil Cases) – Qualifications:</p> <ul style="list-style-type: none"> - Higher education degree in law (preferably Master’s degree);

	<ul style="list-style-type: none"> - Previous experience as an assistant to a senator in the Department of Civil matters of the Supreme Court; - Fluent Latvian, good Russian language skills. - Excellent computer skills (MS Office, Internet); - creative approach and analytical skills <p>Assistant to the Chair of the Department (The Department of Criminal Cases) – Qualifications:</p> <ul style="list-style-type: none"> - Higher education degree in law (preferably Master’s degree); - Previous experience as an assistant to a senator in the Department of Criminal matters of the Supreme Court; - Fluent Latvian, good Russian language skills. - Excellent computer skills (MS Office, Internet); - Creative approach and analytical skills <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	Through inner competition – interview by the chair of the Department
Alternative Access Routes	No, there are no alternative routes

Responsibilities, Duties, Tasks

Assistant to the Chair of the Department (The Department of Administrative Cases)

Tasks:

- to carry out the scientific research necessary for the performance of the duties of the Chair of the Department;
- to coordinate the work of the department senators, assistants to senators and court consultants on specific organisational matters, under the directions of the Chair of the Department;
- to prepare draft references for the professional activities of judges;
- to prepare cases for examination;
- to draft court rulings.

Assistant to the Chair of the Department (The Department of Civil Cases)**Tasks:**

- enactments, inform the Chair of the Department thereof;
- to examine complaints and submissions by individuals, following instructions from the Chief Justice or the Chair of the Department;
- to research specific court cases and documents, and report the results of research to the Chief Justice or the Chair of the Department;
- to prepare drafts of court documents (decisions, letters, etc.);
- to prepare draft references for the professional activities of judges.

Assistant to the Chair of the Department (The Department of Criminal Cases)**Tasks:**

- to follow up-to-date information on changes in legislation and other regulatory enactments, inform the Chair of the Department thereof;
- to examine and draft replies on complaints and submissions by individuals, as directed by the Chief Justice or the Chair of the Department;
- to draft court rulings on the basis of examination of criminal case files;
- to process court rulings after examination the case and to place into Court Information System;
- to format opinion on draft laws prepared by the Chair of the Department.

Organisation of the category/profession

Organising Structure

<http://www.at.gov.lv/en/par-augstako-tiesu/struktura>

Contact Details of any Professional Organisations in Connection with this Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW**Instructions**

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Assistant to the Chair of the Department (The Department of Administrative Cases), Assistant to the Chair of the Department (The Department of Civil Cases), Assistant

to the Chair of the Department (The Department of Criminal Cases) performs tasks which 'require the application of EU law'.

Assistants to the Chair of the Department have the same requirements as senators for the application of all instruments of EU law, related to the category of matters in their departments.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Supreme Court)
Name of Court Staff Category	<p>In Latvian: Konsultants (Administratīvo lietu departaments), Konsultants (Civillietu departaments), Konsultants (Krimināllietu departaments), Konsultants (Judikatūras un zinātniski analītiskā nodaļa)</p> <p>In English: Consultant (The Department of Administrative Cases), Consultant (The Department of Civil Cases), Consultant (The Department of Criminal Cases), Consultant (Division of Case-law and Research)</p>
Statutory/Legal Basis for this Post	<p>Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Consultant (The Department of Administrative Cases) – Qualifications:</p> <ul style="list-style-type: none"> - Higher education degree in law; - Fluent Latvian language skills and good language skills at least on one foreign language (English, German or French); - Excellent computer skills; - Excellent knowledge of recordkeeping; - Analytical thinking and argumentation skills; - Creative approach; - communication and collaboration skills; - Work organisation and planning skills <p>Consultant (The Department of Civil Cases) – Qualifications:</p> <ul style="list-style-type: none"> - Higher education degree in law; - At least 3 years’ experience in the judiciary;

	<ul style="list-style-type: none"> - Fluent Latvian language skills and good language skills at least on one foreign language; - Good computer skills (MS Office, Internet); - Analytical thinking and argumentation skills; - Creative approach; - Communication and collaboration skills; - Work organisation and planning skills; - Excellent knowledge of recordkeeping <p>Consultant (The Department of Criminal Cases) and Consultant (Division of Case-law and Research) – Qualifications:</p> <ul style="list-style-type: none"> - Higher education degree in law; - Fluent Latvian language skills and good language skills at least on one foreign language; - Analytical thinking and argumentation skills; - Good computer skills (MS Office, Internet); - Creative approach to work; - Communication and collaboration skills; - Work organisation and planning skills; - Excellent knowledge of recordkeeping <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Through inner or public competition</p> <ul style="list-style-type: none"> - Practical tests (testing theoretical and practical skills); - Interview by recruitment panel (includes direct Senator and the Chair of the Department).
Alternative Access Routes	<p>No, there are no alternative routes</p>
<i>Responsibilities, Duties, Tasks</i>	
<p>Consultant (The Department of Administrative Cases)</p> <p>Tasks:</p> <ul style="list-style-type: none"> - to draft replies on submissions, complaints or requests for information; - to prepare statistical reports on the handling of cases in the Department; 	

- to draft decisions on the admissibility of received procedural documents, as well as introductory parts of other court rulings;
- to conduct correspondence with participants in the proceedings, state and other authorities, by order of relevant Senator, to ensure examination of cases. After the examination, to prepare and hand over the case to the Supreme Court's Chancery;
- to perform the duties of assistant to a Senator, if necessary, including:
 - to prepare table relationships;
 - to compile the applicable legal norms;
 - to provide scientific research for the preparation of cases and the drafting of court rulings;
 - to draft court rulings;
 - to process court rulings after the examination of a case

Consultant (The Department of Civil Cases)

Tasks:

- To examine submissions by individuals, under the direction of the Chief Justice or the Chair of the Department;
- Under directions of the Chair of the Department to verify compliance of cassation complaints with the legal regulation;
- To prepare draft references on the professional activities of judges;
- To research specific court cases and documents, and report the research results to the Chief Justice or the Chair of the Department;
- To draft responses to protests and other documents related with consideration of submissions.
- To prepare an opinion on draft laws and regulations

Consultant (The Department of Criminal Cases) and Consultant (Division of Case-law and Research)

Tasks:

- To examine submissions by individuals, under the direction of the Chief Justice or the chairperson of the Department;
- To research specific court cases and documents, and report the research results to the Chief of Justice or the Chair of the Department;
- To draft replies and other documents related to consideration of submissions;
- To require information on issues of persons' exoneration from the Ministry of the Interior or the National Archives of Latvia;
- To cooperate with the Ministry of Justice's Judicial Cooperation Department for obtaining information from the competent authorities of the Russian Ministry of the Interior;
- To perform anonymization of court rulings of the Department of Criminal Cases.

<i>Organisation of the category/profession</i>	
Organising Structure	http://www.at.gov.lv/en/par-augstako-tiesu/struktura
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Consultant (The Department of Administrative Cases), Consultant (The Department of Civil Cases), Consultant (The Department of Criminal Cases), Consultant (Division of Case-law and Research) perform tasks which 'require the application of EU law'.

- Duties can relate to all instruments of EU law in a specific field of law.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Supreme Court)
Name of Court Staff Category	<p>In Latvian: Zinātniski analītiskais padomnieks (Judikatūras un zinātniski analītiskā nodaļa)</p> <p>In English: Legal Research Counsel (Division of Case-law and Research)</p>
Statutory/Legal Basis for this Post	<p>Latvijas Republikas likums ‘Par tiesu varu’ Law of the Republic of Latvia ‘On Judicial Power’ https://likumi.lv/ta/en/en/id/62847</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Master’s degree in law; - At least three years’ experience in the judiciary or in scientific research; - Fluent Latvian language skills and good language skills at least on one foreign language (English, German or French); - Creative approach and analytical skills; - Excellent computer skills; - High responsibility, accuracy and initiative; - Communication and collaboration skills; - Work organisation and planning skills. <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Through inner or public competition</p> <ul style="list-style-type: none"> - Practical tests (testing theoretical and practical skills); - Interview by recruitment panel.

Alternative Access Routes	No, there are no alternative routes
<i>Responsibilities, Duties, Tasks</i>	
<p>Tasks:</p> <ul style="list-style-type: none"> - to carry out scientific research on issues of national, European Union and international law; - to carry out scientific research on the of the jurisprudence of international and foreign courts; - to prepare analytical studies of national court practice based on research of files, analysis of statistical data, court practice and legal literature. To discuss the research results with senators, and to make suggestions for improvement; - to select, process and, in agreement with senators and the Chairperson of the Department, place in the database of case-law the judgments, which have a significance in the development of the case-law; - to systemize the conclusions (theses) contained in the court rulings; - to select significant court rulings for inclusion on the Supreme Court's homepage; - to draft responses on submissions; - to participate in working groups on the development of regulatory enactments and political documents; - to represent the Supreme Court at conferences, where appropriate with lectures (readings). 	
<i>Organisation of the category/profession</i>	
Organising Structure	http://www.at.gov.lv/en/par-augstako-tiesu/struktura
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Legal Research Counsel (Division of Case-law and Research) performs tasks which ‘require the application of EU law’.

- Duties can relate to all instruments of EU law in a specific field of law.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Supreme Court)
Name of Court Staff Category	<p>In Latvian: Zinātniski analītiskais padomnieks (Civillietu, Krimināllietu vai Administratīvo lietu departaments)</p> <p>In English: Scientific adviser (Departments of Civil, Criminal or Administrative Cases)</p>
Statutory/Legal Basis for this Post	<p>Latvijas Republikas likums 'Par tiesu varu' Law of the Republic of Latvia 'On Judicial Power' https://likumi.lv/ta/en/en/id/62847</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Master's degree and completed programme for doctoral/ Doctor degree in law; - At least five years' experience in the judiciary or in scientific research on relevant field of law; - Fluent Latvian language skills and good language skills at least on one foreign language (English, German or French); - Excellent computer skills; - Analytical thinking and argumentation skills; - High responsibility, accuracy and initiative; - communication and collaboration skills; - Work organisation and planning skills. <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Through inner or public competition</p> <ul style="list-style-type: none"> - Practical tests (testing theoretical and practical skills); - Interview by recruitment panel (includes direct judge and chair of the Department).

Alternative Access Routes	No, there are no alternative routes
<i>Responsibilities, Duties, Tasks</i>	
<p>Tasks:</p> <ul style="list-style-type: none"> - to carry out the scientific research for the needs of the Departments of the Supreme Court, including, the analysis of the Departmental case-law and proposals for improving; - to participate in the preparation of court regulations in complex cases; - to participate in the development of regulatory enactments; - to represent the department in working groups, subcommittees of the Saeima and other institutions; - to represent the department at conferences, where appropriate with lectures (readings); - in accordance with the orders of the Chairpersons of the Departments to draft replies on submissions; - to draft opinions of the department on issues raised by the European Court of Human Rights, other international and Latvian institutions. 	
<i>Organisation of the category/profession</i>	
Organising Structure	http://www.at.gov.lv/en/par-augstako-tiesu/struktura
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Scientific adviser (Departments of Civil, Criminal or Administrative Cases) performs tasks which ‘require the application of EU law’.

- The duties can relate to all instruments of EU law in a specific field of law.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Office of the Prosecutor General)
Name of Court Staff Category	<p>In Latvian: Fizisko personu datu aizsardzības speciālists</p> <p>In English: Data Protection Officer</p> <p>http://www.lrp.gov.lv/en/kontakti/personas-datu-aizsardzibas-specialists</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (GDPR); - Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA; - Personal Data Processing Law; - Law on the processing of personal data in criminal and administrative offences.
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>The data protection officer is designated on the basis of their professional qualities and, in particular, expert knowledge of data protection law and practices and the ability to fulfil the tasks referred to in Article 39 of GDPR.</p> <p>In the Prosecution Office of the Republic of Latvia, there is Data protection officer who has a professional master's degree in law, legal qualification + has passed Data State Inspectorate qualification examination, and has experience in the data protection field.</p>
Main Recruitment Procedure	Public competition

Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>The data protection officer has the following tasks:</p> <ul style="list-style-type: none"> - to inform and advise the controller or the processor and the employees who carry out the processing of their obligations pursuant to GDPR and to other Union or Member State data protection provisions; - to monitor compliance with data protection regulation, with other Union or Member State data protection provisions and with the policies of the controller or processor in relation to the protection of personal data, including the assignment of responsibilities, awareness-raising and training of staff involved in processing operations, and the related audits; - to provide advice where requested as regards the data protection impact assessment and monitor its performance; - to cooperate with the Data State Inspectorate; - to act as the contact point for the Data State Inspectorate on issues relating to processing, including the prior consultation referred to in Article 36 of GDPR, and to consult, where appropriate, with regard to any other matter. 	
<i>Organisation of the category/profession</i>	
Organising Structure	Prosecutor General → Administrative Director of the Prosecution Office of the Republic of Latvia → Data Protection Officer
Contact Details of any Professional Organisations in Connection with this Court Staff	Address: Kalpaka bulvāris 6, Rīga, LV-1801 Telephone: (+371) 67044859

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Data Protection Officer performs tasks which 'require the application of EU law'.

- The General Data Protection Regulation (GDPR) (EU) 2016/679
- Convention for the Protection of Human Rights and Fundamental Freedoms

- Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data
- Directive on privacy and electronic communications
- The Data Retention Directive (Directive 2006/24/EC)
- Council framework Decision 2008/977/JHA

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Office of the Prosecutor General)
Name of Court Staff Category	<p>In Latvian: Eiropas prokurora un Eiropas deleģēto prokuroru palīgi</p> <p>In English: Legal Assistant to a European Prosecutor and Legal Assistants to European Delegated Prosecutors (EPPO)</p>
Statutory/Legal Basis for this Post	<p>EU Regulation 2017/1939 of 12 October 2017</p> <p>https://ec.europa.eu/info/law/cross-border-cases/judicial-cooperation/networks-and-bodies-supporting-judicial-cooperation/european-public-prosecutors-office_en#structureandcharacteristicsoftheppo</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>To be considered eligible, candidates must satisfy all the following eligibility criteria by the closing date for submitting applications:</p> <ul style="list-style-type: none"> - Have a level of post-secondary education attested by a diploma, and after having obtained their diploma at least 9 (nine) years of appropriate professional experience 3, or - Have a level of secondary education attested by a diploma giving access to post-secondary education, and after having obtained their diploma at least 12 (twelve) years of appropriate professional experience.
Main Recruitment Procedure	<p>The candidates' applications will first be assessed against the eligibility and selection criteria. The most suitable candidates may be invited for a written test and an interview by a selection committee.</p>
Alternative Access Routes	<p>No, there are no alternative routes</p>

Responsibilities, Duties, Tasks

The Legal Assistant will deal with administrative tasks such as the registration of documents sent by the European Delegated Prosecutors (EDP), inputting information into the 'Case Management System' (CMS), the drafting or translation of documents, the preparation of periodical reports on the status of the investigations assigned to the Chamber, etc.

Under the supervision of the European Prosecutors and/or Administrators, the successful candidates will be responsible, among others, for the following duties:

- Registering documents and cases in the Case Management System; • Preliminary screening of the incoming cases;
- Assisting in analysing information and documents relevant to the case files and assessing whether, on the basis of the information provided, there are grounds to initiate an investigation or to exercise the right of revocation pursuant to Council Regulation (EU) 2017/1939;
- Assisting in drafting reports and other documents relevant to the investigation (such as investigation work plan, summaries, etc.); • Drawing up statistical analyses.

Organisation of the category/profession

Organising Structure

https://ec.europa.eu/info/law/cross-border-cases/judicial-cooperation/networks-and-bodies-supporting-judicial-cooperation/european-public-prosecutors-office_en

Contact Details of any Professional Organisations in Connection with this Court Staff

Acting Prosecutor, Prosecutors' Personnel and Professional Development Division of the Department of Analysis and Management of the Prosecutor General's Office of Latvia
Address: Kalpaka bulvāris 6, Rīga, LV-1801
Telephone: (+371) 67044445

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Legal Assistant to a European Prosecutor performs tasks which 'require the application of EU law'.

- the right to interpretation and translation, as provided for in Directive 2010/64/EU;
- the right to information and access to the case materials, as provided for in Directive 2012/13/EU;

- the right of access to a lawyer and the right to communicate with and have third persons informed in the event of detention, as provided for in Directive 2013/48/EU;
- the right to remain silent and the right to be presumed innocent as provided for in Directive (EU) 2016/343;
- the right to legal aid as provided for in Directive (EU) 2016/1919.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Office of the Prosecutor General)
Name of Court Staff Category	In Latvian: Projektu koordinators
	In English: Project Coordinator
Statutory/Legal Basis for this Post	Prokuratūras likums https://likumi.lv/ta/id/57276-prokuraturas-likums
<i>Access to the Court Staff Category</i>	
Main Access Conditions	The project coordinator is attached to the Prosecution Office of the Republic of Latvia through Public Procurement. The duties, knowledge and education requested for the person differ according to the needs of a specific project that is implemented.
Main Recruitment Procedure	<p>The Personnel Unit publishes on the website information about the recruitment. After CVs are sent in they are Processed in the Personnel Unit and are communicated with the key people involved in the process of selection of a candidate. Afterwards, the following steps are organised:</p> <ul style="list-style-type: none"> - Interview by a head prosecutor - Interview by a specialist in the field that worked in Prosecution Office (e.g. Head of IT department)
Alternative Access Routes	No
<i>Responsibilities, Duties, Tasks</i>	
<p>The project coordinator at the Prosecution Office of Latvia is responsible for organising and preparing projects that aim at training the prosecutors on different relevant subjects. For the Project coordinate to prepare applications for EU funding it is necessary to have good knowledge of EU Law in order to prepare and submit an application for funding.</p>	

<i>Organisation of the category/profession</i>	
Organising Structure	Administrative Director Service http://www.lrp.gov.lv/en
Contact Details of any Professional Organisations in Connection with this Court Staff	Personnel Division of Employees of the Prosecution Office Address: Kalpaka bulvāris 6, Rīga, LV-1801 Email: Personals@lrp.gov.lv Telephone: (+371) 67044514; Fax: (+371) 67044549

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Project Coordinator performs tasks which ‘require the application of EU law’.

Based on every case where the Project is prepared in the European dimension the key people involved in the preparation have to be well informed about the legislative acts in the EU on topics that are at the core of Project proposals.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Office of the Prosecutor General)
Name of Court Staff Category	In Latvian: Projekta vadītājs
	In English: Project Leader
Statutory/Legal Basis for this Post	Prokuratūras likums https://likumi.lv/ta/id/57276-prokuraturas-likums
<i>Access to the Court Staff Category</i>	
Main Access Conditions	The project leader is attached to the Prosecution Office of the Republic of Latvia through Public Procurement. The duties, knowledge and education requested for the person differ according to the needs of a specific project that is implemented.
Main Recruitment Procedure	<p>The Personnel Unit publishes on the website information about the recruitment. After CVs are sent in they are being Processed in Personnel Unit and are communicated with the key people involved in the process of selection of a candidate. Afterwards, the following steps are organised:</p> <ul style="list-style-type: none"> - Interview by a head prosecutor - Interview by the specialist in the field that worked in Prosecution Office (example- Head of IT department)
Alternative Access Routes	No
<i>Responsibilities, Duties, Tasks</i>	
<p>The project leader in the Prosecution Office of the Republic of Latvia is responsible for the implementation of the ERDF funded project to implement the Information system of the Prosecutors.</p> <p>Also in this position, knowledge of EU law is required since the Project aims at the establishment of an electronic civil and criminal case.</p>	

<i>Organisation of the category/profession</i>	
Organising Structure	Administrative Director Service http://www.lrp.gov.lv/en
Contact Details of any Professional Organisations in Connection with this Court Staff	Personnel Division of Employees of the Prosecution Office Address: Kalpaka bulvāris 6, Rīga, LV-1801 Email: Personals@lrp.gov.lv Telephone: (+371) 67044514; Fax: (+371) 67044549

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Project Leader performs tasks which 'require the application of EU law'.

In the near future, it is expected that the Information System of the Prosecution Office of the Republic of Latvia will be connected to the Case Management System (CMS) that is run by EPPO. Therefore it will be necessary to understand better the Process and what sort of information will have to be transferred between these systems.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LATVIA (Office of the Prosecutor General)
Name of Court Staff Category	In Latvian: Prokurora palīgs
	In English: Assistant to a Prosecutor
Statutory/Legal Basis for this Post	Prokuratūras likums https://likumi.lv/ta/id/57276-prokuraturas-likums
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Assistant to a prosecutor may be a person who has started studies at a higher education institution in order to obtain the qualification of a lawyer or has acquired a first level professional higher education in law (level 4 professional qualification) or other higher education (level 5 professional qualification).
Main Recruitment Procedure	<p>The head prosecutor of each prosecutors' office is responsible for the recruitment procedure.</p> <p>An assistant to a prosecutor shall in accordance with the structure determined by the Prosecutor General be hired as well as removed or dismissed from office by the Prosecutor General pursuant to a recommendation from the head of a relevant institution of the Office of the Prosecutor.</p> <ul style="list-style-type: none"> - Interview by a head prosecutor - Practical tests (testing practical skills)
Alternative Access Routes	No, there are no alternative routes in Latvia to access the profession except through public competition
<i>Responsibilities, Duties, Tasks</i>	
An assistant to a prosecutor shall take measures in connection with the preparation of investigation materials or matters for adjudication, as well as perform other tasks assigned by the prosecutor. An assistant to a prosecutor shall not have the powers of a prosecutor.	

<i>Organisation of the category/profession</i>	
Organising Structure	Prosecutor General → Administrative Director of the Prosecution Office of the Republic of Latvia → Assistant to a Prosecutor Administrative Director Service http://www.lrp.gov.lv/en http://www.lrp.gov.lv/media/struktura_09_01_2019.pdf
Contact Details of any Professional Organisations in Connection with this Court Staff	Personnel Division of Employees of the Prosecution Office Address: Kalpaka bulvāris 6, Rīga, LV-1801 Email: Personals@lrp.gov.lv Telephone: (+371) 67044514; Fax: (+371) 67044549

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Assistant to a Prosecutor does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
<i>Supreme Court</i>		
Division of Case-Law and Research		
Head of the Division	To organise the work of the Division in pursuit of its objectives, tasks and functions.	1
Consultant on Law Application Issues	To keep abreast of the latest developments in legal literature, to prepare information on the acquisition of literature and its availability to Senators and staff in their scientific and practical activities.	3
Legal Text Editor	To check the spelling of documents in Latvian.	1
Secretariat of the Council for the Judiciary		
Head of the Secretariat	to organise the work of the Division in pursuit of its objectives, tasks and functions.	1
Consultant	to organise and monitor the circulation of documents of the Council of Justice and of the Secretariat of the Council of Justice in accordance with the requirements of the Instruction on Record-Keeping.	1
Administration		
Head of the Administration	to organise the work of the Division in pursuit of its objectives, tasks and functions.	1
Legal Adviser	to draft and update draft internal laws and regulations of the Supreme Court.	1

Project Manager	to develop projects and project applications, setting goals and alternatives to achieving them.	1
Division of Human Resources		
Head of the Division	to organise the work of the Division in pursuit of its objectives, tasks and functions.	1
Personnel Selection and Development Consultant	to carry out staff resource analysis and planning, organise competitions for vacant positions.	1
Division of Communication		
Head of the Division	to organise the work of the Division in pursuit of its objectives, tasks and functions.	1
International Cooperation Specialist	to organise the Supreme Court's international cooperation with foreign, inter-state courts and legal organisations.	1
Press secretary	to place the prepared announcements on the homepage, news agency PR tapes and elsewhere, according to in-house standards of operation.	1
Computer Graphic Artist	to develop and maintain a uniform corporate design for the Supreme Court in internal and external documents, printed matter, business cards, homepage, etc.	1
Division of Information Technologies		
Head of the Division	to organise the work of the Division in pursuit of its objectives, tasks and functions.	1
Specialist of Information Technologies	to insert new information on the Supreme Court's homepage and intranet, to make necessary changes to the existing information, in agreement with the Head of the Communication Division and the press secretary.	1

Division of Finance		
Head of the Division	to organise the work of the Division in pursuit of its objectives, tasks and functions.	1
Accountant	to perform staff remuneration and other calculations in accordance with law and regulations.	2
Security Guard	to monitor entry into and exit from the Supreme Court, and to provide security for the entrance and the site.	1
Technical Specialist	to carry out the necessary repairs in the premises of the Supreme Court.	3
Car Driver	to provide all transportation for the needs of the court.	1
Chancery of the Supreme Court		
Head of the Chancery of the Supreme Court	to organise the work of the Division in pursuit of its objectives, tasks and functions.	1
Deputy Head of the Chancery	to participate in the management and organisation of the work of the Chancery, to be responsible for timely and qualitative fulfilment of the tasks given by the management of the Supreme Court.	2
Court Secretaries	to format the case after examination in accordance with regulations.	11
Senior Specialist of Document Circulation	to receive and verify documents submitted to the Supreme Court by mail, fax, courier and in person, received by the Supreme Court's official electronic mail, as well as documents prepared for dispatch in accordance with the Supreme Court's internal regulations;	2

Specialist of Document Circulation	to receive and verify documents submitted to the Supreme Court.	1
Archivist	to accumulate, list, preserve permanently and long-term documents.	1
Division Ensuring the Secrecy Regime		
Head of the Division	to organise the work of the Division in pursuit of its objectives, tasks and functions.	1
Senior Specialist	Performs registration and circulation of decisions made by subjects of investigatory operations in accordance with regulatory enactments.	1
<i>Office of the Prosecutor General</i>		
Administrative Director	Plans ahead, manages, coordinates the financial and maintenance activity of the prosecution office; ensures the operation of the institution in accordance with the allocated financial resources; organises and monitors the distribution and use of state budget funds; coordinates drawing up of the requests for budget funds; prepares financial forecasts and overviews; hires and dismisses employees of the administrative service; manages, organises and monitors the work of the employees of the administrative service.	1
Deputy Administrative Director Responsible for the Matters Concerning Planning, Finance and Personnel Issues	Manages the budgeting and budget development process; prepares proposals, financial calculations for the necessary state budget financing; prepares financing plans; prepares estimates for actual and unforeseen expenses; monitors financial accounting, supervision of and control over the execution of budget; draws up the analysis and forecasts of execution budgetary resources.	1
Deputy Administrative Director Responsible for the	Organises events related to the management of real estate which is at the disposal of the institution; plans and supervises the lease and maintenance of the premises, security and	1

Matters Concerning Maintenance, Material-Technical Support and Transport issues	safety thereof; represents the institution in solving issues related to real estate.	
Deputy Administrative Director Responsible for the Matters Concerning Information Technology	Superintends, monitors and manages the activities of the institution in the field of information technology; analyses the workflow of the institution in the field of IT; develops the operational strategy and goals in the field of IT; develops IT security management plans, organises the implementation thereof; plans the development of the IT field in the institution; organises cooperation; represents the institution in the field of IT; coordinates and monitors the work of employees.	1
Manager of the Information Systems Security Policy	Develops and updates IT security regulations, manages and monitors the observance thereof; organises the management of information technology security in the institution; arranges the preparation of information systems for accreditation.	1
Personal Data Protection Specialist	In co-operation with the institution, plans, organises and coordinates the measures – performed by the institution as a controller – concerning the protection of personal data and security thereof in accordance with the requirements of relevant regulatory enactments; informs and advises the controller, processor, employees who are responsible for processing personal data.	1
Legal Adviser	Provides legal services in maintenance and personnel matters; drafts, coordinates contracts; monitors the execution of contracts; provides opinions; prepares documents on legal issues; represents the institution in legal proceedings; advises employees on legal issues.	2
Project Manager	Develops and plans project applications; organises and manages the Project Team; performs project structuring, cost planning, coordination and control; performs project environment analysis; draws up reports; manages project administration and	1

	documentation; performs project risk analysis.	
Assistant to the Administrative Director	Prepares, draws up, registers record-keeping documents; organises the flow of the documents; uses office equipment and the information system of the institution; participates in the organisation of events.	1
Quality Consultant	Performs activities of internal control to detect and prevent systemic and process quality risks; performs independent and objective inspections in the areas of finance, accounting, operational support, record-keeping, procurement, personnel, information systems; provides consultations and recommendations for the improvement of the Administrative Director Service activity; participates in the development of internal regulatory enactments and methodological materials; participates in the inventory process, work of working groups and commissions.	1
Jurist-Methodologist in Matters of Internal Standards	Creates and systematises the internal regulatory enactments necessary for the institution, in accordance with the effective external regulatory enactments.	1
Deputy Head of Finance	Participates in the work organisation of the department; draws up financial documents for the employees of the institution and for other institutions; consults the employees of the institution on financial and accounting issues; provides information and reports to the State Revenue Service.	1
Senior Accountant	Performs salary calculations and payment thereof; performs other accounting services using computer programmes; advises the employees of the institution on financial and accounting issues; draws up accounting and statistical reports.	8
Head of Department	Plans, organises and manages the work of the Department, determines and monitors the fulfilment of employees' duties; manages the daily work of the department; defines the goals and basic directions of the department;	6

	prepares drafts of the internal regulatory enactments.	
Head of Unit	Plans, organises and manages the work of the Unit; determines and monitors the performance of employees' duties, manages daily work.	1
Personnel Manager	Performs the processing of personnel documents; prepares projects for personnel orders; processes and enters personnel data into computer programmes; performs the management and maintenance of employees' personal files, as well as preparation, compilation and updating of information concerning personnel; consults the employees.	4
Senior Labour Protection Specialist	Performs the organisation, planning, inspection of the labour protection system in the institution; performs internal supervision of the work environment, risk assessment and prevention thereof; ensures compliance with regulatory enactments in the field of labour protection.	1
Deputy Head of Department Responsible for Matters Concerning Translation Administration and Document Circulation	Organises, manages and monitors the work of registry managers and records department managers; organises the timely registration and forwarding of correspondence; monitors the drawing-up of cases and materials in accordance with the requirements of the relevant regulatory enactments; organises the work of translators and provision of translation services; is responsible for the development and approval of case nomenclature of the institution; manages issues related to record-keeping and archives.	1
Deputy Head of Department Responsible for Matters Concerning Information Systems and Technology	Participates in the planning and organisation of the department's activities. Manages and supervises the copying / multiplying / scanning of documents in the structural units of the prosecution office, as well as issues related to copying equipment; compiles the reports of structural units and employees and compiles statistics; manages and organises issues related to the secure electronic signatures.	1

Secretary of the Prosecutor General	Ensures the drawing-up and circulation of documents; monitors the compliance with the procedure for the use of equipment and premises; organises the scheduled meetings with employees and visitors; organises the provisioning necessary for discussions and meetings.	1
Senior Records Department Manager	Prepares, draws up, registers, keeps a record of, distributes and sends out documents; prepares cases in accordance with the case nomenclature; prepares document derivatives; ensures the archiving of documents in accordance with the requirements of the relevant regulatory enactments by using the information technologies and office equipment; accepts submissions from the visitors.	2
Records Department Manager		11
Chief Archivist	Organises and manages the work of the institution archives; supervises, monitors and provides consultations to employees; organises the cooperation between the institution and the State Archives; participates in the development of case nomenclature.	1
Archive Manager	Performs the selection, systematisation of documents and files, preparation of files to be archived or written off in accordance with the nomenclature.	9
Translator	Performs written translations from one language to another; translates different kinds of texts in accordance with the requirements given and the peculiarities concerning the use of the text; interprets from one language to another; provides his / her services at the international conferences, events of local organisations with the participation of foreign representatives.	45
Postal Courier	Receives, sorts, registers and prepares correspondence for delivery; delivers all types of postal items to the recipients within a specified time frame.	2
Bookbinder	Performs the arrangement of documents in accordance with the relevant format and the	4

	binding of materials in files, their fastening together, trimming; puts the cases in individual covers and trims the covers.	
Operator of Copying Machines	Copies, digitises documents; plans and coordinates the maintenance of the document reproduction equipment; repairs simple damages of copying equipment.	1
Deputy Head of Department – Information Systems Administrator	Plans, organises and monitors the daily work of the department employees; monitors the fulfilment of IT service agreements, delivery and warranty conditions; organises the performance of computer equipment repair works; participates in the process of planning and implementing improvements to the development of the information system of the institution; develops the internal regulatory enactments of the department; analyses the efficiency of work and provides relevant proposals; co-operates with the providers of external services.	2
Head of Information Technology Services		1
Computer Systems and Computer Network Security Administrator	Maintains and administers computer networks, including hardware, system software, applications, and all types of configurations; makes the necessary changes; improves configuration of systems, networks in accordance with the requirements of hardware or software; diagnoses hardware and software problems; ensures the existence of data copies and data restoration; ensures the protection and security of information; provides technical and advisory support to the users.	1
Information System Administrator	installs, configures, relocates, and upgrades computer equipment (hardware), peripheral devices, and simple local computer networks; diagnoses and corrects errors in all types of computer equipment, performs hardware maintenance, installs, configures and updates operating systems and application software; provides consultations for computer users; cooperates with providers of goods and services.	1
Information Technology Administrator	maintains and administrates computer networks, including hardware, system software, applications, and all types of	2

	configurations; makes changes, upgrades system, network configuration according to hardware or software requirements; diagnoses hardware and software problems; ensures data copies and data renewal; ensures the protection and security of information; provides technical and advisory support to users.	
Senior Information System Maintainer	installs, configures, relocates, and upgrades computer equipment (hardware), peripheral devices, and simple local computer networks; diagnoses and corrects errors in all types of computer equipment, performs hardware maintenance, installs, configures and updates operating systems and application software; provides consultations for computer users; cooperates with providers of goods and services.	1
Information System Maintainer	installs, configures, relocates, and upgrades computer equipment, performs hardware maintenance, installs, configures and updates operating systems and application software; provides consultations for computer users; cooperates with providers of goods and services.	3
Information Management Specialist	provides consultations for computer users, accepts problem applications, deals with departmental databases, provides accounting for external information systems, cooperates with holders of external information systems; ensures the processing and circulation of departmental office documents; performs record-keeping, inventory and storage of material values.	1
Deputy Head of Real Estate Management Department	monitors and coordinates the management and administration of the buildings and leased premises under the management of the institution.	1
Deputy Head of Road Transport Management Department	manages and monitors the work of the car fleet of the institution; ensures technical supervision of the vehicles of the institution, keeps vehicle documentation.	1
Protocol and Event Management Specialist	coordinates and organises socially significant events for the institution staff, participates in the creation of the institution image according to the protocol, ensures the organisation of business trips for prosecutors and employees.	1

Fire Safety and Civil Protection Engineer	supervises the compliance with fire safety and civil protection regulations; elaborates fire safety measures and civil protection plans, supervises and monitors the observance of fire safety and civil protection requirements specified in regulations.	1
Telecommunications Systems Administrator	performs technical works related to telecommunications equipment, its implementation, maintenance, repair.	1
House-Manager	performs the administration and management of the premises of the institution, supervises the operation and maintenance of premises in accordance with the requirements of regulations.	2
Supply Manager	performs acquisition of material values; monitors the progress and execution of procurement.	1
Household Maintenance Manager	performs accountancy of material values; participates in and performs inventories of material values, performs house maintenance works related to the premises of the institution.	1
Technician of Premises Internal Communications Maintenance, Engineering Networks Technician	participates in the technical survey of the premises and maintains operational order in the premises and territories of the Prosecution Office, performs heavy handling work.	4
Electrician	provides services, maintains and monitors technical and electrical systems, equipment and machinery of the institution. Arranges, maintains, repairs electrical cable systems, and is responsible for the operation of electrical systems.	1
Road Transport Coordinator	organises the work of car drivers according to the needs of prosecutors and employees for their duty journeys and business trips.	1

Car Driver	drives a car while providing transportation of passengers or carrying out assignments; keeps the car in technical order.	41
Storekeeper	organises and monitors the receipt and issue of goods; verifies the conformity of the received goods to the basic documents; organises unloading, loading and relocation works; sets up the goods in accordance with the recipient's accompanying delivery note; performs stocktaking of the goods placed in the warehouse.	1
Deputy Head of Security Maintenance Department – Head of Internal Security Section	analyses, plans, coordinates and monitors security and guarding measures in the premises of the institution, elaborates and coordinates the security policy and the security policy of computer network security systems, ensures security and guarding coordination, monitoring and control measures.	1
Security Information System Maintainer	maintains and administrates video surveillance, access control and security system servers; ensures the storage of timestamped (audit) data; ensures the protection and security of security information systems; administrates security system access and recordkeeping for users.	1
Computer System and Computer Network Administrator	supervises and maintains the computers that belong to video surveillance, access control and guarding systems; diagnoses and troubleshoots the computers that belong to security systems.	1
Customer Registrar (Receptionist)	issues the passes and organises the flow of visitors in accordance with the requirements of internal regulations; manages the guarding system; provides oral information to visitors and the employees.	2
Procurement Specialist	participates in the procurement commissions of the institution; participates in the preparation and registration of procurement documentation; provides consultations to the employees of the Prosecution Office.	2

Secretariat Manager	manages, organises and monitors clerical work of the institution; ensures preparation, circulation of documents, registration and forwarding of correspondence; accepts applications (submissions), complaints and other documents from visitors; participates in the preparation of files and documentation of the institution for archiving; monitors the need for and use of material values; keeps records of working hours.	42
Records Clerk	ensures the circulation of documents, carries out preparation, receipt, registration and forwarding, copying and scanning of documents, accepts applications (submissions), complaints and other documents from visitors, performs printing works.	28
Head of Internal Audit Department	manages the work of the department, prepares the strategic plan of the department, prepares the annual audit plan, monitors the execution thereof; performs methodological management of the department; monitors the course of internal audit; provides consultations on internal control matters; provides an auditor of the State Audit Office with the necessary information during the audit of the institution, monitor the implementation of audit recommendations.	1
Internal Auditor	performs risk assessment-based planned internal audits in the institution; prepares audit reports on the improvement of management processes and systems of the administrative service; makes records of audit progress; performs other types of inspections on the instruction of the head of the institution.	1
Press Secretary	promotes cooperation with the mass media, prepares information and responses to the public and the mass media, analyses information in the mass media, promotes and creates the atmosphere of mutual understanding while preserving fidelity, forecasts and prevents conflicts; organises press conferences.	1

Public Relations Specialist	prepares information for the public and the mass media on matters that are within the competence of the Prosecution Office; maintains a home page of an internal and external network of the institution, prepares answers to mass media inquiries, analyses information in the mass media, organises various events; prepares information and documentation regarding the activities of the institution.	1
Head of the Secrecy Regime Department	arranges matters related to special record-keeping, registers and makes records of the received, prepared classified information, ensures its storage, issuance, forwarding and destruction, deals with the documentation related to the special permits issued to the employees; ensures the circulation of special records between institutions.	1
Senior Specialist		1
Project Coordinator	ensures project planning, development and monitoring processes within the institution; plans, coordinates and supervises the implementation of projects, prepares the documents that are necessary for the implementation of projects, coordinates the work of the employees involved in the project, represents the institution.	1
Adviser to the Prosecutor General	performs research of legal or similar documents; analyses case-law, performs scientific research work that is necessary to ensure the operation of the institution, represents the institution in conferences, working groups, participates in the drafting of regulatory enactments, provides legal advice and performs other legal activities.	1

LITHUANIA

1- GENERAL INFORMATION

Answering institution(s)	National Courts Administration
	Office of the Prosecutor General

2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁵¹

In the table below, an overview of the Court staff in Lithuania is presented, including their Type and, when applicable, Functions⁵².

Category	Type	Functions	Approximate numbers
<i>Courts</i>			
Assistant to Judge, Senior Assistant to Judge	Type 1	Functions 2	710
Case-Law Department Director	Type 1	Functions 1/2	1
Head of Legal Research Group/Unit	Type 1	Functions 1/2	1
Legal Assistance Division Manager	Type 1	Functions 1/2	1
Advisers to Court Chairs/Consultant	Type 2	Functions 2/3/4	50
Court Chancellor	Type 2	Functions 1	22
Senior Specialist/Chief Specialist	Type 2	Functions 1/4	80
Employees of Personnel and Administration Department ⁵³	Type 3	N/A	38

⁵¹ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁵² The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

⁵³ Only one court has this type of department (the Supreme Administrative Court of Lithuania).

Employees of Court Office	Type 3	N/A	243
Employees of Court Archive	Type 3	N/A	79
Employees of IT Department	Type 3	N/A	64
Court Psychologists	Type 3	N/A	15
Employees of Financial Department	Type 3	N/A	55
Assistant to the Court Chairperson	Type 3	N/A	14
Assistant worker	Type 3	N/A	1
Carpenter	Type 3	N/A	1
Chief Specialist (Power Engineer)	Type 3	N/A	1
Cleaner	Type 3	N/A	112
Cloakroom receptionist	Type 3	N/A	4
Courier	Type 3	N/A	7
Court Judicial Secretary	Type 3	N/A	651
Driver	Type 3	N/A	23
Electrician	Type 3	N/A	2
Guard	Type 3	N/A	26
Head of Asset Management and Procurement	Type 3	N/A	1
Head of the Maintenance Department	Type 3	N/A	18
Maintenance officer	Type 3	N/A	1
Maintenance officer - driver	Type 3	N/A	40
Plumber	Type 3	N/A	0

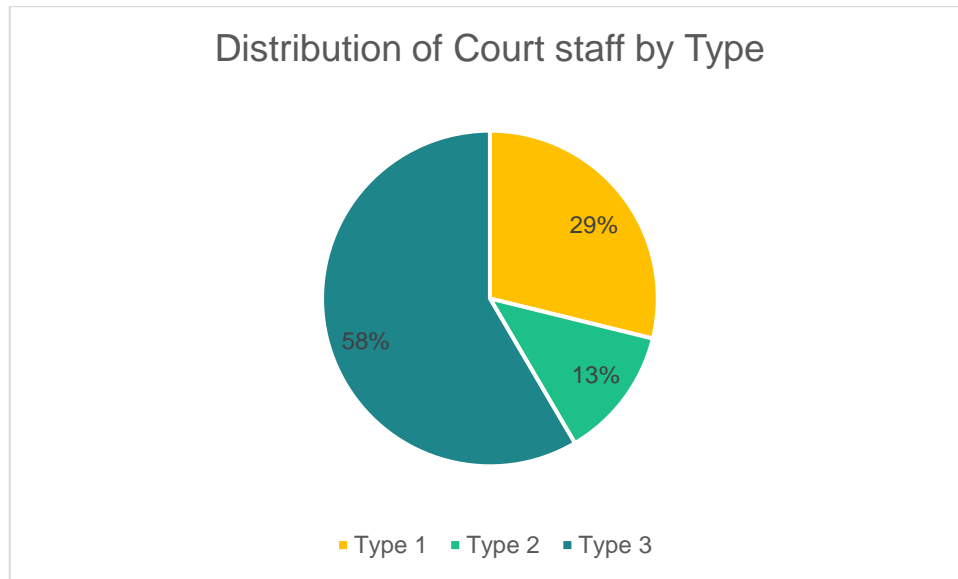
Security Officer	Type 3	N/A	30
Senior Specialist (Logistics)	Type 3	N/A	1
Worker	Type 3	N/A	18
<i>Office of the Public Prosecutor</i>			
Prosecutors Assistants	Type 2	Functions 1/2	162

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	713	29%
Type 2	314	13%
Type 3	1,445	58%
TOTAL	2,472	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Lithuania, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: Teisėjo padėjėjas, Teisėjo vyresnysis padėjėjas</p> <p>In English: Assistant to Judge, Senior Assistant to Judge</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Master's degree in Law.
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consisting of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to accept as a civil servant. <p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court;

	- Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Analyses the material for cases being prepared for trial, assesses and summarises legal issues in cases, provides reasoned conclusions on resolving issues in cases on the interpretation and application of the law, and makes suggestions on the evaluation of the evidence gathered in the case; - Arranges and trains newly hired judicial assistants and organises in-house training in court as needed; - As needed, advises court staff on the application and interpretation of national, European Union and international law, as well as case-law searching and other issues related to the functions performed; - At the direction of the court chairperson, examines complaints, applications or petitions submitted by individuals, makes suggestions on the issues raised therein, and drafts the necessary answers/letters; - Collects laws, other regulatory acts, case-law and other legal information related to legislation, case-law or legal doctrine needed by the judge in a particular case, and analyses, structures, summarises and presents conclusions on it; - Drafts procedural documents; - Oversees internal communication between judicial assistants and coordinates the allocation of work to assistants when they are not assigned to work with a particular judge, as well as the application of organisational measures provided for in court activities; - In accordance with the established procedure, performs the functions assigned to this position in the LITEKO information system; - Participates in the work of inter-institutional standing and temporary commissions and working groups or those formed by the court chairperson or court chancellor and provides necessary information and suggestions; - Performs other non-recurrent assignments of the court chairperson related to court activities in order to achieve the court's strategic goals; - Prepares other court documents; - Provides summaries and conclusions in the legal field of their specialisation. 	
<i>Organisation of the category/profession</i>	
Organising Structure	For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania http://vtd.lrv.lt/en/

	For contractual employees: the relevant court https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652
Contact Details of any Professional Organisations in Connection with this Court Staff	Association of assistants to Judges https://www.teisejupadejejai.lt/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Assistant to Judge, Senior Assistant to Judge performs tasks which ‘require the application of EU law’.

Both assistants to Judge and Senior Assistants to Judge analyse the material for cases being prepared for trial, assess and summarise legal issues in cases, provide reasoned conclusions on resolving issues in cases on the interpretation and application of the law, and make suggestions on the evaluation of the evidence gathered in the case

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: Teismų praktikos skyriaus direktorius/vedėjas, Teisės tyrimų grupės vadovas/vedėjas, Teisės tyrimų skyriaus vedėjas</p> <p>In English: Case-Law Department Director/Manager, Head/Manager of the Legal Research Group, Head of Legal Research Unit</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Master's degree in Law.
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant. <p>For contractual employees:</p>

	<ul style="list-style-type: none"> - Interview with representatives of the court; - Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)

Responsibilities, Duties, Tasks

- Contributes to ensuring uniform application of the case-law in higher instance courts;
- Coordinates legal research and the provision of legal aid in cases;
- Coordinates summarisation of the case-law and the preparation of reviews of the case-law of the Court of Justice of the European Union, the European Court of Human Rights and other sources in related areas of court activities, and ensures that relevant information is announced/made public;
- Ensures proper organisation of the group's work in implementing the tasks and functions set out in the group's regulations;
- Ensures the preparation of draft conclusions on draft legislation submitted to the court for evaluation and the provision of answers to enquiries from other public authorities and petitions, applications and complaints submitted by individuals in the procedure established by law;
- Monitors and analyses the distribution of employee workload and implementation and enforcement of work organisation arrangements, and makes proposals for increasing work efficiency and quality;
- Monitors and evaluates trends in the development of international and European Union law, and provides information about international and European Union legislation of significance to the court's activities;
- Organises preparation, submission for consideration to the departments of the court, and submission for publication of the methodological materials to be published in the court's *Teismų Praktika* bulletin related to the activities of the ordinary courts of the Republic of Lithuania, the judicial authorities of the European Union, international courts or other international institutions;
- Within the field established (assigned) by his or her direct supervisor, prepares regular reviews of significant SACL, CJEU and ECHR case-law (procedural decisions taken), provides his or her direct supervisor with information about relevant issues and innovations with this case-law, and, at the direction of his or her direct supervisor, provides structured drafts of these reviews;
- Organises research in the field of private and criminal law that is necessary for the uniform application and interpretation of the law;
- Organises structuring and monitoring of the court's case-law in renewed administrative offence cases, criminal cases and civil cases, informs the court chairperson and division chairpersons about non-uniform application of the court's case-law in the application of national, European Union or international legislation, makes suggestions for possible solutions to issues at hand, and ensures dissemination of the court's case-law both inside and outside the court.

<i>Organisation of the category/profession</i>	
Organising Structure	<p>For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania</p> <p>http://vtd.lrv.lt/en/</p> <p>For contractual employees: the relevant court</p> <p>https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Case-Law Department Director/Manager, Head/Manager of the Legal Research Group performs tasks which ‘require the application of EU law’.

Both above-mentioned positions are responsible for contributing to ensuring uniform application of the case-law; coordinating legal research and the provision of legal aid in cases; ensuring the preparation of draft conclusions on draft legislation submitted to the court for evaluation and the provision of answers to enquiries from other public authorities and petitions; applications and complaints submitted by individuals in the procedure established by law; Monitoring and evaluating trends in the development of international and European Union law, and providing information about international and European Union legislation of significance to the court’s activities; organising propagating, submitting for consideration to the departments of the court, and submitting for publication of the methodological materials to be published in the court’s Teismų Praktika bulletin related to the activities of the ordinary courts of the Republic of Lithuania, the judicial authorities of the European Union, international courts or other international institutions; organising research in the field of private and criminal law that is necessary for the uniform application and interpretation of the law; organising structuring and monitoring of the court’s case-law in renewed administrative offence cases, criminal cases and civil cases, informs the court chairperson and division chairpersons about non-uniform application of the court’s case-law in the application of national, European Union or international legislation, makes suggestions for possible solutions to issues at hand, and ensures dissemination of the court’s case-law both inside and outside the court; additionally, within the field established (assigned) by their direct supervisor, prepare regular reviews of significant CJEU and ECHR case-law (procedural decisions taken), provide his or her direct supervisor with information

about relevant issues and innovations with this case-law, and, at the direction of their direct supervisor, provide structured drafts of these reviews.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	In Lithuanian: Teisinės pagalbos skyriaus vedėjas
	In English: Legal Assistance Division Manager
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Master's degree in Law.
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant. <p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court; - Possible (if the representatives of the Court deem it necessary) practical/written tests.

Alternative Access Routes	Transfers from other institutions (if a person is a public servant)
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Plans, organises and coordinates the activities of the Legal Assistance Division and allocates tasks to the division's employees; - Contributes to the organisation of themed court events as needed; - Revises draft procedural decisions and conclusions (preliminary analyses) prepared by the division's civil servants and employees for compliance with the case-law of national courts and European Union and international judicial authorities, or, at the direction of the division's director, independently prepares conclusions or draft procedural documents in specific administrative cases. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania http://vtd.lrv.lt/en/</p> <p>For contractual employees: the relevant court https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Legal Assistance Division Manager performs tasks which 'require the application of EU law'.

Revises draft procedural decisions and conclusions (preliminary analyses) prepared by the division's civil servants and employees for compliance with the case-law of national courts and European Union and international judicial authorities, or, at the direction of the division's director, independently prepares conclusions or draft procedural documents in specific administrative cases.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	In Lithuanian: Teismo kacleris
	In English: Court Chancellor
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Master's degree in Social Sciences or other relevant field.
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant. <p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court;

	- Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)

Responsibilities, Duties, Tasks

- Coordinates and monitors the activities of subordinate divisions of the court administration;
- Ensures optimal management and use of financial, material, intellectual and information resources in the implementation of the court's strategic plans;
- Organises and coordinates the preparation and implementation of the court's strategic plans;
- Approves the regulations of the divisions of the court administration as well as the list of positions and position descriptions for civil servants and employees working under employment contracts and receiving salaries from the state budget, in accordance with the position list and description templates approved by the Judicial Council;
- In the procedure established by law, appoints and dismisses civil servants and employees working under employment contracts at the divisions of the court administration, and also motivates them, imposes service or disciplinary penalties, and allocates allowances;
- Coordinates record-keeping of working and rest time for civil servants and employees working under employment contracts and helps secure their social and other guarantees;
- Ensures information, financial and technical support for the court and coordinates the implementation of public procurement procedures;
- Oversees the court's internal procedures and proper working conditions during court hearings, deliberations and other court events;
- Monitors the use of state budget appropriations allocated to the court and fulfilment of the court's property obligations;
- Ensures the provision of information on the use of state budget funds allocated to the court, financial management, and the court's needs for state budget appropriations to the responsible authorities;
- Participates in the activities of working groups and commissions according to his or her competence;
- According to his or her competence, organises examination of applications, complaints and proposals and takes measures to address the issues raised therein;
- In Courts of higher instance takes timely action to implement and enforce the necessary legislation relevant to the functioning of the Court;
- Ensures that the court chairperson is provided with the information necessary to make court administrative decisions.

<i>Organisation of the category/profession</i>	
Organising Structure	<p>For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania http://vtd.lrv.lt/en/</p> <p>For contractual employees: the relevant court https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Court Chancellor performs tasks which ‘might require the application of EU law’.

- Court Chancellor participates in the activities of working groups and commissions according to his or her competence;
- In Courts of higher instance, the Chancellor takes timely action to implement and enforce the necessary legislation relevant to the functioning of the Court;

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: Vyresnysis specialistias (Kanclerio tarnyboje), Vyriausiasis specialistas (Kanclerio tarnyboje)</p> <p>In English: Senior Specialist (in the Chancellor’s Office), Chief Specialist (In the Chancellor’s Office)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Bachelor’s degree in Social Sciences or other relevant field.
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant. <p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court;

	- Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)

Responsibilities, Duties, Tasks

- Helps organise the activities of the divisions of the court administration;
- Together with the divisions of the court administration, performs analysis of the functions of the divisions of the court administration and court positions and, according to his or her competence, makes proposals for improving the service or work organisation;
- Assists in the formation of the staff and organises the hiring and dismissal of staff members;
- Drafts lists of staff positions, advises the heads of the divisions of the court administration on preparing position descriptions, and makes proposals for changing position descriptions;
- Assists the chairpersons of commissions formed in the court related to personnel management in organising the work of these commissions;
- Manages the Register of Civil Servants and works with personnel management software;
- Participates in misconduct, work discipline violation, and other investigations of a similar nature;
- Develops a staff incentive and motivation system and participates in its implementation;
- Organises performance appraisals for the court's civil servants;
- Organises the granting of leave for staff and coordinates record-keeping of working and rest time;
- Prepares the leave schedule for judges, civil servants and employees working under employment contracts;
- Drafts employment contracts, staff selection documents, leave documents, business trip documents and other staff-related documents;
- Puts together and manages the personal files of civil servants and employees working under employment contracts;
- Familiarises new employees with the documents which regulate court procedure, their position descriptions and changes in the position descriptions;
- Participates in the work of the Public Procurement Commission and other standing and temporary commissions formed by the court chairperson or court chancellor;
- According to his or her competence, organises and carries out public procurement procedures, prepares and manages public procurement planning, organisation and other related documents, and participates in the preparation of public procurement technical specifications and reports;

- In the procedure established by law, provides information on public procurement and ensures the provision of data to the Central Public Procurement Information System;
- According to his or her competence, drafts contracts to be concluded by the court as well as draft amendments and terminations of these contracts;
- According to his or her competence, monitors performance of the contracts entered into by the court;
- According to his or her competence, drafts legislation, letters and other documents related to the activities of the court administration;
- Performs other non-recurrent assignments of the court chairperson or court chancellor related to court activities in order to achieve the court's strategic goals.

Organisation of the category/profession

Organising Structure	<p>For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania</p> <p>http://vtd.lrv.lt/en/</p> <p>For contractual employees: the relevant court</p> <p>https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Senior Specialist (in the Chancellor's Office), Chief Specialist (In the Chancellor's Office) perform tasks which 'might require the application of EU law'.

Both Senior and Chief Specialists in Chancellor's Office participate in the work of the Public Procurement Commission and other standing and temporary commissions formed by the court chairperson or court chancellor. According to their competence, organise and carry out public procurement procedures, prepare and manage public procurement planning, organisation and other related documents, and participate in the preparation of public procurement technical specifications and reports. In the procedure established by law, provide information on public procurement and ensure the provision of data to the Central Public Procurement Information System. Additionally, according to their competence, draft legislation, letters and other documents related to the activities of the court administration.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: Teismo pirmininko padėjėjas (ryšiams su žiniasklaida ir visuomene)</p> <p>In English: Assistant to the Court Chairperson (for Media and Public Relations)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Bachelor's degree in Communication or other relevant field.
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant.

	<p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court; - Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)

Responsibilities, Duties, Tasks

- Keeps track of court activities, incoming cases and court events, and promptly prepares and provides, after coordination with the court chairperson or deputy chairperson, the division chairperson, or the judge hearing the case (if the information being provided is about a pending or completed case), official information on this to the mass media in accordance with the principles of fairness, accuracy, promptness, equal service, regularity and impartiality;
- Ensures that misinformation presented about the court's activities is promptly corrected, or denies false or inaccurate facts;
- Keeps track of the activities of court self-governance bodies, working groups and commissions which representatives of the court participate in, and prepares official information about this to the public and public information providers;
- Makes sure that the information relevant to the public is provided on the court's website, and arranges for the court's website to be updated;
- Promptly and systematically collects the information presented in the mass media related to the activities of the court, court self-governance bodies and the courts, analyses it, and, if necessary, submits this information to the court chairperson, judges and other court employees;
- Organises various events (seminars, discussions, etc.) and meetings with the public on issues related to court activities;
- Develops and implements the court's public information, communication and public relations strategies, action plans and crisis management plans;
- Advises the court chairperson and judges on communicating with public information providers and participating in press conferences, and gives guidance in preparing articles, speeches and communiqués;
- Arranges and oversees the court chairperson's official meetings;
- Organises and holds press conferences, campaigns for the provision of information to the public, educational campaigns and other public relations activities;
- Organises the preparation, publication and distribution of information publications and audio and visual material about the court;
- At the direction of the court chairperson, may prepare the court's annual report or advise its authors, provides information for summarising public relations activities, and coordinates the visual presentation of the report;
- According to his or her competence, initiates opinion polls and surveys of individuals applying to the court;

- Takes care of issues regarding public confidence in the judiciary and shaping the public image of the court, and submits suggestions, conclusions or recommendations to the court chairperson for increasing the level of public confidence in the judiciary;
- Organises, implements and improves the court's internal communication and the dissemination of relevant information within the court;
- Arranges and oversees the activities of the court volunteer service;
- Represents the court in the field of public information at the National Courts Administration, court self-governance bodies, courts, and the events organised thereby;
- Within the scope of his or her competence, submits information to the National Courts Administration in accordance with the Description of the Procedure for the Provision of Information approved by the Judicial Council, and provides prepared communications to the public about court current events, notices to the mass media, and other information regulated by legislation;
- Performs other non-recurrent assignments of the court chairperson related to court activities in order to achieve the court's strategic goals.

Organisation of the category/profession

Organising Structure	For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania http://vtd.lrv.lt/en/ For contractual employees: the relevant court https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Assistant to the Court Chairperson (for Media and Public Relations) does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: Teismo posėdžių sekretorius</p> <p>In English: Court Judicial Secretary (Clerk)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Non-university-level higher (college) education.
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant. <p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court; - Possible (if the representatives of the Court deem it necessary) practical/written tests.

Alternative Access Routes	Transfers from other institutions (if a person is a public servant)
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Issues summons and notices to participants in the proceedings, requirements for bodies responsible for holding prisoners and bringing them to court, as well as enquiries and other letters related to the case being heard; - Sends copies of procedural documents to the persons participating in the case in the procedure and within the time limits established by law; - Checks whether summons and procedural documents were delivered to the participants in the proceedings and informs the judge about summons and procedural documents that were returned and not delivered to the participants in the proceedings; - Before the hearing, checks which of the individuals summoned have appeared, identifies them and verifies their authorisation, makes sure that all participants in the proceedings occupy their seats in the courtroom at the time specified by the court before the hearing and after the break, and informs the judge when preparation is complete; - Writes the minutes of the hearing and submits them to be signed by the judge within the time limits established by law; - Manages case files: attaches documents about the service of summons, documents accepted by the court and written evidence, the minutes of the hearing, the pledges of the participants in the proceedings, court orders, the judgment and the ruling, numbers the pages of the case file, and compiles a list of the documents bound in the file; - Keeps a register of the cases assigned to be heard in court in accordance with the established procedure; - In accordance with the procedure approved by the court chairperson, performs the functions assigned to this position related to the LITEKO information system; - Issues enforcement orders on the basis of procedural laws; - Performs other assignments of the court chairperson related to court activities in order to achieve the court's strategic goals. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania http://vtd.lrv.lt/en/</p> <p>For contractual employees: the relevant court https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652</p>

Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable
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QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Court Judicial Secretary (Clerk) does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: Personalo ir administravimo skyriaus vedėjas, Teismo administracijos sekretorius, Vyriausiasis teismo personalo ir administravimo skyriaus specialistas, Vyresnysis teismo personalo ir administravimo skyriaus specialistas</p> <p>In English: General Staff – Employees of Personnel and Administration Department: Personnel and Administration Division Manager, Secretary of the Administration of the Court, Chief Specialist at the Personnel and Administration Division, Senior Specialist at the Personnel and Administration Division</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Bachelor’s degree in Social Sciences or relevant field (for management – Master’s degree is sometimes required).
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests;

	<ul style="list-style-type: none"> - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant. <p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court; - Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)

Responsibilities, Duties, Tasks

- According to his or her competence, drafts the court's legislation, letters and other documents related to the activities of the court administration;
- According to his or her competence, examines petitions, applications and complaints submitted by individuals and takes measures to address the issues raised therein;
- According to his or her competence, helps the court chairperson and court chancellor ensure that the code of ethics and professional conduct is adhered to;
- According to his or her competence, manages the Register of Civil Servants and works with personnel management software;
- According to his or her competence, initiates and organises opinion polls of court employees, analyses the information received, and submits summaries and suggestions to the court chairperson and court chancellor;
- Assists the court chairperson and chancellor in creating a favourable microclimate at the court and developing and improving relationships and information exchange between employees and management;
- At the direction of the chancellor, fills in for other specialists in the Chancellor's Service when said are on leave or absent from work for other reasons;
- Monitors the timely execution of orders, other documents, assignments and tasks of the court chairperson or chancellor, and provides the court chairperson and court chancellor with information on the progress of the assignments being controlled;
- Coordinates matters related to medical examinations for judges;
- Develops and implements the staff incentive and motivation system or, where necessary, coordinates development and implementation of the staff incentive and motivation system;
- Draws up annual training plans for court staff and organises their implementation, informs the court staff about the training, career development courses and seminars being organised, collects information on the training that the staff needs, and submits proposals related thereto to the court chairperson and court chancellor;
- Draws up the leave schedule for the court's judges;

- Ensures that court employees are familiarised with legislation adopted by the court and the Judicial Council which other employees are not assigned to familiarise them with;
- Forms the staff and organises the selection, transfer, hiring and dismissal of staff members;
- Helps coordinate and monitor the activities of the divisions of the court administration;
- Helps the court chairperson monitor how persons working in the civil service implement the provisions of the Republic of Lithuania Law on the Balancing of Public and Private Interests in the Civil Service, advises court employees on balancing public and private interests, and acts as data processor for the Declaration of Private Interests Information System (DPIIS);
- Issues civil servant and employee IDs and keeps records of them;
- Manages the Register of Civil Servants;
- Organises staff assessments or, where necessary, coordinates the organisation of staff assessments;
- Organises the granting of leave for staff;
- Participates in misconduct, work discipline violation, and other investigations of a similar nature;
- Participates in the preparation of the court's strategic plans and, according to his or her competence, provides data on the fulfilment of plans;
- Participates in the work of standing and temporary commissions and working groups formed by the court chairperson or court chancellor and/or provides them with technical support;
- Performs assignments of the court chairperson or court chancellor related to the planning, organisation, execution and preparation of documents for public procurement, and participates in the activities of the Public Procurement Commission and the like;
- Performs other non-recurrent assignments of the court chairperson or court chancellor related to court activities in order to achieve the court's strategic goals;
- Prepares and provides information on complex personnel management issues or, where necessary, coordinates the preparation and provision of information on complex personnel management issues;
- Prepares documents for deliberations and meetings, informs judges and other court employees about them, and writes minutes and ensures their timely delivery to the responsible persons;
- Prepares draft legislation and other documents related to personnel management or, where necessary, coordinates the preparation of draft legislation and other documents related to personnel management;
- Prepares draft lists of staff positions, advises the managers of the structural divisions of the court on preparing position descriptions, and makes proposals for changing and supplementing position descriptions;
- Provides telephone assistance to individuals applying to the court and, if necessary, arranges meetings for the individuals with the court chairperson;

- Puts together and manages the personal files of court employees and other archival files related to personnel, and hands them over to the archive in accordance with the established procedure;
- Together with the court's structural divisions, performs analysis of the functions of the court's structural divisions and court positions and, according to his or her competence, makes proposals for improving the service or work organisation;
- Where needed, arranges for guests to visit the court;
- Where needed, drafts employment contracts, staff selection documents, leave documents, business trip documents and other staff-related documents;
- Where needed, keeps records of working and rest time.

Organisation of the category/profession

Organising Structure	<p>For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania http://vtd.lrv.lt/en/</p> <p>For contractual employees: the relevant court https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – General Staff – Employees of Personnel and Administration Department does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: Teismo raštinės vedėjas, Teismo raštinės poskyrio vedėjas, Teismo raštinės vyresnysis specialistas, Teismo raštinės vyriausiasis specialistas, Teismo raštinės specialistas (darbui su įslaptinta informacija), Lietuvių kalbos vyriausiasis specialistas</p> <p>In English: General Staff – Employees of Court Office: Court Office Manager, Court Office Divisional Manager (outside of the Central Courthouse), Court Office Senior Specialist, Court Office Chief Specialist, Court Office Specialist (for Handling Classified Information), Chief Specialist (Lithuanian Language Specialist)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Bachelor’s degree in Social Sciences or relevant field.
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests;

	<ul style="list-style-type: none"> - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant. <p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court; - Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)

Responsibilities, Duties, Tasks

- According to his or her competence, organises examination of applications, complaints and proposals submitted by individuals and takes measures to address the issues raised therein;
- Arranges for individuals to be received and familiarised with case materials in the procedure established by law, as well as telephone support at the courthouse;
- Certifies the authenticity of copies of courthouse documents;
- Monitors execution of the Court Office division's tasks, ensures work discipline, and is personally responsible for the execution of the tasks and functions assigned to the Court Office division;
- Coordinates implementation of the functions of the Court Office;
- Ensures proper management, collection and storage of court cases and documents and keeps records of procedural documents and data;
- Ensures that court documents are prepared, processed and safeguarded in accordance with legislative requirements;
- Ensures that court hearing schedules are drawn up and published in advance at the courthouse;
- Ensures the security of cases and documents held at the Court Office/Court Office division;
- Fills in for the Court Office manager/Court Office divisional manager when said is on leave or absent from work for other reasons;
- In accordance with the approved procedure, performs the functions assigned to this position related to the LITEKO information system;
- Makes proposals for improving document management in court;
- Makes proposals for improving the organisation of the work of the Court Office and the Court Office division, the LITEKO system and the document management system;
- Makes sure that the court documentation plan is adhered to, and ensures its application in creating files and organising the transfer of court documents for safekeeping;

- Manages the court's litigation statistics;
- Organises record-keeping of the court's classified information (at the central courthouse) and monitors its circulation;
- Organises service for individuals applying to the Court Office;
- Organises the record-keeping of classified information and monitors its circulation at the courthouse;
- Participates in the preparation of the court documentation plan, and ensures and monitors its application in creating files;
- Participates in the work of standing and temporary commissions and working groups formed by the court chairperson or court chancellor and provides necessary information and suggestions;
- Performs other non-recurrent assignments of the court chairperson, court chancellor, or Court Office manager related to court activities in order to achieve the court's strategic goals;
- Plans, organises, coordinates and monitors the activities of the Court Office division;
- Prepares the court documentation plan, the supplementation list thereto and the list of document registers in the Electronic Archive Information System of the Office of the Chief Archivist of Lithuania, monitors the application of the documentation plan in creating document files, organises the transfer of document files to the court's Archives for the Court Office (at the central courthouse), and coordinates the transfer of document files to the court's Archives for the Court Office divisions (outside of the central courthouse);
- Prepares the position descriptions for employees of the Court Office division, and drafts orders and other internal documents related to the activities of the division;
- Prepares the regulations of the Court Office and its divisions (outside of the central courthouse) and the position descriptions for Court Office employees (at the central courthouse) and the Court Office divisional managers (outside of the central courthouse), and drafts orders and other internal documents related to the activities of the Court Office;
- Provides courthouse employees with methodological support on document preparation and management;
- Registers cases and monitors the transfer of cases assigned to judges to the judges or judicial assistants;
- Registers cases and monitors the transfer of cases assigned to judges to the judges or judicial assistants;
- Within the scope of the activities of the Court Office, ensures that court documents and their files are prepared, processed, safeguarded and handed over to the archive in accordance with legislative requirements;
- Works with personnel management software, keeps records of working and rest time at the courthouse and provides information to the court chancellor on this matter.

Functions of a specialist who handles classified information:

- Prints and registers court documents classified as 'Top Secret', 'Secret', 'Confidential' or 'Restricted';

- Organises and monitors the circulation of classified information and keeps records for it;
- Selects information for destruction, declassification or extension of classification in the procedure established by law;
- Transfers classified information to executors and other entities authorised to handle classified information in accordance with the established procedure;
- Informs entities authorised to handle classified information about a change in the level of classification, declassification or extension of classification for classified information;
- Archives classified documents;
- Organises the issuance of permits to work with or access classified information and keeps records of them;
- Informs controlling authorities of any change in a person's questionnaire data that may affect the issuance or revocation of a permit to work with or access classified information;
- Ensures that only persons with permits are granted access to classified information;
- Fulfils the requirements of legislation governing the protection of classified information;
- Ensures that the classified information entrusted or obtained is not lost or conveyed to unauthorised persons or persons who, although entitled to handle classified information, are not authorised to access it;
- Prepares the plan for classified documentation;
- Makes proposals to the court chairperson regarding the administration and protection of classified information and prepares legislation in this field;
- In accordance with the procedure approved by the court chairperson, performs the functions assigned to this position related to the LITEKO information system;
- Performs other assignments of the court chairperson related to court activities in order to achieve the court's strategic goals.

Functions of a Lithuanian Language specialist:

- In accordance with the resolutions and recommendations of the State Commission of the Lithuanian Language, edits the court documents and data published in the LITEKO information system as well as the information provided to the mass media and the public as per linguistic prescription;
- Advises court staff on the use of the state language and develops methodological advice according to his or her competence;
- Makes proposals regarding the use of the state language in court;
- At the request of judges, provides linguistic analysis of laws and other legislation;
- Performs other assignments of the court chairperson related to court activities in order to achieve the court's strategic goals.

<i>Organisation of the category/profession</i>	
Organising Structure	
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – General Staff – Employees of the Court Office do not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: Archyvo vedėjas, Archyvo vyriausiasis specialistas, Archyvo vyresnysis specialistas, Archyvaras</p> <p>In English: General Staff – Employees of Court Archive: Archive Manager, Archive Chief Specialist, Archive Senior Specialist, Archivist</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Bachelor's degree in Social Sciences or relevant field.
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant. <p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court;

	- Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)

Responsibilities, Duties, Tasks

- Accepts for safekeeping, according to handover certificates, court proceeding files, non-procedural documents, employees' personal files, and other documents provided for in the documentation plan from the court's Chancellor's Service, the Court Office manager and divisional senior specialists. From the senior specialist for classified information – classified documents;
- According to his or her competence, provides information on petitions, applications and complaints submitted by individuals related to the activities of the Archives and takes measures to address the issues raised therein;
- According to the procedure approved by the court chairperson, performs the functions assigned to this position related to the Lithuanian judicial information system (LITEKO);
- Adds to the catalogue of lists of procedural files for permanent and long-term retention in the Electronic Archive Information System (E AIS), compiles lists of procedural files for permanent and long-term retention and their continuations in the procedure established by law, and submits them to the state archives for coordination;
- Monitors the condition and number of document files stored in the court's Archives;
- Ensures the protection of court document files held by the court's Archives, as well as the protection of personal data related to these documents and professional, trade or other secrets protected by law;
- Enters data about the files in the archive into the LITEKO system;
- Informs the court chairperson and court chancellor about documents and/or files that have been handed over to the court's Archives for temporary, permanent or long-term retention and have gone missing, as well as about document files for long-term or permanent retention that have not been handed over to the court's Archives;
- Issues enforcement orders in case files held in the archive;
- Makes copies of files and documents;
- Makes proposals regarding the organisation of the work of the court's Archives;
- Makes sure that the court documentation plan is used in creating files;
- Manages the files and documents in the archive;
- Organises and coordinates the receipt of a court document filed at the court's Archives, keeps their records, and organises their processing for further storage and transfer to the state archives;
- Organises searches for missing documents and/or files, and if they are not found – draws up a lost document certificate and informs the court chairperson and the

court chancellor. Informs the state archives about missing files and documents missing from files for long-term and permanent retention;

- Organises service for individuals applying to the court's Archives;
- Organises the preparation and issue of transcripts and copies of the court procedural documents held by the court's Archives, as well as access to these documents;
- Participates in performing document valuation, and draws up certificates for document files selected for destruction and coordinates them with the court's forensic document examiner commission and the state archives;
- Participates in the activities of the court's forensic document examiner commission;
- Participates in the work of standing and temporary commissions and working groups formed by the court chairperson or court chancellor and provides necessary information and suggestions;
- Performs other non-recurrent assignments of the court chancellor or court chairperson related to court activities in order to achieve the court's strategic goals;
- Performs searches in the LITEKO system for files and procedural documents in the archive;
- Plans, organises, coordinates and monitors the work of the court's Archives, and is personally responsible for the implementation of the tasks and functions assigned to the Archives;
- Prepares and submits files for access;
- Prepares the files and documents in the archive for destruction;
- Prepares the regulations of the court's Archives and the position descriptions for its employees, and drafts orders and other internal documents related to the activities of the Archives;
- Prepares timely responses to petitions, applications and complaints from companies, institutions, organisations and other individuals;
- Receives citizens and provides comprehensive and timely information about the files and documents in the archive;
- Regularly enters the necessary information into the LITEKO system;
- Releases document files held by the court's Archives for temporary use and makes sure that they are returned;
- Transfers court documents to the state archives for permanent retention within the prescribed time limits;
- Warns employees and other individuals who mishandle archival documents;

Organisation of the category/profession

Organising Structure	<p>For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania</p> <p>http://vtd.lrv.lt/en/</p> <p>For contractual employees: the relevant court</p>
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	https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – General Staff – Employees of Court Archive does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: IT skyriaus vadovas, IT skyriaus vyriausiasis specialistas, IT skyriaus vyresnysis specialistas, Specialistas-informatikas, Informacinių technologijų sistemų administratorius, Kompiuterių sistemų administratorius, Vyriausias specialistas (informacinėms technologijoms), Informacinių technologijų skyriaus vedėjas</p> <p>In English: General Staff – Employees of IT Department: IT Department Manager, IT Department Chief Specialist, IT Department Senior Specialist, Specialist-informatics, Information Technology Systems Administrator, Computer Systems Administrator, Senior Specialist (Information Technology), Head of Information Technology Division</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Bachelor's degree in IT or other relevant field (for management – Master's degree is sometimes required).
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department);

	<ul style="list-style-type: none"> - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant. <p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court; - Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)

Responsibilities, Duties, Tasks

- Plans, organises, coordinates and monitors the work of the IT Department, and is personally responsible for the implementation of the tasks and functions assigned to this department;
- Ensures the functioning, security, upgrade and development of the information technology used by the court (internal court information system, Lithuanian judicial information system, audio recording system, payroll accounting, etc.);
- According to his or her competence, coordinates and implements design and implementation of the information technology required for the court's work;
- Organises and monitors the electronic information security policy implemented by the IT Department within its competence for the information technology used by the court and the execution of administered information technology and computer network security measures;
- Prepares and submits proposals to the head of the court information system controller regarding the adoption, amendment or repeal of security documents;
- Coordinates investigation of electronic information security incidents occurring in the court information system, except in cases when this function is performed by information security working groups;
- Informs the National Courts Administration security officer about major information security incidents;
- Organises the acquisition of computer, software and organisational equipment required by the court, initiates the material and technical provision of court staff with this equipment, determines, according to his or her competence, the goods, services or work that need to be acquired, and participates in the preparation of the court's annual public procurement plans;
- Ensures that the computer equipment used by the court is repaired and the software is updated in a timely manner;
- Ensures record-keeping of the court's computer equipment and management of the software licence register;

- Makes proposals to the court chairperson and chancellor on improving and modernising the computer networks and information technology and updating the data security policy and requirements;
- According to his or her competence, prepares documents related to the activities of the IT Department;
- Prepares the regulations of the IT Department and the position descriptions for its employees;
- According to his or her competence, provides information on petitions, applications and complaints submitted by individuals related to the activities of the IT Department and takes measures to address the issues raised therein;
- Participates in the work of standing and temporary commissions and working groups formed by the court chairperson or court chancellor and provides necessary information and suggestions;
- Within the competence of the IT Department, cooperates with state and municipal institutions, bodies and organisations, and represents the court therein at the direction of the court chairperson or chancellor;
- Performs the functions of the person responsible for the protection of classified information in organising the protection of the Classified Information Communications and Information System (CICIS):
- Ensures the installation, operation and maintenance of security measures in workplaces with CICIS elements;
- Ensures that in using the services of CICIS maintenance entities, telecommunication plans and schemes are drawn up which indicate the location of wires and cables, as well as their quantity, types and numbers;
- In accordance with CICIS security requirements, prepares, implements and monitors the court's and the supplier's CICIS security management procedures and familiarises CICIS administrators and user with them periodically;
- Prepares the documents necessary for obtaining a permit to use the CICIS and organises obtainment of this permit;
- Ensures that the CICIS is used by persons who have access to the classified information processed or transmitted by the CICIS, and monitors the actions of CICIS users;
- Performs administrative control of passwords and/or user authentication devices provided to CICIS users;
- Organises the administration of storage media for recording classified information;
- Organises and checks system backup copying and restoration of CICIS information;
- Checks the information collected about incidents (process errors, unauthorised users and CICIS operations);
- Notifies the court chairperson and the supplier's manager or the authorised representative thereof about any known flaws in the court's and the supplier's CICIS security as well as violations that have occurred, and takes steps to eliminate them;
- Performs other non-recurrent assignments of the court chancellor or court chairperson related to court activities in order to achieve the court's strategic goals.

<i>Organisation of the category/profession</i>	
Organising Structure	<p>For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania</p> <p>http://vtd.lrv.lt/en/</p> <p>For contractual employees: the relevant court</p> <p>https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – General Staff – Employees of the IT Department do not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: Vyresnysis specialistas (psichologas), Vyriausiasis specialistas (psichologas)</p> <p>In English: General Staff – Court Psychologists: Senior Specialist (Psychologist), Chief Specialist (Psychologist)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Master's degree in Psychology.
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant. <p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court;

	- Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)

Responsibilities, Duties, Tasks

- At the direction of the court chairperson or judge, participates in civil proceedings (in family relations cases (divorce, determining the child's place of residence, child custody, etc.), etc.), hearing the child's opinion and taking their social or psychological maturity into account;
- At the direction of the court chairperson or judge, participates in criminal proceedings (the pre-trial investigation and legal proceedings), helping to question children and taking their social or psychological maturity into account;
- At the direction of the court chairperson or judge, participates in various child-related pre-trial activities during the pre-trial investigation: identification of material evidence, assessment of testimony at the scene of the incident, etc.;
- At the direction of the court chairperson or judge, carries out an assessment of the developmental (cognitive, emotional, behavioural, etc.) specifics of children being heard or questioned in judicial proceedings which are relevant to performing each step of the judicial process, making assessments of the child's developmental characteristics already carried out by other competent authorities into account;
- At the direction of the court chairperson or judge, advises the child's legal or lawful representatives, the judges, and other participants in the judicial proceeding and/or entities of pre-trial investigation bodies on the child's needs and developmental specifics in the course of their involvement in the judicial proceedings, and the judges and/or entities of pre-trial investigation bodies on the specifics of the questioning during judicial proceedings and tactics for conducting the questioning;
- Collects and compiles the information necessary in questioning children during judicial proceedings and, as necessary, in cooperating with other competent bodies and authorities;
- Provides conclusions, opinions and explanations in written and/or oral form on issues assigned by the judge, within the limits of the qualification and/or competence of the specialist;
- According to his or her competence, prepares court activity documents and methodological recommendations regarding the conduct of questioning, and familiarises representatives of other institutions with them, including those participating in the judicial proceedings;
- At the direction of the court chairperson or court chancellor, advises court employees on stress management and organises training according to his or her competence;
- According to his or her competence, participates in the activities of working groups and commissions, and attends psychologist professional care meetings;

<ul style="list-style-type: none"> - Performs other assignments of the court chairperson or court chancellor related to court activities in order to achieve the court's strategic goals. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania http://vtd.lrv.lt/en/</p> <p>For contractual employees: the relevant court https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652</p>
Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – General Staff – Court psychologists do not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Courts)
Name of Court Staff Category	<p>In Lithuanian: Finansų ir biudžeto skyriaus vedėjas, Finansų ir biudžeto skyriaus vyriausiasis specialistas, Finansų ir biudžeto skyriaus vyresnysis specialistas</p> <p>In English: General Staff – Employees of Financial Department: Finance Department Manager, Finance Department Chief Specialist, Finance Department Senior Specialist</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Law on Public Service (in Lithuanian) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cad5a783834211e89188e16a6495e98c/asr - Labour Code (in Lithuanian) https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89/asr
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Citizen of the Republic of Lithuania; - Knowledge of Lithuanian language; - Bachelor's degree in Finance management or relevant field (for management – Master's degree is sometimes required).
Main Recruitment Procedure	<p>For public servants:</p> <ul style="list-style-type: none"> - Interview with Civil Service Department under the Ministry of the interior of the Republic of Lithuania (commission consist of representatives of the court and employees of Civil Service Department); - Possible (if the representatives of the Court deem it necessary) practical/written tests; - The representative of the court shall make the final decision on which of the candidates referred to in paragraph 2 to take as a civil servant.

	<p>For contractual employees:</p> <ul style="list-style-type: none"> - Interview with representatives of the court; - Possible (if the representatives of the Court deem it necessary) practical/written tests.
Alternative Access Routes	Transfers from other institutions (if a person is a public servant)
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Plans and organises the work of the department, and is personally responsible for timely execution of the tasks and orders assigned to the department; - Manages accounting in accordance with the Accounting Law of the Republic of Lithuania and other legislation; - Provides accounting information and prepares reports and, on request, accounting records and registers, for the court chairperson, auditors, appropriation managers, tax administrators, and state and municipal institutions; - Provides the court chairperson with suggestions and advice on the selection of accounting policies, having regard to the specific conditions and accounting requirements; - Performs ex-ante financial control on the basis of documents submitted and, if necessary – conclusions signed by the competent persons; - Prepares the court's financial statements and, once they are signed by the court chairperson, submits them to the entities specified in legislation; - Ensures the lawfulness of financial-economic operations and the use of public funds in the procedure established by law, as well as proper monitoring of the processing of documents; - Makes proposals and participates in preparing the court's annual operational programme (strategic plans); - Performs other assignments of the court chairperson related to court activities in order to achieve the court's strategic goals. 	
<i>Organisation of the category/profession</i>	
Organising Structure	<p>For public servants: Civil Service Department under the Ministry of the interior of the Republic of Lithuania</p> <p>http://vtd.lrv.lt/en/</p> <p>For contractual employees: the relevant court</p> <p>https://www.teismai.lt/en/courts/contacts-of-courts/contacts-of-courts/652</p>

Contact Details of any Professional Organisations in Connection with this Court Staff	Not applicable
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QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – General Staff – Employees of the financial department do not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LITHUANIA (Office of the Public Prosecutor)
Name of Court Staff Category	In English: Prosecutors Assistants
Statutory/Legal Basis for this Post	Civil servants
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Career civil servants are recruited through competition organised by the Prosecutors General's Office and the Civil Service Department.
Main Recruitment Procedure	Career civil servants are recruited through competition organised by the Prosecutors General's Office and the Civil Service Department.
Alternative Access Routes	N/A
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Manages the law, regulatory enactments and other legal information necessary for the activities of the prosecutor; - Asphalted by the Chief Prosecutor of the District Attorney's Office, represented by the District Attorney's Office of the Government Prosecutor; - Asphalt (Deputy Chief Prosecutor) (hereinafter referred to as 'Chief Prosecutor') of the Chief Prosecutor of the structural unit (division) of the District Prosecutor's Office: - Participate in interinstitutional coordination meetings, prepare and manage their operational decisions; - Planned and executed reception of persons; - To assist in the organisation of meetings and the preparation of institutions, bodies and organisations of the Republic of Lithuania; 	

- Assist the prosecutor with organisational and technical aspects, taking into account each judicial investigation, organisation and control, public prosecution, other prosecution functions;
- Prepares procedural documents, decisions and other legislative drafting measures;
- Assist with the organisation of data collection, preparation of materials and decision making, complaints, requests, statements, communications or other prosecution functions dealt with by prosecutors;
- The conclusion is given orally and/or written with respect to the complaints, statements, requests under consideration;
- Handles the task allocation prosecutor's accounting and other targeted accounting;
- Prepares the structural use of statistical reports of the unit of the District Prosecutor's Office;
- Handles the prosecutor's pre-trial investigations and other data in the Information System of the Prosecutor's Office;
- Administrative documents in a foreign language;
- With the written consent and upon appointment of the Attorney General, filling in working time accounting knowledge;
- Within its competence perform other asphalting of the Chief Prosecutor, a prosecutor of a non-permanent nature, which is implemented by the functions of the Prosecutor's Office.

Organisation of the category/profession

Organising Structure	
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Prosecutors Assistants performs tasks which ‘might require the application of EU law’.

- Preparation of requests for legal aid from other countries, working with European Arrest Order, preparation of evaluations of national legislation on how certain aspects comply with EU law, preparation of reports, statistical and analytical data requested by EU institutions, Europol and others; participation in preparing projects on how decisions of ECtHR are implemented and other tasks.
- Prosecutors Assistants work with most instruments of EU law that cover criminal law. However, not all Prosecutors Assistant work with EU law directly.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

The courts decide on the necessity to hire some type of employees independently. For example, as shown in the table below, at the moment there is only one electrician working at the Court in Lithuania. This does not mean that this one electrician tends to all the courts in Lithuania, but rather that one court decided to have an in-house electrician (others simply buy services of electrical maintenance if necessary).

Category	Description of work	Approximate numbers
<i>Courts</i>		
Courier	Drives court personnel and occasionally delivers non-process related documents between institutions upon request, delivers to the court supplies ordered by the Maintenance Department	7
Guard	Guards the outside premises of the Court (day and night shifts).	26
Security Officer	Guards the inside premisses of the Court (day and night shifts)	30
Cloakroom Receptionist	Tends to the outerwear of Court clients	4
Driver	Drives court personnel and occasionally delivers non-process related documents between institutions upon request, delivers to the court supplies ordered by the Maintenance Department	23
Maintenance Officer – Driver	Tends to the maintenance of court buildings, and works as a driver for court personnel and document deliveries, delivers to the court supplies ordered by the Maintenance Department	40

Maintenance Officer	Tends to the maintenance of court buildings	1
Carpenter	Tends to the furniture of the Court, performs maintenance	1
Electrician	Tends to the electrical installation of the Court, performs maintenance	2
Plumber	Tends to the plumbing system of the Court, performs maintenance	0
Head Of Asset Management And Procurement	Leads the Department of Asset Management and Procurement, assigns tasks to the department employees, ensures proper asset management and supervises the procurement procedures	1
Head Of The Maintenance Department	Leads the Department of Maintenance, assigns tasks to the department employees, ensures proper maintenance of Court building	18
Chief Specialist (Power Engineer)	Tends to the electrical installation of the Court, performs maintenance	1
Senior Specialist (Logistics)	Drives court personnel and occasionally delivers non-process related documents between institutions upon request, delivers to the court supplies ordered by the Maintenance Department	1
Assistant Worker	Performs maintenance related tasks given by the Maintenance Officer or Head of the Maintenance Department	1
Worker	Performs maintenance related tasks given by the Maintenance Officer or Head of the Maintenance Department	18
Cleaner	Cleans Court	112

LUXEMBOURG

1- GENERAL INFORMATION

Answering institution(s)**Parquet général du Grand-duché de Luxembourg**2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁵⁴

In the table below, an overview of the Court staff in Luxembourg is presented, including their Type and, when applicable, Functions⁵⁵.

Category	Type	Functions	Approximate numbers
Clerks and employees (courts) and Secretaries and employees (for prosecution)	Type 2	Functions 3/4	299
Law Clerks	Type 2	Functions 3/4	3
Accounting department	Type 3	N/A	2
Archives Management	Type 3	N/A	5
Building maintenance	Type 3	N/A	11
Cleaning staff	Type 3	N/A	25
Computer scientist	Type 3	N/A	12
Copy-service employees	Type 3	N/A	4
Data Protection Officer	Type 3	N/A	1
Financial Analyst	Type 3	N/A	12
Librarian	Type 3	N/A	3
Press department	Type 3	N/A	3

⁵⁴ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁵⁵ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

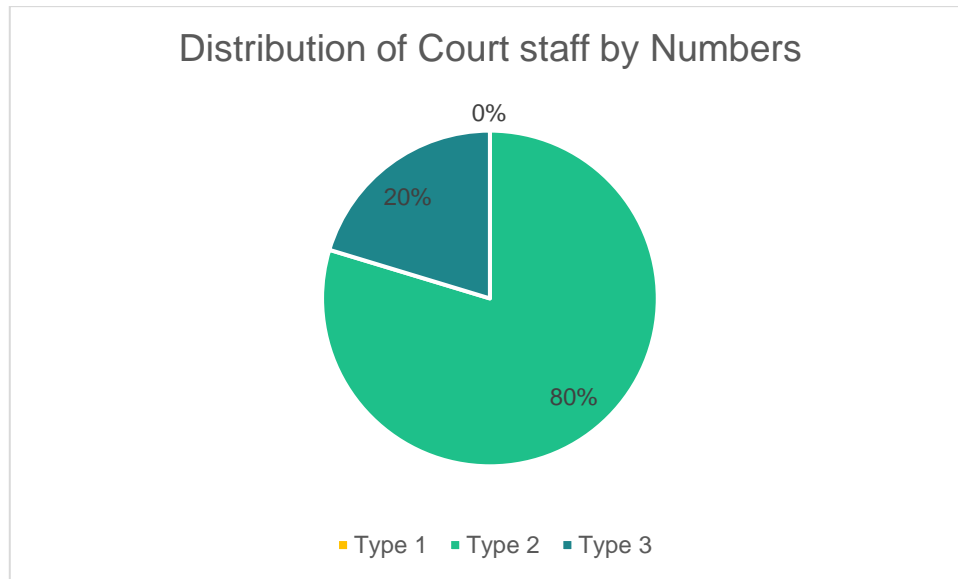
Security staff	Type 3	N/A	Not available
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Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	0	0%
Type 2	302	80%
Type 3	77	20%
TOTAL	379	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Luxembourg, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LUXEMBOURG
Name of Court Staff Category	<p>In French: Greffiers des juridictions et secrétaires des parquets, employés auprès des parquets et des juridictions</p> <p>In English: Clerks and employees of the Courts and secretaries and employees for the prosecution</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Texte coordonné de la loi du 16 avril 1979 fixant le statut général des fonctionnaires de l'Etat, telle qu'elle a été modifiée - Loi du 7 mars 1980 sur l'organisation judiciaire - For employees: Loi du 25 mars 2015 déterminant le régime et les indemnités des employés de l'Etat http://legilux.public.lu/eli/etat/leg/loi/2015/03/25/n8/fo
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Qualifications: High school diploma
Main Recruitment Procedure	<p>Recruitment procedure: takes place at national level</p> <ul style="list-style-type: none"> - State/public exam - General Training about public administration at INAP (Formation générale) <p>http://www.fonction-publique.public.lu/fr/formations/formation-stage/form-gen-inap/index.html</p> <p>All candidates must successfully pass a state exam and undergo training at INAP and then choose a position in the judicial administration</p> <p>For employees: they do not take a state/public exam</p> <p>They are recruited upon a call for candidates, undergo an interview and are recruited by a commission of the <i>Administration judiciaire</i>.</p>

	They undergo continuing training during their employment period at the national training centre for state officers (INAP)
Alternative Access Routes	Transfer routes from other professions: N/A
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Administrative tasks <p>Clerks of the Courts and secretaries for the Prosecution as well as employees play an important role in:</p> <ul style="list-style-type: none"> - Civil law and procedures (cross-border civil procedures) - Commercial law and procedures (cross-border commercial procedures) - Criminal law and procedures (cross-border criminal procedures) - Service of judicial and extra-judicial documents - Enforcement of court decisions - Rights of the victim - Assistance to judges and/or public prosecutors - Management of Courts (court programming/management of court agendas, human resources/personnel issues, budget, health & safety, building administration) <p>Aspects of EU law: are becoming more important as more EU legislative instruments are being adopted</p>	
<i>Organisation of the category/profession</i>	
Organising Structure	Administration Judiciaire / Parquet Général
Contact Details of any Professional Organisations in Connection with this Court Staff	AGFAJ: Union of the clerks http://www.agfaj.lu/html/accueil.html

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Clerks and Employees of the Courts and secretaries and employees for the prosecution perform tasks which 'might require the application of EU law'.

- For example in:
 - Criminal law and procedures (cross-border criminal procedures) for instance the setting up of an EAW (2002/584/JHA: Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States)
 - Enforcement of court decisions: for instance the European Enforcement Order (Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims); Council Regulation 1896/2006 of 12 December 2006 creating a European order for payment procedure

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	LUXEMBOURG
Name of Court Staff Category	In French: Référendaire
	In English: Law Clerk
Statutory/Legal Basis for this Post	Loi du 25 mars 2015 déterminant le régime et les indemnités des employés de l'Etat http://legilux.public.lu/eli/etat/leg/loi/2015/03/25/n8/jo
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Qualifications: Master's in Law (it is not required that the diploma includes aspects of EU law, however, a Master's in law generally includes knowledge of EU law)
Main Recruitment Procedure	Recruitment procedure: takes place at national level <ul style="list-style-type: none"> - Recruited upon a national call for candidates, passing interviews, for a precise law clerk position, the decision to recruit is taken by a commission of the <i>Administration judiciaire</i> <p>The law clerk fall under the state employee regulation: Loi du 25 mars 2015 déterminant le régime et les indemnités des employés de l'Etat – http://legilux.public.lu/eli/etat/leg/loi/2015/03/25/n8/jo</p> <ul style="list-style-type: none"> - The employee undergoes continuing training during their employment period at the national training centre for state officers (INAP)
Alternative Access Routes	No

<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Research work for judges or prosecutors - Administrative work - Keeping an update of the jurisprudence, organising the collection of jurisprudence <p>Law clerks play a role in:</p> <ul style="list-style-type: none"> - Service of judicial and extra-judicial documents - Access to justice - Rights of the victim - Assistance to judges and/or public prosecutors 	
<i>Organisation of the category/profession</i>	
Organising Structure	Administration judiciaire/Parquet Général
Contact Details of any Professional Organisations in Connection with this Court Staff	AGFAJ: Union of the clerks http://www.agfaj.lu/html/accueil.html

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – The Law Clerk performs tasks which ‘might require the application of EU law’.

- Research work for judges or prosecutors

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Librarian	Management of the Courts library	2.5
Copy-service employees	Responsible for scanning and coping the prosecution files for the various courts and the prosecutors	3.5
Computer scientist	Developing and managing the IT network and all related issues for the entire judicial administration, managing the IT helpdesk	12
Financial Analyst	Analysing data for the Financial Intelligence Unit	12
Accounting department	Managing all accounting issues of the entire judicial administration (Budget, travel expenses, etc.)	2
Press department	Managing the press communication for the courts and Prosecutors	2.5
Data Protection Officer	Managing all data protection issues	1
Cleaning staff		25
Building maintenance	Concierge service (receptionists, drivers), responsible for organising the cleaning services, maintenance of the infrastructures, management of office supplies	11
Archives Management		5

Security staff	Managed by an external company	Not available
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MALTA

1- GENERAL INFORMATION

Answering institution(s)	Court Services Agency
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁵⁶

In the table below, an overview of the Court staff in Malta is presented, including their Type and, when applicable, Functions⁵⁷.

Category	Type	Functions	Approximate numbers
Assistant Registrar	Type 1	Functions 1/4	4
Deputy Registrar	Type 1	Functions 1/4	75
ICT Officer	Type 1	Functions 1	1
Registrar Director	Type 1	Functions 1/4	2
System Administrator	Type 1	Functions 1	1
Court Assistants/Court Clerks	Type 3	N/A	13
Court Messenger	Type 3	N/A	43
Court Marshals	Type 3	N/A	18
Court Ushers	Type 3	N/A	18
Senior Recorder	Court Type 3	N/A	6

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’

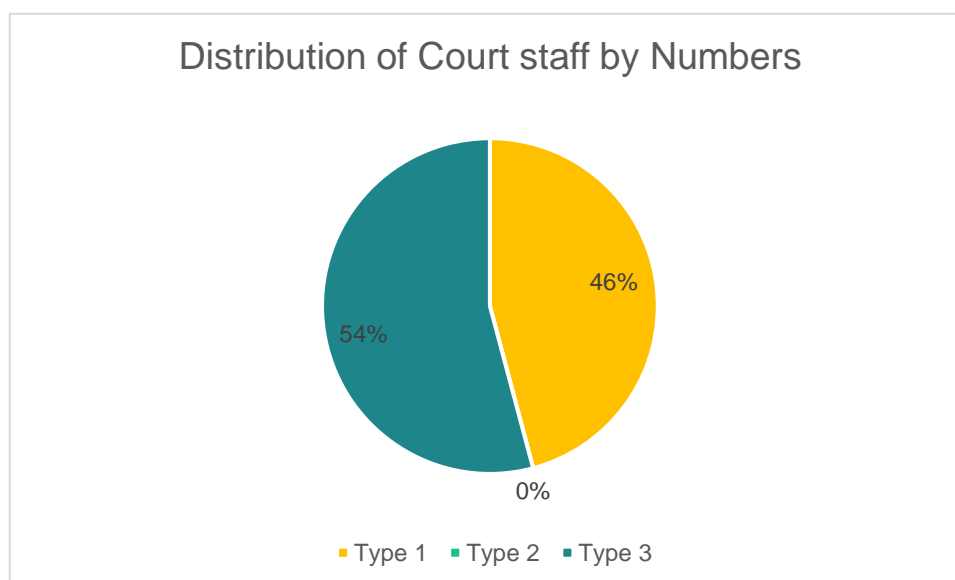
⁵⁶ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁵⁷ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

- 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	83	46%
Type 2	0	0%
Type 3	98	54%
TOTAL	83	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Malta, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	MALTA
Name of Court Staff Category	In English: Assistant Registrar
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Article 8 of the following document (Civil Courts): http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=9037&l=1 - Article 2 of the following document (Criminal Courts) referring to previous document: http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8980&l=1 - Chapter 12 of the Laws of Malta (Civil Courts) http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8577&l=1 - Chapter 9 of the laws of Malta (Criminal Courts) http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8574&l=1
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Public Officers in the grade of ‘Officer in Grade 5’, whose appointment in such grade has been confirmed; or - Public Officers in the grade of Senior Principal, whose appointment in such grade has been confirmed; or - Public Officers who are confirmed in their current or in a previous appointment who are in possession of a recognised Master’s qualification at MQF Level 7 (subject to a minimum of 60 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2008) in Management or Lawyer a comparable professional qualification, plus three (3) years relevant work experience of which one (1) year must be in a management position comparable to Scale 8 level or higher in the Public Service; or - Public Officers who are confirmed in their current or in a previous appointment who are in possession of a recognised Bachelor’s qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or

	<p>equivalent, with regard to programmes commencing as from October 2003) in Management or Lawyer a comparable professional qualification, plus five (5) years relevant work experience of which one (1) year must be in a management position comparable to Scale 8 level or higher in the Public Service; or</p> <ul style="list-style-type: none"> - Public Officers in a Scale not below Scale 7, whose appointment in such scale has been confirmed, with eight (8) years relevant work experience of which one (1) year must be in a management position comparable to Scale 8 level or higher in the Public Service; or - Public Officers in the grade of Principal, whose appointment in such grade has been confirmed, with at least five (5) years service in the grade; or - Public Officers in a Salary Scale not below Scale 10, whose appointment in such scale has been confirmed, and who hold the warrant to exercise the profession of Advocate, Notary Public or Legal Procurator.
Main Recruitment Procedure	<p>Recruitment procedure: takes place internally at court level or externally</p> <ul style="list-style-type: none"> - Interview by recruitment panel
Alternative Access Routes	<p>Transfer routes from other professions: Yes</p> <ul style="list-style-type: none"> - Internal interview for civil servants

Responsibilities, Duties, Tasks

- Assigning halls to the respective Courts.
- Assigning a proper category to each court case.
- Assigning cases to various courts.
- Assigning staff to Courts when the need for replacements arises.
- Assisting Deputy Registrars regarding queries regarding court procedures.
- Assisting Deputy Registrars with queries related to assessments of judicial costs.
- Monitoring the collection of court fees and fines and recording amounts collected.
- Dealing with EU and international issues including attending meetings abroad.
- Answering inquiries from the general public regarding the judicial process.
- Replying to online queries from the public.
- Dealing with Data Protection issues.
- Checking and endorsing all returns regarding transcriptions and overtime.
- Delivering talks to new employees and any visitors as necessary.
- Administering and advising on improvements to the IT court system.

- Retrieving information from the IT court system when requested.
- Following procedures issued by the Courts' administration regarding evacuation of court buildings when necessary.
- Ensuring the smooth running of the Court Sections as assigned under one's responsibility.
- Monitoring/disciplining staff under his/her responsibility.
- Dealing with customer care issues.
- Acting on behalf of the Director/Registrar when one summoned by any Court.
- Acting for and on behalf of the Director/Registrar, Criminal Courts and Tribunals and Director/Registrar, Civil Courts and Tribunals when necessary.
- Any other duties according to the exigencies of the Public Service as directed by the Principal Permanent Secretary.

The tasks that the Assistant Registrar is responsible for are the following:

- Procedures
- Management
- Administrative tasks

The category/profession of court staff described in this answer plays different roles:

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts

- E-justice (organisation of Information Technology & Communication, videoconferencing)
- Data protection
- Authentication of judicial and extra-judicial documents
- Court programming/management of court agendas
- Human Resources/personnel issues
- Budget
- Health & safety, building administration

Organisation of the category/profession

Organising Structure	Court Services Agency
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Assistant Registrar performs tasks which ‘require the application of EU law’.

- European Arrest Warrant
- European Investigation Order
- European Protection Order
- Recognition and enforcement of decisions on the confiscation of property
- Recognition and enforcement of decisions on financial penalties
- Recognition and enforcement of judgments by which prison sentence has been pronounced or a measure which includes the deprivation of liberty
- Recognition and enforcement of judgments and decisions on probation measures and alternative sanctions
- Recognition and enforcement of a decision on precautionary measures
- European Protection Order

- **Regulation 44/2001** on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- **Regulation 1215/2012** on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast)
- **Regulation 861/2007** as amended by Regulation **2015/2421** establishing a European Small Claims Procedure
- **Regulation 1896/2006** creating a European order for payment procedure
- **Regulation 805/2004** creating a European Enforcement Order for uncontested claims
- **Regulation 2201/2003** concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000
- **Regulation 4/2009** on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations
- **Regulation 1206/2001** on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- **Regulation 1393/2007** on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000
- **Regulation 655/2014** establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters
- **Regulation 650/2012** on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession
- **Regulation 606/2013** on mutual recognition of protection measures in civil matters
- **Regulation 2016/1103** implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes
- **Regulation 2016/1104** implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	MALTA
Name of Court Staff Category	<p>In Maltese: Deputat Registratur</p> <p>In English: Deputy Registrar</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Article 8 of the following document (Civil Courts): http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=9037&l=1 - Article 2 of the following document (Criminal Courts) referring to previous document: http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8980&l=1 - Chapter 12 of the Laws of Malta (Civil Courts) http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8577&l=1 - Chapter 9 of the laws of Malta (Criminal Courts) http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8574&l=1
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Secondary school /High school diploma - Higher education degree - Higher education state diploma in law <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <ul style="list-style-type: none"> - Interview by recruitment panel
Alternative Access Routes	<p>Transfer routes from other professions: Yes</p> <ul style="list-style-type: none"> - Internal interview for civil servants

<i>Responsibilities, Duties, Tasks</i>	
<p>- The main duties of a deputy registrar are the following: to manage the judiciary team assigned to a member of the judiciary or any registry to which he or she is assigned, to represent the Registrar and therefore attend court sittings, prepare acts of proceedings for court sittings, and to see in advance that the actors of proceedings, tax and assess judicial bill of costs, sign any documents which by law require signature by the Registrar, transcribe judicial proceedings registered by digital means, entering judgments delivered onto the IT system and other duties related to court sittings which may be assigned by the Registrar from time to time.</p> <p>Deputy Registrars play an important role in:</p> <ul style="list-style-type: none"> - Civil law and procedures (cross-border civil procedures) - Commercial law and procedures (cross-border commercial procedures) - Criminal law and procedures (cross-border criminal procedures) - Service of Judicial and Extra-Judicial Documents 	
<i>Organisation of the category/profession</i>	
Organising Structure	Court Services Agency
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Deputy Registrar performs tasks which ‘require the application of EU law’.

- European Arrest Warrant
- European Investigation Order
- European Protection Order
- Recognition and enforcement of decisions on the confiscation of property

- Recognition and enforcement of decisions on financial penalties
- Recognition and enforcement of judgments by which prison sentence has been pronounced or a measure which includes the deprivation of liberty
- Recognition and enforcement of judgments and decisions on probation measures and alternative sanctions
- Recognition and enforcement of a decision on precautionary measures
- European Protection Order
- **Regulation 44/2001** on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- **Regulation 1215/2012** on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast)
- **Regulation 861/2007** as amended by Regulation **2015/2421** establishing a European Small Claims Procedure
- **Regulation 1896/2006** creating a European order for payment procedure
- **Regulation 805/2004** creating a European Enforcement Order for uncontested claims
- **Regulation 2201/2003** concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000
- **Regulation 4/2009** on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations
- **Regulation 1206/2001** on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- **Regulation 1393/2007** on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000
- **Regulation 655/2014** establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters
- **Regulation 650/2012** on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession
- **Regulation 606/2013** on mutual recognition of protection measures in civil matters
- **Regulation 2016/1103** implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes
- **Regulation 2016/1104** implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	MALTA
Name of Court Staff Category	In English: ICT Officer
Statutory/Legal Basis for this Post	None
<i>Access to the Court Staff Category</i>	
Main Access Conditions	First degree (MQF Level 6), or a post-graduate degree or a Master's degree (MQF Level 7) or comparable professional qualification as recognised by the MQRIC, in Information Technology other related subject, and three years' experience, or o At least a diploma, (MQF level 5) or comparable professional qualification as recognised by the MQRIC, in Information Technology or a related subject, and at least 7 years' experience in an Information Technology managerial role.
Main Recruitment Procedure	Recruitment procedure: takes place at court level and externally <ul style="list-style-type: none"> - Interview by recruitment panel
Alternative Access Routes	Transfer routes from other professions: Yes <ul style="list-style-type: none"> - Internal interview for civil servants
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Manage, monitor and direct the activities of the Information Technology Directorate. - Ensure that it achieves the objectives and targets set out in the Agency business and financial Plans. - Develop strategies, policies, procedures and practices for the operation of the Information Technology Directorate. - Ensures the successful implementation of the above through appropriate monitoring and quality control. 	

- Promote and sustain a service culture that meets the expectations of the Agency's stakeholders and hold regular contact with the major stakeholders. To create informal structures to assist the mission of the Agency.
- Maintains an updated inventory of all tangible and intangible ICT assets.
- Approves, coordinates and monitors all ICT projects.
- Researches and evaluates alternatives for the enhancement or re-engineering of the Agency's business and ICT framework.
- Develop and implement policies, procedures and practices (in agreement with Corporate Services) and advise on the resource needs of the teams to ensure that the Agency achieves its Business Plan objectives and targets.
- Plan, manage and schedule the workload of the Information Technology Directorate to obtain maximum effectiveness while ensuring good staff motivation and the maintenance of good quality standards.
- Maintains contact with ICT suppliers and maintains knowledge of technology trends, market prices and terms of an agreement to minimise the investment required to meet established service levels. Evaluates alternatives, performs appropriate cost-benefit analysis and recommends solutions that minimize cost commensurate with acceptable risks.
- Enforces policy and procedures to ensure the adequate protection of the Agency's ICT assets and the integrity, security and privacy of information assets.
- Develops Agency-wide purchase or lease agreements for hardware, software and related user licences, maintenance agreements and telecommunications services.
- Assists line of business to develop, test, and maintain appropriate business continuity and disaster recovery plan for Agency functions to ensure the timely and effective restoration of ICT services.
- Develops and maintains Agency ICT policies and standards relating to all aspects of the ICT governance framework.
- Represent the Agency at various internal and/or external meetings locally and abroad and undertake the necessary preparations accordingly.
- Carry out various subsidiary tasks relevant to effective working in the job within the scope of normal flexibility.
- Prepares and annually updates the IT strategic plan for the Agency and provides operational support on all ICT matters.
- Implements interpersonal and leadership skills, providing guidance and able to influence and communicate effectively with staff at all levels and with professional and lay audiences.
- Manage people, creating a team-building environment and ability to exercise control. Ability to work under pressure as part of the Building and Construction Agency management team and in a multi-cultural and gender-sensitive environment.
- Manages lecam digital system.
- Manages e-courts digital system.

The task that the officer is responsible for are the following:

- Procedures
- Management
- Administrative tasks

The category of court staff is as per the list below:

- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)
 - o Data protection
 - o Court programming/management of court agendas

Organisation of the category/profession

Organising Structure	Court Services Agency
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – ICT Officer performs tasks which ‘require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	MALTA
Name of Court Staff Category	In English: Registrar/Director Civil Courts and Civil Tribunals, Registrar/Director Courts and Criminal Tribunals
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Chapter 12 of the Laws of Malta (Civil Courts) http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8577&l=1 - Chapter 9 of the laws of Malta (Criminal Courts) http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8574&l=1 - Article 8 of the following document (Civil Courts): http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=9037&l=1 - Article 2 of the following document (Criminal Courts) referring to previous document: http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8980&l=1
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Be Public Officers performing duties at the Court Services Agency. - Have a high standard of Education. - Have a sound knowledge of the Laws of Procedure governing the Civil Courts and Civil Tribunals. - Have excellent knowledge of the Departments and other Organisations of the Agency and Ministry. - Have Good management skills, including a good sense of judgment and decision-making abilities. <p>AND</p> <ul style="list-style-type: none"> - Be Assistant Registrar with 6 years' experience; or - Be Registrar with 4 years' experience; or - Be in possession of an M.Sc. qualification at MQF Level 7 (subject to a minimum of 60 ECTS/ECVET credits or equivalent with regards to programmes commencing as from October 2008) in M.Sc. in Advocacy or a recognised

	comparable qualification with 8 years' experience in an area related to Civil Courts and Civil Tribunals.
Main Recruitment Procedure	Recruitment procedure: takes place internally at court level - Interview by recruitment panel
Alternative Access Routes	Transfer routes from other professions: Yes Be in possession of an M.Sc. qualification at MQF Level 7 (subject to a minimum of 60 ECTS/ECVET credits or equivalent with regards to programmes commencing as from October 2008) in M.Sc. in Advocacy or a recognised comparable qualification with 8 years' experience in an area related to Civil Courts and Civil Tribunals.

Responsibilities, Duties, Tasks

- To ensure the proper administration and management of the Courts & Tribunals Directorate (Civil and Criminal separately) by providing timely and adequate support and facilities to the civil courts in order that the Judges and Magistrates dealing with civil cases may operate efficiently.
- To perform all those duties pertaining to the Registrar of Civil or Criminal Courts and Tribunals as deriving from the Laws of Malta in those duties and functions emanating, but not limited to, from Article 58 of the Code of Organisation and Civil Procedure.
- To perform the functions of a registrar and/or secretary of any other boards and tribunals which functions are assigned to him by any other law.
- To submit policy proposals to the Chief Executive Officer as appropriate on all matters relating to the operation of the Civil Courts & Civil Tribunals Directorate ensuring proper planning and thought for the future and appropriate responses to superior initiatives.
- To translate policy decisions into strategic plans and to monitor their implementation.
- To contribute to the collective management of the Court Services Agency.
- The Director is responsible to the Chief Executive Officer for:
 - o Programme development, management and results.
 - o Customer Services.
 - o Development and implementation of organisational structures.
 - o Development of operational and business plans.
 - o Policy proposals.
 - o Financial expenditures/revenue.
 - o Staff management – appointments within delegated authority.
 - o Performance Appraisals.

- Discipline.
- Capital acquisition within delegated authority.
- Optimisation of operations.
- Inter/Intra-departmental linkages.
- Formulation of operating procedures/guidelines.

The main responsibilities are the following:

- Procedures
- Management
- Administrative Tasks

The categories that the directors are involved in are the following:

- Civil law and procedures
 - Cross-border civil procedures
- Commercial law and procedures
 - Cross-border commercial procedures
- Criminal law and procedures
 - Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts
 - E-justice (organisation of Information Technology & Communication, videoconferencing)
- Data protection
- Authentication of judicial and extra-judicial documents
- Court programming/management of court agendas
- Human Resources/personnel issues
- Budget

- Health & safety, building administration	
<i>Organisation of the category/profession</i>	
Organising Structure	Court Services Agency
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Registrar Director performs tasks which ‘require the application of EU law’.

- European Arrest Warrant
- European Investigation Order
- European Protection Order
- Recognition and enforcement of decisions on the confiscation of property
- Recognition and enforcement of decisions on financial penalties
- Recognition and enforcement of judgments by which prison sentence has been pronounced or a measure which includes the deprivation of liberty
- Recognition and enforcement of judgments and decisions on probation measures and alternative sanctions
- Recognition and enforcement of a decision on precautionary measures
- European Protection Order
- **Regulation 44/2001** on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- **Regulation 1215/2012** on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast)
- **Regulation 861/2007** as amended by Regulation **2015/2421** establishing a European Small Claims Procedure
- **Regulation 1896/2006** creating a European order for payment procedure

- **Regulation 805/2004** creating a European Enforcement Order for uncontested claims
- **Regulation 2201/2003** concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000
- **Regulation 4/2009** on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations
- **Regulation 1206/2001** on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- **Regulation 1393/2007** on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000
- **Regulation 655/2014** establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters
- **Regulation 650/2012** on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession
- **Regulation 606/2013** on mutual recognition of protection measures in civil matters
- **Regulation 2016/1103** implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes
- **Regulation 2016/1104** implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	MALTA
Name of Court Staff Category	In English: Systems Administrator
Statutory/Legal Basis for this Post	None
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Recognised qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits or equivalent) in Computing and/or ICT plus one (1) year relevant work experience in a formal and mature ICT environment.
Main Recruitment Procedure	Recruitment procedure: takes place at court level and externally <ul style="list-style-type: none"> - Interview by recruitment panel
Alternative Access Routes	Transfer routes from other professions: Yes <ul style="list-style-type: none"> - Internal interview for civil servants
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Monitoring the day-to-day running of the IT systems. - Monitoring of IT Infrastructure. - Ensuring effective end-user support on the infrastructure and systems. - Ensuring effective end-user of database applications. - Ensure appropriate technical support framework is in place, including the management and oversight of the maintenance of the physical network. - Deployment of ICT services and applications. - Ensuring business continuity of ICT services including hardware software, connectivity and web services. - Researching, identifying and proposing IT infrastructural improvement for implementation consideration. 	

- Developing, implementing and maintaining written policies and procedures for IT systems installation and configuration, operations, development and data management.
- Installing and configuring hardware, software, peripherals, services, directories, storage, etc. in accordance with standards and project/operational requirements.
- Reviewing system performance and application logs, verifying completion of scheduled jobs such as backups, set up log shipping for multiple databases, transaction log truncation and generating periodic performance reporting.
- Coordinating and communicating with impacted constituencies the repair and recovery from hardware or software failures.
- Carrying out ongoing performance tuning, hardware upgrades, systems updates and resource optimisation as required.
- Ensuring the integrity and security of IT Systems as required by the Government's policies and procedures.
- Creating and maintaining user accounts and assigning privileges through security systems to ensure efficient operations at all levels.
- Testing computer hardware, software and operating system software with the use of test tools and scripts.
- Maintaining updated documentation about systems' configurations.
- Keeping abreast with technical and strategic developments and trends within the ICT industry and specific business area/s.
- Carrying out any other duties as directed by the Principal Permanent Secretary or the respective Ministry Permanent Secretary, CIO or their representatives.
- Coordinates lecam digital system.
- Coordinates e-courts digital system.

The task that the officer is responsible for are the following:

- Procedures
- Management
- Administrative tasks

The category of court staff is as per the list below:

- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)
 - o Data protection
 - o Court programming/management of court agendas

<i>Organisation of the category/profession</i>	
Organising Structure	Court Services Agency
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – System Administrator performs tasks which ‘require the application of EU law’.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Court Assistants/Court Clerks	The Court Assistants and Court Clerks are responsible for typing of Judgments and Court Decrees; for transcribing Judicial proceedings which have been registered by digital media or other means, for keeping the schedule of appointments of the Judges/Magistrates and updating the court case diary system, and for assisting the Deputy Registrar in the day-to-day running of the Judiciary's office.	Court Assistants: 2 Court Clerks: 11 Total: 13
Court Messenger	The Court Messenger performs messaging duties, posting of court lists, calling of court cases, the operation, monitoring and logging of Court recordings, by audio and/or visual means, as and when required, on analogue and/or digital equipment.	43
Court Marshals	The Court Marshall executes warrants of arrest and warrants to accompany a witness to court. They execute precautionary and executive acts and serve judicial acts.	18
Court Ushers	The Court Usher performs duties such as the operation, monitoring and logging of Court recordings, by audio and/or visual means, as and when required, on analogue and/or digital equipment, security of Court buildings; attending Court sittings.	18
Senior Court Recorder	The Senior Court Recorder operates the Public Address System installed in the halls of the Courts, operates the system to record the court hearings, makes copies of these recording for transcription purposes, files and maintains an index system and stores the recording of each sitting, and erases the recordings when Judicial proceedings have been definitely terminated. The Senior Court Recorder performs also the duties of the Court Messenger as and when required.	6

NETHERLANDS

1- GENERAL INFORMATION

Answering institution(s)	Studiecentrum Rechtspleging (SSR)
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁵⁸

In the table below, an overview of the Court staff in the Netherlands is presented, including their Type and, when applicable, Functions⁵⁹.

Category	Type	Functions	Approximate numbers
Juridical Staff at the Prosecution Office	Type 1	Functions 2/4	2,000
Court Clerk	Type 1	Functions 2/3/4	5,188
Legal Assistant	Type 1	Functions 2/4	
Administrative Court Clerk	Type 3	N/A	1,740
Administrative Staff Public Prosecution Office	Type 3	N/A	2,030

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.

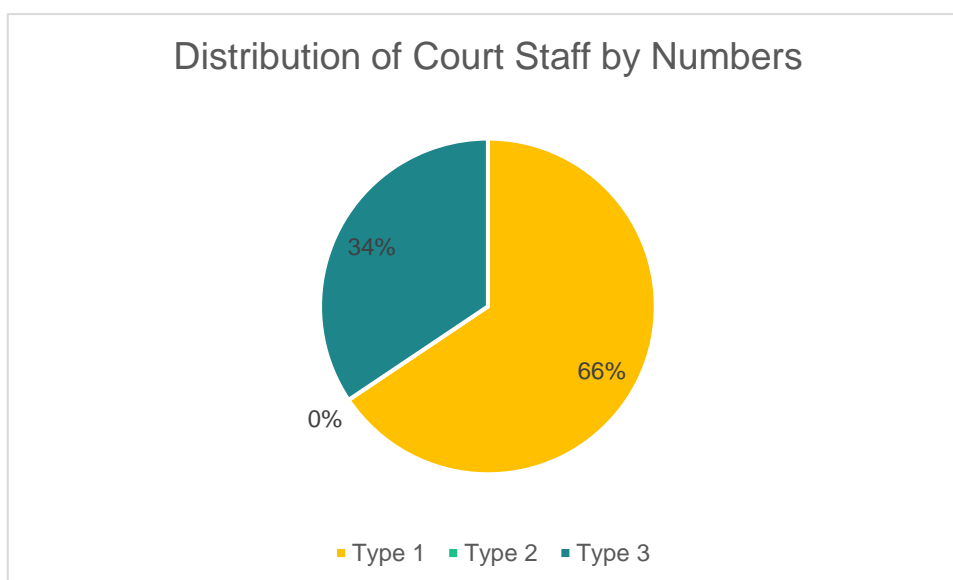
⁵⁸ Further information regarding the methodology applied for the data collection, and regarding the Types and Functions, is available in Chapters 4, 5 and 6 of this Study.

⁵⁹ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

- 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	7,188	66%
Type 2	0	0%
Type 3	3,770	34%
TOTAL	10,958	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in The Netherlands, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	NETHERLANDS
Name of Court Staff Category	In Dutch: Juridisch medewerker
	In English: Juridical Staff at the Prosecution Office
Statutory/Legal Basis for this Post	Wet op de rechterlijke organisatie, artikel 14
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Qualifications: Higher education degree in law up to a Master's in Law degree
Main Recruitment Procedure	Recruitment process: <ul style="list-style-type: none"> - Selection through written application - Interview - Practical tests (testing practical skills)
Alternative Access Routes	Transfer routes from other professions: Yes
<i>Responsibilities, Duties, Tasks</i>	
<p>Juridical staff at the public prosecution service:</p> <ul style="list-style-type: none"> - Provide legal assistance in the preparation of files (read files, check law, directives, jurisprudence, potentially communicate with parties for extra information, files or documents, prepare a report including relevant facts or evidence, a summary of the case and argument) - Communication with the police, the probation services, victim support service, etc.) - Provide assistance during the hearing 	

<i>Organisation of the category/profession</i>	
Organising Structure	College van procureurs- generaal / Board of Prosecutors General (www.om.nl) Studiecentrum Rechtspleging / SSR (www.ssr.nl)
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Juridical Staff at the Prosecution Office perform tasks which ‘require the application of EU law’.

- Provide legal assistance in the preparation of files
- Depending on the specialised area of criminal law they are working for* (special prosecution offices)
 - Criminal law and procedures and cross-border criminal procedures*
 - MLA EAW
 - Organised crime (human trafficking, terrorism, drug trafficking, money laundering-related)
 - Organised crime, international war crimes, child pornography, child sex tourism and cybercrime
 - Serious fraud, Environmental crime and Asset confiscation

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	NETHERLANDS
Name of Court Staff Category	In Dutch: Juridisch mederwerker
	In English: Court Clerk
Statutory/Legal Basis for this Post	Wet op de rechterlijke organisatie, artikel 14
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: Higher education degree in law for the court clerk level a,b,c</p> <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <p>Recruitment process:</p> <ul style="list-style-type: none"> - Selection through written application - Interview - Practical tests (testing practical skills)
Alternative Access Routes	Transfer routes from other professions: Yes
<i>Responsibilities, Duties, Tasks</i>	
<p>Court clerks level a, b and c:</p> <ul style="list-style-type: none"> - Provide legal assistance in the preparation of files (read files, check law, directives, jurisprudence, potentially communicate with parties for extra information, files or documents, prepare a report including the relevant facts or evidence, a summary of the case and argument) 	

- Provide assistance during the hearing (apply all necessary procedures in order to ensure the smooth running of the court service; supervise files and the transmission of documents, report on the hearing, etc.)
- Provide assistance to the judiciary in drafting decisions
- Specific competences regarding judicial decisions
- Procedures

More information can be found under the following link:

- <https://intro.rechtspraak.minjus.nl/Bedrijfsvoering/Personeelszaken/Organisatie/Functiegebouw/Documents/P-instrumentarium.pdf>
- <https://intro.rechtspraak.minjus.nl/Bedrijfsvoering/Personeelszaken/Algemeen/circulaires/Circulaires%202017/170622%20Eindrapportage%20met%20addenda%20juridisch%20medewerker.pdf>

Court clerks play an important role in:

- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Civil law and procedures and cross-border civil procedures*
- Criminal law and procedures and cross-border criminal procedures*
- Commercial law and procedures and cross-border commercial law procedures*
- Competition law and procedures*
- Environmental law and procedures*
- Assistance to judges

*depending on the section of the law they work for

Aspects of EU law: are becoming more important as more legislative instruments are being adopted

Organisation of the category/profession

Organising Structure	Raad voor de Rechtspraak / Council for the Judiciary for the courts (www.rechtspraak.nl)
Contact Details of any Professional	

Organisations in Connection with this Court Staff	
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QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Court Clerk performs tasks which ‘require the application of EU law’.

- Provide legal assistance in the preparation of files
 - Provide legal and procedural assistance during the hearing
 - Provide assistance in drafting decisions
-
- Depending on the section of the law they are working for*
 - Civil law and procedures and cross-border civil procedures*
 - Criminal law and procedures and cross-border criminal procedures*
 - Commercial law and procedures and cross-border commercial law procedures*
 - Competition law and procedures*
 - Environmental law and procedures*
 - In general, the court clerks have to follow courses and training (no matter the law section they are working for) in the following:
 - Human rights
 - EU Charter
 - Access to justice
 - Rights of the victim
 - Rights of the child
 - Administrative law and procedures

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	NETHERLANDS
Name of Court Staff Category	In Dutch: Stafjurist
	In English: Legal Assistant
Statutory/Legal Basis for this Post	https://wetten.overheid.nl/BWBR0001830/2013-04-01/#Hoofdstuk2_Afdeling2_Paragraaf1_Artikel14
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Qualifications: Higher education master's in law for legal assistant level a and b
Main Recruitment Procedure	Recruitment process: <ul style="list-style-type: none"> - Selection through written application - Interview - Practical tests (testing practical skills)
Alternative Access Routes	Transfer routes from other professions: Yes
<i>Responsibilities, Duties, Tasks</i>	
<p>Legal Assistants level a and b:</p> <ul style="list-style-type: none"> - Provide legal assistance in the preparation of very difficult/specialised cases and advise the bench - Provide specialised legal assistance during the hearing - Draft decisions - Coaching and mentoring for court clerks, trainee judges <p>More information can be found under the following link:</p> <ul style="list-style-type: none"> - https://intro.rechtspraak.minjus.nl/Bedrijfsvoering/Personeelszaken/Organisatie/Functiegebouw/Documents/P-instrumentarium.pdf 	

- <https://intro.rechtspraak.minjus.nl/Bedrijfsvoering/Personeelszaken/Algemeen/circulaires/Circulaires%202017/170622%20Eindrapportage%20met%20addenda%20juridisch%20medewerker.pdf>

Legal assistants play an important role in:

- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Civil law and procedures and cross-border civil procedures
- Criminal law and procedures and cross-border criminal procedures
- Commercial law and procedures and cross-border commercial law procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges

Aspects of EU law: are becoming more important as more legislative instruments are being adopted.

Organisation of the category/profession

Organising Structure

Raad voor de Rechtspraak / Council for the Judiciary
www.rechtspraak.nl
 Studiecentrum Rechtspleging / SSR (www.ssr.nl)

Contact Details of any Professional Organisations in Connection with this Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Legal Assistant performs tasks which ‘require the application of EU law’.

- Legal assistants provide legal assistance in the preparation of very difficult/ specialised cases and advise the bench
- Legal assistants provide specialised legal assistance during the hearing
- Draft decision

Aspects of EU law are becoming more important as more legislative instruments are being adopted. **Therefore, those topics are relevant for training:**

- Depending on the section of the law they are working for*
 - Civil law and procedures and cross-border civil procedures*
 - Criminal law and procedures and cross-border criminal procedures*
 - Commercial law and procedures and cross-border commercial law procedures*
 - Competition law and procedures*
 - Environmental law and procedures*
- Legal assistant have to follow those courses and training (no matter the law section they are working for) in the following:
 - Human rights
 - EU Charter
 - Access to justice
 - Rights of the victim
 - Rights of the child
 - Administrative law and procedures

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Administrative Court Clerk (level a, b and c)	Provides simple secretarial/administrative work (provides administrative assistance for the preparation of the files, registrar work, archive management)	1,740
Administrative Staff Public Prosecution Office	Provides simple secretarial/administrative work	2,030

POLAND

1- GENERAL INFORMATION

Answering institution(s)

National School of Judiciary and Public Prosecution
(Krajowa Szkoła Sądownictwa i Prokuratury)2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁶⁰

In the table below, an overview of the Court staff in Poland is presented, including their Type and, when applicable, Functions⁶¹.

Category	Type	Functions	Approximate numbers
<i>Courts</i>			
Court Referendary	Type 1	Functions 1/2/4	2,634
Court Secretaries (4 subcategories) a) Court Secretary b) Senior Court Secretary c) Recording Clerk d) Senior Recording Clerk	Type 1	Functions 1/4	21,589
Court Specialist (4 subcategories) a) Specialist for legal international cooperation b) Senior Specialist for legal international cooperation c) Inspector d) Senior Inspector for legal international cooperation	Type 1	Functions 1/4	50
Judge Assistant	Type 1	Functions 1/2/4	4,156
Administration Inspector	Type 3	N/A	2
Archivist	Type 3	N/A	208
Cashier	Type 3	N/A	66

⁶⁰ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁶¹ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

Chief accountant	Type 3	N/A	276
chief specialist for OSH; specialist/senior specialist for OSH; inspector/senior inspector for OSH; fire protection inspector	Type 3	N/A	83
classified information protection officer; deputy classified information protection officer	Type 3	N/A	57
court usher; land registry operator; court messenger	Type 3	N/A	518
craftsman/restorer; maintenance worker	Type 3	N/A	290
data protection inspector	Type 3	N/A	58
defence inspector	Type 3	N/A	53
deputy chief accountant	Type 3	N/A	213
driver	Type 3	N/A	144
economic inspector/senior inspector	Type 3	N/A	2
financial inspector	Type 3	N/A	3
inspector for debt collection and enforcement	Type 3	N/A	1
internal auditor	Type 3	N/A	68
IT specialist	Type 3	N/A	415
IT system administrator; ICT system administrator; ICT security inspector	Type 3	N/A	327
legal counsel	Type 3	N/A	19
librarian	Type 3	N/A	5
porter; caretaker; cleaner	Type 3	N/A	183

secretary/transcription specialist	Type 3	N/A	1,608
senior guard/ escort-guard; guard/ escort-guard	Type 3	N/A	50
senior inspector for social issues	Type 3	N/A	1
senior inspector/senior accountant; inspector/accountant	Type 3	N/A	3,643
senior payroll inspector	Type 3	N/A	2
typist; telephonist; electronic equipment operator/duplicating machines operator	Type 3	N/A	28
warehouseman	Type 3	N/A	7
<i>Public Prosecutor's Offices</i>			
Legal clerk (only at district public prosecutors' offices)	Type 1	Functions 1/4	100
Prosecutor's assistant/senior prosecutor's assistant	Type 1	Functions 1/2/4	1,084
Public prosecutor's office staff (all levels) a) positions in each prosecutor's office: • junior clerk/clerk/senior clerk • prosecutorial referendary • inspector/senior inspector b) positions that can be introduced by the head of a given unit depending on the needs: • specialist/senior specialist for legal international cooperation • expert for legal international cooperation	Type 2	Functions 1/2/4	5,457
archivist	Type 3	N/A	36
cashier	Type 3	N/A	1

chief accountant	Type 3	N/A	58
chief specialist for OSH; specialist/senior specialist for OSH; inspector/senior inspector for OSH; fire protection inspector	Type 3	N/A	49
classified information protection officer/ deputy classified information protection officer	Type 3	N/A	60
craftsman/restorer; maintenance worker	Type 3	N/A	86
criminal analyst	Type 3	N/A	122
data protection inspector	Type 3	N/A	42
department/office director in the National Public Prosecutor's Office; deputy department/office director in the National Public Prosecutor's Office; financial and administrative director	Type 3	N/A	54
deputy chief accountant	Type 3	N/A	27
Driver	Type 3	N/A	495
internal auditor	Type 3	N/A	52
IT specialist	Type 3	N/A	111
IT system administrator; ICT system administrator; ICT security inspector administrator	Type 3	N/A	120
legal counsel	Type 3	N/A	2
librarian	Type 3	N/A	16
mail department employee; prosecutor's office messenger	Type 3	N/A	142

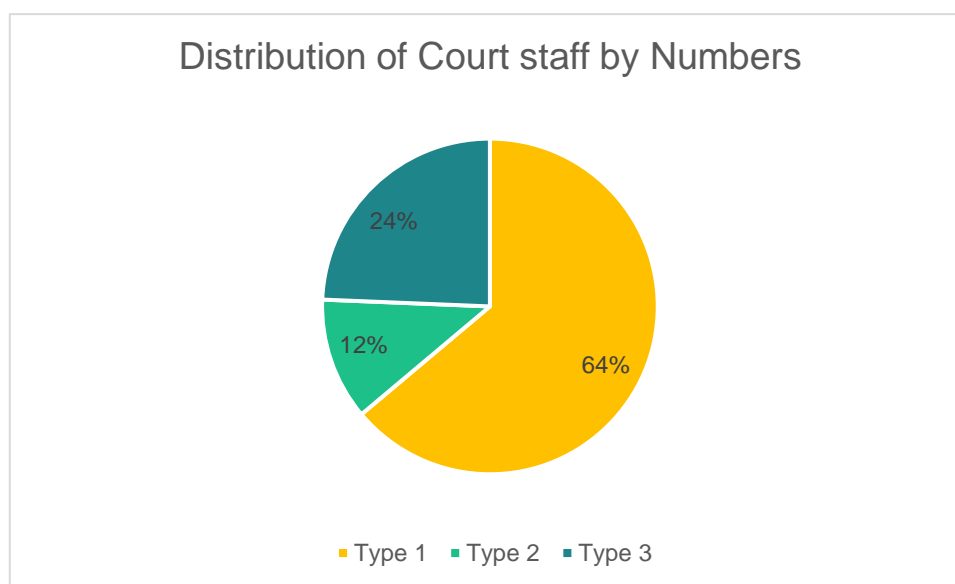
porter; caretaker; cleaner	Type 3	N/A	72
Secretary	Type 3	N/A	945
senior defence inspector; defence inspector	Type 3	N/A	54
Senior inspector/senior accountant; inspector/accountant	Type 3	N/A	368
typist; telephonist; electronic equipment operator/ duplicating machines operator	Type 3	N/A	44
warehouseman	Type 3	N/A	2

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	29,613	64%
Type 2	5,457	12%
Type 3	11,288	24%
TOTAL	46,358	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Poland, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	POLAND (Courts)
Name of Court Staff Category	<p>In Polish: Referendarz sądowy (wykonuje zadania z zakresu ochrony prawnej, inne niż wymiar sprawiedliwości, który jest wykonywany wyłącznie przez sędziów)</p> <p>In English: Court referendary (performs tasks in the field of legal protection, other than judicature, which is carried out only by judges)</p> <p>(equivalent to the German 'Rechtspfleger')</p>
Statutory/Legal Basis for this Post	<p>In Polish: Ustawa z dnia 27 lipca 2001 r. – Prawo o ustroju sądów powszechnych</p> <p>In English: Act of 27 July 2001 - Law of the common courts structure</p> <p>http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU20010981070/U/D20011070Lj.pdf</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 22 marca 2012 r. w sprawie przeprowadzania konkursu na stanowisko referendarza sądowego z późniejszymi zmianami</p> <p>In English: Regulation of the Minister of Justice of 22 March 2012 on conducting a competition process for the position of court referendary with later amendments</p> <p>In Polish: Ustawa o Krajowej Szkole Sądownictwa i Prokuratury</p> <p>https://www.lexlege.pl/ustawa-o-krajowej-szkole-sadownictwa-i-prokuratury/</p> <p>In English: The Legal Act on the National School of Judiciary and Public Prosecution</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - MA in Law - Passed a referendary's, judicial, prosecutor's, bar's, notary's or legal adviser's exam or completed a judicial

	<p>or prosecutor's initial training at the National School of Judiciary and Public Prosecution</p> <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <p>Procedure:</p> <ul style="list-style-type: none"> - Court referendaries are nominated by presidents of courts of appeal. A competition organised by the courts. - Written exam: test and two questions based on cases (only Civil law). <p>Formal and legal requirements to become a court referendary:</p> <ul style="list-style-type: none"> - has Polish citizenship and enjoys full civil and public rights; - integrity; - completed higher law studies in Poland and obtained a master's degree in law or foreign equivalent recognised in Poland; - is over 24 years old; - passed a referendary's, judicial, prosecutor's, bar's, notary's or legal adviser's exam or completed a judicial or prosecutor's initial training at the National School of Judiciary and Public Prosecution. <p>The recruitment of candidates is organised through a competition procedure, which aims to select the candidate with the best knowledge and skills, predispositions and general abilities necessary to perform the duties of referendary.</p> <p>The competition process is carried out in writing. It consists of two parts:</p> <ul style="list-style-type: none"> - a single-choice test, covering 60 questions in the field of civil law, civil procedure, commercial law, criminal law, criminal procedure, executive criminal law, misdemeanour law, proceedings on misdemeanour cases, fiscal criminal law and fiscal criminal proceedings; - three cases, the solution of which involves preparing a draft order with justification - one each in the field of civil law, civil procedure or commercial law, in the field of land and mortgage register proceedings and in the field of criminal law, criminal proceedings or executive criminal law.

Alternative Access Routes	Transfer routes from other professions: No
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Issuing decisions and ordinances specified in statutes within the scope of performed duties (the court referendary is independent as to the content of issued decision) - Legal research <p>This court staff category plays an important role in:</p> <ul style="list-style-type: none"> - Administrative tasks - Civil law and procedures (Cross-border civil procedures) - Commercial law and procedures (Cross-border commercial procedures) - Criminal law and procedures (Cross-border criminal procedures) - Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.) - Access to justice - Assistance to judges 	
<i>Organisation of the category/profession</i>	
Organising Structure	Common courts (The President of the court is their superior)
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Court Referendary performs tasks which ‘require the application of EU law’.

Tasks that require knowledge of EU legislation:

- delivery of documents in civil, commercial and criminal matters (finding institutions, drafting applications to EU countries)
- drafting applications for reviewing evidence in civil, commercial and criminal matters (finding institutions, drafting applications, video- and teleconferences)
- drafting forms for the following regulations

Instruments of EU law relevant to these tasks:

- Regulation (EU) No 1215/2012 of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure
- Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure
- Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations
- Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
- Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility, repealing Regulation (EC) No 1347/2000
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000
- Council Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession
- The Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union of 29 May 2000
- Directive 2014/41/EU regarding the European Investigation Order in Criminal Matters

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	POLAND (Courts)
Name of Court Staff Category	<p>In Polish: Sekretarz/starszy sekretarz sądowy, Protokolant/starszy protokolant sądowy</p> <p>In English: Court secretary/senior court secretary, Recording clerk/senior recording clerk</p>
Statutory/Legal Basis for this Post	<p>In Polish: Ustawa z dnia 18 grudnia 1998 r. o pracownikach sądów i prokuratury</p> <p>In English: Act of 18 December 1998 on court and public prosecutor's office employees http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU19981621125/U/D19981125Lj.pdf</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 3 marca 2017 r. w sprawie stanowisk i szczegółowych zasad wynagradzania urzędników i innych pracowników sądów i prokuratury oraz odbywania stażu urzędniczego z późniejszymi zmianami</p> <p>In English: Regulation of the Minister of Justice of 3 March 2017 regarding positions and detailed rules for the remuneration of officials and other employees of courts and the public prosecutor's offices, as well as clerical traineeships with later amendments</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 17 stycznia 2008 r. w sprawie szczegółowego trybu i sposobu przeprowadzania konkursów na staż urzędniczy w sądzie i prokuraturze z późniejszymi zmianami</p> <p>In English: Regulation of the Minister of Justice of 19 January 2008 on the detailed procedure and conducting competitions for clerical traineeships in court and prosecutor's office with later amendments</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Qualifications: Secondary school/high school diploma

	<p>Court secretary – secondary education or secondary vocational education and a matriculation examination passed, computer skills, including expert writing skills, and in the case of a senior court secretary – first degree higher education and computer skills, including fluent writing, and 5 years of work as a court secretary</p> <p>Recording clerk – secondary education or secondary vocational education and a matriculation examination passed, computer skills, including expert writing skills, and in the case of a senior recording clerk – first degree higher education and computer skills, including fluent writing, and 3 years of work as a recording clerk</p> <p>Aspects of EU law: are relevant to their duties</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <p>Procedure:</p> <ul style="list-style-type: none"> - The court announces vacancies - Formal selection of the written applications - Practical skills test - Interview by recruitment panel - That procedure refers to applying for in-job training (6 months). After that period there is a final exam. If passed, one can be employed as a regular court secretary/recording clerk.
Alternative Access Routes	Transfer routes from other professions: No

Responsibilities, Duties, Tasks

All four categories above mentioned have the same tasks:

- Administrative tasks;
- Civil law and procedures (Cross-border civil procedures);
- Commercial law and procedures (Cross-border commercial procedures);
- Criminal law and procedures (Cross-border criminal procedures);
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- All above mentioned: They write, type, answer phones and send correspondence in every kind of cases;

- Access to justice: They make copies of documents for the parties, give some information, etc.
- Assistance to judges: taking minutes, taking notes sending correspondence;
- Keeping court repertory (books) by making entries illustrating the course of the case, such as the date and basis of the document instituting court proceedings, the content of judicial orders, dates and content of ruling decisions, submission of a review or complaint, presentation of a court file with an appeal, date on the enforcement of the court decision;
- Maintaining order in the files (immediate submission of letters to the relevant files, stapling and numbering of files);
- Quick dispatch of court files, especially in the event of an appeal to a judgment given;
- Recording at hearings and court meetings;
- Implementation of judicial decisions regarding the trial;
- Writing out summons and notices about a hearing, preparing and dispatching documents necessary to bring a defendant to detention on remand, preparing and dispatching appeals (requests for information), preparing minutes of hearings, completing files for a court meeting, presenting files to a judge in the event of receipt of a letter, etc.;
- Monitoring room preparation for the court meeting;
- Controlling files 'on the calendar' (i.e. pending receipt of a letter);
- Keeping schedules (preparing justifications for decisions, sending files outside) and books of court receivables, cases related to foreign elements, etc.;
- Drawing up and issuing copies of judgments and other court documents;
- Collecting and deleting court fees stamps for specific court and office activities.

Organisation of the category/profession

Organising Structure	<ul style="list-style-type: none"> - The Director of the respective court is their superior/supervisor - They are employed by courts and their work is organised at court level. Therefore, there is no central organising structure
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Court secretary/senior court secretary, Recording clerk/senior recording clerk performs tasks which ‘require the application of EU law’.

Tasks that require knowledge of EU legislation:

- delivery of documents in civil, commercial and criminal matters (finding institutions, drafting applications to EU countries)
- drafting applications for reviewing evidence in civil, commercial and criminal matters (finding institutions, drafting applications, video- and teleconferences)
- drafting forms for the following regulations:

Instruments of EU law relevant to these tasks:

- Regulation (EU) No 1215/2012 of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure
- Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure
- Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations
- Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
- Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility, repealing Regulation (EC) No 1347/2000
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- In criminal matters: The Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union of 29 May 2000
- Directive 2014/41/EU regarding the European Investigation Order in Criminal Matters

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	POLAND (Courts)
Name of Court Staff Category	<p>In Polish: Specjalista/główny specjalista ds. obrotu prawnego z zagranicą, Inspektor/starszy inspektor ds. obrotu prawnego z zagranicą</p> <p>In English: Specialist/senior specialist for legal international cooperation, Inspector/senior inspector for legal international cooperation</p>
Statutory/Legal Basis for this Post	<p>In Polish: Ustawa z dnia 18 grudnia 1998 r. o pracownikach sądów i prokuratury</p> <p>In English: Act of 18 December 1998 on court and public prosecutor's office employees http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU19981621125/U/D19981125Lj.pdf</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 3 marca 2017 r. w sprawie stanowisk i szczegółowych zasad wynagradzania urzędników i innych pracowników sądów i prokuratury oraz odbywania stażu urzędniczego z późniejszymi zmianami</p> <p>In English: Regulation of the Minister of Justice of 3 March 2017 regarding positions and detailed rules for the remuneration of officials and other employees of courts and the public prosecutor's office, as well as clerical traineeships with later amendments</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 17 stycznia 2008 r. w sprawie szczegółowego trybu i sposobu przeprowadzania konkursów na staż urzędniczy w sądzie i prokuraturze z późniejszymi zmianami</p> <p>In English: Regulation of the Minister of Justice of 17 January 2008 on the detailed procedure and conducting competitions for clerical traineeships in court and prosecutor's office with later amendments</p>

<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - in the case of a specialist - first degree higher education, in the case of a senior specialist - second degree higher education and 5 years of work as a specialist - in the case of an inspector - first degree higher education and 5 years of work as a senior court secretary or court secretary, in the case of a senior inspector - second degree higher education and 3 years of work as an inspector <p>Aspects of EU law: are relevant to their duties</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <p>Procedure:</p> <ul style="list-style-type: none"> - The Court announces vacancies - Formal selection of the written applications - Practical skills test - Interview by recruitment panel - That procedure refers to applying for in-job training (6 months). After that period there is a final exam. If passed, one can be employed as a specialist for legal international cooperation.
Alternative Access Routes	<p>Transfer routes from other professions: No</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Performing activities related to international legal assistance, analysis and sending court applications abroad - Keeping maintenance cases pending outside the country - Maintaining contacts with diplomatic missions and ministries of foreign countries in frames of legal international cooperation - Supervision of international videoconferences - Administrative tasks 	

<i>Organisation of the category/profession</i>	
Organising Structure	<ul style="list-style-type: none"> - The Director of the respective court is their superior/supervisor - They are employed by courts and their work is organised at court level. Therefore, there is no central organising structure.
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Specialist/senior specialist for legal international cooperation, Inspector/senior inspector for legal international cooperation performs tasks which 'require the application of EU law'.

Tasks that require knowledge of EU legislation:

- Delivery of documents in civil, commercial and criminal matters (finding institutions, drafting applications to EU countries)
- Drafting applications for reviewing evidence in civil, commercial and criminal matters (finding institutions, drafting applications, video- and teleconferences)
- Drafting forms for the following regulations

Instruments of EU law relevant to these tasks:

- Regulation (EU) No 1215/2012 of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure
- Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure

- Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations
- Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
- Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility, repealing Regulation (EC) No 1347/2000
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000
- Council Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession

In criminal matters:

- The Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union of 29 May 2000
- Directive 2014/41/EU regarding the European Investigation Order in Criminal Matters

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	POLAND (Courts)
Name of Court Staff Category	<p>In Polish: Asystent sędziego</p> <p>In English: Judge’s assistant (judicial assistant, assistant to a judge)</p>
Statutory/Legal Basis for this Post	<p>In Polish: Ustawa z dnia 27 lipca 2001 r. – Prawo o ustroju sądów powszechnych</p> <p>In English: Act of 27 July 2001 - Law of the common courts structure</p> <p>http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU20010981070/U/D20011070Lj.pdf</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 8 listopada 2012 r. w sprawie czynności asystentów sędziów z późniejszymi zmianami</p> <p>In English: Regulation of the Minister of Justice of 8 November 2012 on the duties of judge’s assistants with later amendments</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 14 października 2013 r. w sprawie przeprowadzania konkursu na stanowisko asystenta sędziego z późniejszymi zmianami</p> <p>In English: Regulation of the Minister of Justice of 14 October 2013 on conducting a competition procedure for the office of judge’s assistant with later amendments</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: MA in law</p> <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p>

	<p>Procedure:</p> <ul style="list-style-type: none"> - Competition organised by the courts. - Written exam: test and two questions based on cases. <p>Formal and legal requirements to become an assistant to a judge:</p> <ul style="list-style-type: none"> - has Polish citizenship and enjoys full civil and public rights; - integrity; - completed higher law studies in Poland and obtained a master's degree in law or foreign equivalent recognised in Poland; - is over 24 years old; <p>The recruitment of candidates takes place through a competition procedure which aims to select the candidate with the highest knowledge and qualifications, predispositions and general abilities necessary to perform the duties of judge's assistant.</p> <p>The competition procedure is organised and run by the president of any given court, as long as there are vacancies available for that position.</p> <p>The competition procedure is conducted by a court committee (panel of three judges) appointed by the president of that court.</p> <p>The competition procedure consists of three stages:</p> <ul style="list-style-type: none"> - First stage – initial verification of candidates' applications in terms of meeting the formal requirements of joining the competition procedure; - Second stage – a test covering 36 questions in the field of civil and criminal law as well as civil and criminal proceedings and written work on one of two subjects in the field of civil law and criminal law, chosen by the candidate; - Third stage – interview.
Alternative Access Routes	<p>Transfer routes from other professions: No</p>

Responsibilities, Duties, Tasks

- Assistance to a judge in drafting decisions
- Legal research

This court staff category plays an important role in:

- Administrative tasks
- Civil law and procedures (Cross-border civil procedures)
- Commercial law and procedures (Cross-border commercial procedures)
- Criminal law and procedures (Cross-border criminal procedures)
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Access to justice
- Assistance to judges

At the request of the judge and under their direction, the assistant of the judge prepares draft orders, rulings or their factual and legal justifications.

- At the request of the judge, the assistant to the judge:
 - o Analyses the case files in the indicated scope;
 - o Monitors the status of postponed, suspended or pending cases;
 - o Asks individuals and institutions to provide the information or documents necessary to prepare the case for analysis;
 - o Prepares responses to letters that are not procedural documents;
 - o Collects, to the extent indicated, jurisprudence and literature useful for any given cases or performs other tasks entrusted by judges in a given department;
- In justified cases, if it is required by the principles of efficiency, rationality or economy, the judge may commission the judge's assistant to perform other activities necessary to prepare court cases for examination.

Organisation of the category/profession

Organising Structure	Common courts (The President of the court is their superior)
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judge’s Assistant (Judicial Assistant, Assistant to a Judge) performs tasks which ‘require the application of EU law’.

Tasks that require knowledge of EU legislation:

- Delivery of documents in civil, commercial and criminal matters (finding institutions, drafting applications to EU countries)
- Drafting applications for reviewing evidence in civil, commercial and criminal matters (finding institutions, drafting applications, video- and teleconferences)
- Drafting forms for the following regulations

Instruments of EU law relevant to these tasks:

- Regulation (EU) No 1215/2012 of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure
- Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure
- Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations
- Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
- Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility, repealing Regulation (EC) No 1347/2000
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000
- Council Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions

and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession

In criminal matters:

- The Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union of 29 May 2000
- Directive 2014/41/EU regarding the European Investigation Order in Criminal Matters

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	POLAND (Public Prosecutor's Offices)
Name of Court Staff Category	In Polish: Referent prawny (w prokuraturze okręgowej i regionalnej)
	In English: Legal Clerk (at Circuit and Regional Public Prosecutors' Offices)
Statutory/Legal Basis for this Post	<p>In Polish: Ustawa z dnia 18 grudnia 1998 r. o pracownikach sądów i prokuratury</p> <p>In English: Act of 18 December 1998 on court and public prosecutor's office employees</p> <p>http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU19981621125/U/D19981125Lj.pdf</p>
	<p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 3 marca 2017 r. w sprawie stanowisk i szczegółowych zasad wynagradzania urzędników i innych pracowników sądów i prokuratury oraz odbywania stażu urzędniczego z późniejszymi zmianami</p> <p>In English: Regulation of the Minister of Justice of 3 March 2017 regarding positions and detailed rules for the remuneration of officials and other employees of courts and the public prosecutor's office, as well as clerical traineeships with later amendments</p>
	<p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 17 stycznia 2008 r. w sprawie szczegółowego trybu i sposobu przeprowadzania konkursów na staż urzędniczy w sądzie i prokuraturze z późniejszymi zmianami</p> <p>In English: Regulation of the Minister of Justice of 17 January 2008 on the detailed procedure and conducting competitions for clerical traineeships in court and prosecutor's office with later amendments</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Higher legal education, knowledge of a foreign language

Main Recruitment Procedure	<p>Recruitment procedure: takes place at the relevant public prosecutor's office level</p> <p>The recruitment of candidates takes place through a competition procedure which aims to select the candidate with the highest knowledge and qualifications, predispositions and general abilities necessary to perform the duties of prosecutor's office staff.</p> <p>The competition procedure is organised and run by the head of any given public prosecutor's office, as long as there are vacancies available for that position.</p> <p>Procedure:</p> <ul style="list-style-type: none"> - The public prosecutor's office announces posts to be filled - Formal selection of the written applications - Practical skills test - Interview by recruitment panel - That procedure refers to applying for on-job training (6 months). After that period there is a final exam. If passed, can then be employed as a public prosecutor's office staff.
Alternative Access Routes	<p>Transfer routes from other professions: No</p>

Responsibilities, Duties, Tasks

- Administrative tasks
- Criminal law and procedures
- Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Enforcement of court decisions
- Rights of the victim
- Rights of the child
- Assistance to public prosecutors
- Preparation of draft letters and information in the field of legal international cooperation in criminal matters
- Preliminary analysis of applications for legal assistance, request for transfer of proceedings
- Working translations of letters within legal international cooperation

<i>Organisation of the category/profession</i>	
Organising Structure	<ul style="list-style-type: none"> - The head of the of the respective public prosecutor's office is their superior/supervisor - They are employed by the public prosecutor's office and their work is organised at this level. Therefore, there is no central organising structure.
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Legal Clerk (at Circuit and Regional Public Prosecutors' Offices) performs tasks which 'require the application of EU law'.

Tasks that require knowledge of EU legislation:

- Delivery of documents in criminal matters (identifying institutions, finding address data, drafting letters);
- Drafting requests to EU countries;
- Drafting forms for different decisions and regulations;
- Drafting decisions terminating criminal proceedings;
- Analysing incoming requests and forms.

Instruments of EU law relevant to these tasks:

- Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union
- Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters
- Council Framework Decision of 13 June 2002 on the European Arrest Warrant and the Surrender procedures between Member States (2002/584/JHA)
- 2016/1919/EU: Directive 2016/1919/EU of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings

- 2003/577/JHA: Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence
- 2005/212/JHA: Council Framework Decision 2005/212/JHA of 24 February 2005 on Confiscation of Crime-Related Proceeds, Instrumentalities and Property
- 2001/500/JHA: Council Framework Decision 2001/500/JHA of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime
- (EU) 2018/1805: Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing and confiscation orders
- 2009/948/JHA: Council Framework Decision 2009/948/JHA of 30 November 2009 for conflicts of jurisdiction
- 2002/465/JHA: Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams (JIT)
- 2009/829/JHA: Council Framework Decision 2009/829/JHA of 23 October 2009 for supervision measures
- 2010/64/EU: Directive 2010/64/EU of 20 October 2010 on the right to interpretation and translation in criminal proceedings
- 2012/13/EU: Directive 2012/13/EU of 22 May 2012 on the right to information in criminal proceedings
- 2013/48/EU: Directive 2013/48/EU of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons
- 2016/800/EU: Directive 2016/800/EU of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings
- Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings
- 2006/337/EC: Commission Decision 2006/337/EC of 19 April 2006 establishing standard forms for the transmission of applications and decisions pursuant to Council Directive 2004/80/EC relating to compensation to crime victims
- 2004/80/EC: Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims
- 2012/29/EU: Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime
- Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC)
- 2008/977/JHA: Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters
- 2016/343/EU: Directive 2016/343/EU of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings

- 2008/675/JHA: Council Framework Decision 2008/675/JHA of 24 July 2008 on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	POLAND (Public Prosecutor's Offices)
Name of Court Staff Category	<p>In Polish: Asystent prokuratora/starszy asystent prokuratora</p> <p>In English: Prosecutor's Assistant/Senior Prosecutor's Assistant</p>
Statutory/Legal Basis for this Post	<p>In Polish: Ustawa z dnia 28stycznia 2016 r. – Prawo o prokuraturze</p> <p>In English: Act of 28 January 2016 – Law on the Prosecutor's Office</p> <p>http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU20160000177/U/D20160177Lj.pdf</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 2 listopada 2016 r. w sprawie szczegółowego sposobu i trybu przeprowadzania konkursów na stanowisko asystenta prokuratora</p> <p>In English: Regulation of the Minister of Justice of 2 November 2016 on conducting a competition procedure for the office of prosecutor's assistant</p> <p>http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU20160001838/O/D20161838.pdf</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 5 sierpnia 2016 r. w sprawie szczegółowego zakresu i sposobu wykonywania czynności przez asystentów prokuratorów</p> <p>In English: Regulation of the Minister of Justice of 5 August 2016 on the duties of prosecutor's assistants</p> <p>http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU20160001260/O/D20161260.pdf</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Formal and legal requirements to become a public prosecutor's assistant:

	<ul style="list-style-type: none"> - has Polish citizenship and enjoys full civil and public rights; - integrity; - completed higher studies in Poland and obtained a master's degree or foreign equivalent recognised in Poland; - is over 24 years old. <p>In the case of a senior prosecutor's assistant – 10 years of work as a prosecutor's assistant or passed a professional exam for judges, prosecutors</p> <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>The recruitment of candidates takes place through a competition procedure which aims to select the candidate with the highest knowledge and qualifications, predispositions and general abilities necessary to perform the duties of prosecutor's assistant.</p> <p>The competition procedure is organised and run by the head of any given public prosecutor's office, as long as there are vacancies available for that position.</p> <p>The competition procedure is conducted by a public prosecutor's office committee (panel of 3-5 prosecutors) appointed by the head of the prosecutor's office.</p> <p>The competition procedure consists of three stages:</p> <ul style="list-style-type: none"> - First stage - initial verification of candidates' applications in terms of meeting the formal requirements of joining the competition procedure; - Second stage - a test covering 36 questions in the field of substantive and procedural criminal law and constitutional law and written work on one of two subjects in the field of substantive and procedural criminal law, chosen by the candidate; the written work may involve solving a case study; - Third stage - interview. <p>Candidates may become prosecutor's assistant provided that they hold a higher education diploma and spend 6 months in in-job-training); therefore there are no transfer routes.</p>
Alternative Access Routes	<p>Transfer routes from other professions: No</p>

Responsibilities, Duties, Tasks

- Administrative tasks
- Criminal law and procedures
- Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Rights of the victim
- Rights of the child
- Assistance to public prosecutors

At the request of the prosecutor and under their direction, the assistant is entitled to the following activities:

- Performing ongoing supervision activities over the investigation;
- Carrying out procedural acts during the preparatory proceedings: a) hearing a witness, b) search and seizure, c) examination, d) procedural experiment;
- The prosecutor's assistant carries out administrative tasks related to conducting and supervising preparatory proceedings and preparing decisions ending these proceedings.

Organisation of the category/profession

Organising Structure	public prosecutors' offices (the head of the prosecutor's office is their superior)
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Prosecutor's Assistant/Senior Prosecutor's Assistant performs tasks which 'require the application of EU law'.

Tasks that require knowledge of EU legislation:

- Delivery of documents in criminal matters (identifying institutions, finding address data, drafting letters);
- Drafting requests to EU countries;
- Drafting forms for different decisions and regulations;
- Drafting decisions terminating criminal proceedings.

Instruments of EU law relevant to these tasks:

- Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union
- Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters
- Council Framework Decision of 13 June 2002 on the European Arrest Warrant and the Surrender procedures between Member States (2002/584/JHA)
- 2016/1919/EU: Directive 2016/1919/EU of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings
- 2003/577/JHA: Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence
- 2005/212/JHA: Council Framework Decision 2005/212/JHA of 24 February 2005 on Confiscation of Crime-Related Proceeds, Instrumentalities and Property
- 2001/500/JHA: Council Framework Decision 2001/500/JHA of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime
- (EU) 2018/1805: Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing and confiscation orders
- 2009/948/JHA: Council Framework Decision 2009/948/JHA of 30 November 2009 for conflicts of jurisdiction
- 2002/465/JHA: Council Framework Decision 2002/465/JHA of 13 June 2002 on joint investigation teams (JIT)
- 2009/829/JHA: Council Framework Decision 2009/829/JHA of 23 October 2009 for supervision measures
- 2010/64/EU: Directive 2010/64/EU of 20 October 2010 on the right to interpretation and translation in criminal proceedings
- 2012/13/EU: Directive 2012/13/EU of 22 May 2012 on the right to information in criminal proceedings
- 2013/48/EU: Directive 2013/48/EU of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons
- 2016/800/EU: Directive 2016/800/EU of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings

- Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings
- 2006/337/EC: Commission Decision 2006/337/EC of 19 April 2006 establishing standard forms for the transmission of applications and decisions pursuant to Council Directive 2004/80/EC relating to compensation to crime victims
- 2004/80/EC: Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims
- 2012/29/EU: Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime
- Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC)
- 2008/977/JHA: Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters
- 2016/343/EU: Directive 2016/343/EU of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings
- 2008/675/JHA: Council Framework Decision 2008/675/JHA of 24 July 2008 on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	POLAND (Public Prosecutor's Offices)
Name of Court Staff Category	<p>In Polish: Urządник prokuratur wszystkich szczebli</p> <ul style="list-style-type: none"> - stanowiska w każdej prokuraturze: <ul style="list-style-type: none"> ○ młodszy referent/referent/starszy referent ○ referendarz ○ inspektor/starszy inspektor - stanowiska, które mogą być wprowadzone przez szefa danej jednostki w zależności od potrzeb: <ul style="list-style-type: none"> ○ specjalista/główny specjalista ds. obrotu prawnego z zagranicą ○ ekspert ds. obrotu prawnego z zagranicą <p>In English: Public prosecutor's office (all levels) staff</p> <ul style="list-style-type: none"> - Positions in each prosecutor's office: <ul style="list-style-type: none"> ○ Junior Clerk/Clerk/Senior Clerk ○ Prosecutorial Referendary ○ Inspector/Senior Inspector - Positions that can be introduced by the head of a given unit depending on the needs: <ul style="list-style-type: none"> ○ Specialist/Senior Specialist for Legal International Cooperation ○ Expert for Legal International Cooperation
Statutory/Legal Basis for this Post	<p>In Polish: Ustawa z dnia 18 grudnia 1998 r. o pracownikach sądów i prokuratury</p> <p>In English: Act of 18 December 1998 on court and public prosecutor office employees</p> <p>http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU19981621125/U/D19981125Lj.pdf</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 3 marca 2017 r. w sprawie stanowisk i szczegółowych zasad wynagradzania urzędników i innych pracowników sądów i prokuratury oraz odbywania stażu urzędniczego z późniejszymi zmianami</p>

	<p>In English: Regulation of the Minister of Justice of 3 March 2017 regarding positions and detailed rules for the remuneration of officials and other employees of courts and the public prosecutor's offices, as well as clerical traineeships with later amendments</p> <p>In Polish: Rozporządzenie Ministra Sprawiedliwości z dnia 17 stycznia 2008 r. w sprawie szczegółowego trybu i sposobu przeprowadzania konkursów na staż urzędniczy w sądzie i prokuraturze z późniejszymi zmianami</p> <p>In English: Regulation of the Minister of Justice of 17 January 2008 on the detailed procedure and conducting competitions for clerical traineeship in court and prosecutor's office with later amendments</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - junior clerk – secondary education or secondary vocational education and a matriculation examination passed, computer skills; clerk – secondary education or secondary vocational education and a matriculation examination passed, computer skills and 2 years of work as a junior clerk; senior clerk – secondary education or secondary vocational education and a matriculation examination passed, computer skills and 3 years of work as a clerk - prosecutorial referendary – first degree higher education, computer skills and 3 years of work as a clerk or senior clerk - inspector – first degree higher education and 5 years of work as a prosecutorial referendary or senior clerk; senior inspector – second degree higher education and 5 years of work as an inspector - specialist for legal international cooperation – first degree higher education; senior specialist for legal international cooperation – second degree higher education and 5 years of work as a specialist for legal international cooperation - expert for legal international cooperation – second degree higher education and at least 5 years of experience in issues related to the scope of the expert's duties
Main Recruitment Procedure	<p>Recruitment procedure: takes place at the relevant public prosecutor's office level</p> <p>The recruitment of candidates takes place through a competition procedure which aims to select the candidate with the highest knowledge and qualifications, predispositions and general</p>

	<p>abilities necessary to perform the duties of prosecutor's office staff.</p> <p>The competition procedure is organised and run by the head of any given public prosecutor's office, as long as there are vacancies available for that position.</p> <p>Procedure:</p> <ul style="list-style-type: none"> - The public prosecutor's office announces vacancies - Formal selection of the written applications - Practical skills test - Interview by recruitment panel - That procedure refers to applying for in-job training (6 months). After that period there is a final exam. If passed, one can be employed as a public prosecutor's office staff.
Alternative Access Routes	Transfer routes from other professions: No
<i>Responsibilities, Duties, Tasks</i>	
<p>Administrative tasks only – following directions of public prosecutors:</p> <ul style="list-style-type: none"> - Assistance to public prosecutors - Typing the substantive decisions and other procedural documents - Service of office applications and knowledge of recording devices functioning in common organisational units of the prosecutor's office - Operating of the IT system of prosecutor's office - Ensuring the efficient circulation of documents received in the prosecutor's office, including files and pleadings - Preparing expedition of files and letters - Archiving the files - Performing other secretarial activities 	
<i>Organisation of the category/profession</i>	
Organising Structure	<ul style="list-style-type: none"> - The head of the respective public prosecutor's office is their superior/supervisor - They are employed by the public prosecutor's office and their work is organised at this level. Therefore, there is no central organising structure.

Contact Details of any Professional Organisations in Connection with this Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Public prosecutor's office (all levels) staff performs tasks which 'might require the application of EU law'.

Tasks that might require knowledge of EU legislation:

- Administration aspects of the delivery of documents in criminal matters (identifying institutions, finding address data);
- Administration aspects of drafting requests to EU countries;
- Administration aspects of drafting forms for different decisions and regulations;
- Administrative assistance to prosecutors during pre-trial proceedings, including trans-border cases.

Instruments of EU law relevant to these tasks:

- Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union
- Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters
- Council Framework Decision of 13 June 2002 on the European Arrest Warrant and the Surrender procedures between Member States (2002/584/JHA)
- 2003/577/JHA: Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

The following table was drawn according to the Regulation of the Minister of Justice of 3 March 2017 regarding positions and detailed rules for the remuneration of officials and other employees of courts and the public prosecutor's offices, as well as clerical traineeship with later amendments.

Category	Description of work	Approximate numbers
<i>Common Courts</i>		
Chief Accountant	independent position	276
Deputy Chief Accountant	independent position	213
Internal Auditor	independent position	68
Legal Counsel	independent position	19
Classified Information Protection Officer, Deputy Classified Information Protection Officer	independent position	57
Data Protection Inspector	position supporting the jurisprudence division	58
Defence Inspector	position supporting the jurisprudence division	53
Chief Specialist for OSH, Specialist/Senior Specialist for OSH, Inspector/Senior Inspector for OSH,	position supporting the jurisprudence division	83

Fire Protection Inspector		
Senior Inspector/Senior Accountant, Inspector/Accountant	position supporting the jurisprudence division	3,643
Cashier	position supporting the jurisprudence division	66
IT System Administrator, ICT System Administrator, ICT Security Inspector	position supporting the jurisprudence division	327
IT Specialist	position supporting the jurisprudence division	415
Librarian	position supporting the jurisprudence division	5
Archivist	position supporting the jurisprudence division	208
Economic Inspector/Senior Inspector	position supporting the jurisprudence division	2
Financial Inspector	position supporting the jurisprudence division	3
Senior Payroll Inspector	position supporting the jurisprudence division	2
Administration Inspector	position supporting the jurisprudence division	2
Inspector for Debt Collection and Enforcement	position supporting the jurisprudence division	1
Senior Inspector for Social Issues	position supporting the jurisprudence division	1

<i>Public Prosecutor's Offices</i>		
Department/Office Director in the National Public Prosecutor's Office, Deputy Department/Office Director in the National Public Prosecutor's Office, Financial and Administrative Director	independent position	54
Chief Accountant	independent position	58
Deputy Chief Accountant	independent position	27
Internal Auditor	independent position	52
Legal Counsel	independent position	2
Classified Information Protection Officer/ Deputy Classified Information Protection Officer	independent position	60
Criminal Analyst	position supporting the jurisprudence division	122
Data Protection Inspector	position supporting the jurisprudence division	42
Senior Defence Inspector, Defence Inspector	position supporting the jurisprudence division	54
Chief Specialist for OSH, Specialist/Senior Specialist for OSH,	position supporting the jurisprudence division	49

Inspector/Senior Inspector for OSH, Fire Protection Inspector		
Senior Inspector/Senior Accountant, Inspector/Accountant	position supporting the jurisprudence division	368
Cashier	position supporting the jurisprudence division	1
IT System Administrator, ICT System Administrator, ICT Security Inspector	position supporting the jurisprudence division	120
IT Specialist	position supporting the jurisprudence division	111
Librarian	position supporting the jurisprudence division	16
Archivist	position supporting the jurisprudence division	36

Other categories

Category	Description of work	Approximate numbers
<i>Common Courts</i>		
Secretary/Transcription Specialist	auxiliary position	1,608
Senior Guard/Escort-Guard, Guard/Escort-Guard	auxiliary position	50
Court Usher, Land Registry Operator, Court Messenger	auxiliary position	518

Driver	technical position	and	economic	service	144
Typist, Telephonist, Electronic, Equipment Operator/Duplicating Machines Operator	technical position	and	economic	service	28
Warehouseman	technical position	and	economic	service	7
Craftsman/Restorer, Maintenance Worker	technical position	and	economic	service	290
Porter, Caretaker, Cleaner	technical position	and	economic	service	183
<i>Public Prosecutor's Offices</i>					
Secretary	auxiliary position				945
Mail Department Employee, Prosecutor's Office Messenger	auxiliary position				142
Driver	technical position	and	economic	service	495
Typist, Telephonist, Electronic Equipment Operator/Duplicating Machines Operator	technical position	and	economic	service	44
Warehouseman	technical position	and	economic	service	2
Craftsman/Restorer, Maintenance Worker	technical position	and	economic	service	86

Porter, Caretaker, Cleaner	technical and economic service position	72
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PORTUGAL

1- GENERAL INFORMATION

Answering institution(s)	Directorate-General for the Administration of Justice Direção-Geral da Administração da Justiça (DGAJ)
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁶²

In the table below, an overview of the Court staff in Portugal is presented, including their Type and, when applicable, Functions⁶³.

Category	Type	Functions	Approximate numbers
Assistant Clerk	Type 1	Functions 1/4	1,950
Auxiliary Clerk	Type 1	Functions 1/2/4	2,674
Judicial Technical Assistant Clerk	Type 1	Functions 1/4	773
Judicial Technical Auxiliary Clerk	Type 1	Functions 1/4	880
High Court Secretary	Type 2	Functions 1/3/4	9
Judicial Technical Clerk	Type 2	Functions 1/4	131
Legal Clerk	Type 2	Functions 1/4	985
Secretary of Justice	Type 2	Functions 1/4	144
Court Administrator ⁶⁴	Type 3	N/A	23
Operational assistant	Type 3	N/A	178
Operational assistant (Driver)	Type 3	N/A	21
Technical assistant	Type 3	N/A	7

⁶² Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁶³ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

⁶⁴ National Coordinator explained that he/she does not know whether the Court Administrator have to apply EU rules on Public Procurement.

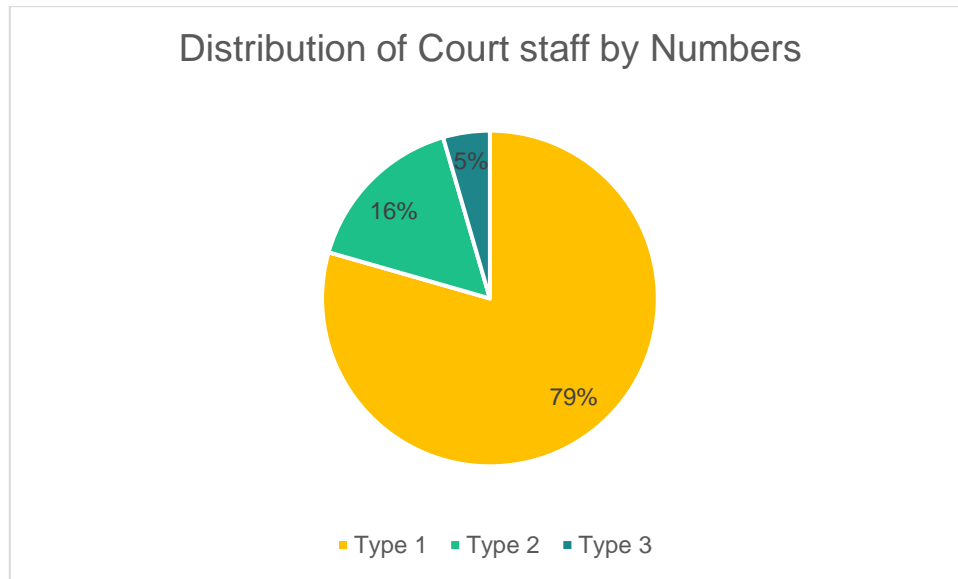
Technical assistant (Judicial archives)	Type 3	N/A	127
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Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	6,277	79%
Type 2	1,269	16%
Type 3	356	5%
TOTAL	7,902	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Portugal, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	PORTUGAL
Name of Court Staff Category	In Portuguese: Escrivão Adjunto
	In English: Assistant Clerk
Statutory/Legal Basis for this Post	Decree law 343/99, 26 August
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Articles 9 and 12: Candidates are selected among Court Clerks with the category of Auxiliary Clerk or Judicial Technical Auxiliary Clerk, with at least 3 years of professional experience in that category and with a professional evaluation no lower than 'Good'.
Main Recruitment Procedure	State/Public exam although presently is not in use (Articles 32 to 35).
Alternative Access Routes	Presently, Auxiliary Clerk or Judicial Technical Auxiliary Clerk may apply and the administration selects the ones with the higher professional evaluation, combined with length of service
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Ensure, under the supervision of the Legal clerk, the performance of tasks assigned to the respective section - Perform the tasks assigned to the Auxiliary Clerk, in their absence or when the state of the services requires it - Perform other tasks assigned by law or by hierarchical superior decision 	
<p>The main tasks related to the application of European legislation are mainly in the issuance and completion of the forms, as well as the verification of the requirements of the Regulations.</p>	

<i>Organisation of the category/profession</i>	
Organising Structure	Direção-Geral da Administração da Justiça Av. D. João II, n.º 1.08.01 D/E, pisos 0, 9 a 14, 1990-097 Lisboa Telephone +351217906200 https://dgaj.justica.gov.pt/
Contact Details of any Professional Organisations in Connection with this Court Staff	Conselho dos Oficiais de Justiça (body responsible for evaluation and disciplinary matters) Av. D. João II, n.º 1.08.01 D/E, Piso 9 1990-097 Lisboa Tel. (+351) 217 903 676 Fax (+351) 211 545 103 http://coj.justica.gov.pt/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Assistant Clerk performs tasks which ‘require the application of EU law’.

The **Assistant Clerk** is involved directly in proceedings where it is necessary the application of European legal instruments, the completion of forms Annexes to Regulations or to their implementation.

European judicial cooperation instruments commonly used by this category are:

- Council Regulation 4/2009 of 18 December 2008 relating to maintenance obligations aims at ensuring the effective and swift recovery of maintenance.
 - Completion and issue of the following forms:
 - ANNEXE I – Extract from a decision/court settlement in matters relating to maintenance obligations not subject to proceedings for recognition or a declaration of enforceability
 - ANNEXE II – Extract from a decision/court settlement in matters relating to maintenance obligations subject to proceedings for recognition and a declaration of enforceability
 - At the stage of enforcement of a decision, the **Assistant Clerk** may be appointed as Enforcement Agent and must therefore check that the requirements of the Regulation are met, in particular as to the existence of an enforcement order

- They will also be able to provide support and information to the creditor, as regards the documents needed to initiate a request for recovery of maintenance abroad, as well as the completion of forms Annexe VI or VII.

- Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extra-judicial documents in civil or commercial matters (service of documents)
 - Completion and issue of the following forms:
 - F.1. Request for service of documents
 - F.2. Acknowledgement of receipt
 - F.3. Notice of return of request and document
 - F.4. Notice of retransmission of request and document to the appropriate receiving agency
 - F.5. Notice of receipt by the appropriate receiving agency having territorial jurisdiction to the transmitting agency
 - F.6. Certificate of service or non-service of documents
 - F.7. Information to the addressee about the right to refuse to accept a document
 - When examining or receiving an application, the **Assistant Clerk** shall verify that the requirements of the Regulation are met.

- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
 - Completion and issue of the following forms:
 - Form A - Request for the taking of evidence
 - Form B - Acknowledgement of receipt of a request for the taking of evidence
 - Form C - Request for additional information for the taking of evidence
 - Form D - Acknowledgement of receipt of the deposit or advance
 - Form E - Notification concerning the request for special procedures and/or for the use of communications technologies
 - Form F - Notification of the date, time, place of performance of the taking evidence and the conditions for participation
 - Form G - Notification of delay
 - Form H - Information on the outcome of the request
 - Form I - Request for the direct taking of evidence
 - When examining or receiving an application, the **Assistant Clerk** shall verify that the requirements of the Regulation are met.
 - Where the request for a videoconference is concerned, the **Assistant Clerk** shall, in liaison with the requesting Court, perform the tests and on the day itself for the taking of evidence.

- Council Regulation 1896/2006 of 12 December 2006 creating a European order for payment

- Completion and issue of the following forms:
 - Form B - Request to the claimant to complete and/or rectify an application for a European order for payment
 - Form C - Proposal to the claimant to modify an application for a European order for payment
 - Form D - Decision to reject the application for a European order for payment
 - Form E - European order for payment
 - Form G - Declaration of enforceability
- When receiving an application, the **Assistant Clerk** shall verify that the requirements of the Regulation are met.
- Council Regulation 861/2007 of 11 July 2007 establishing a European Small Claims Procedure
 - Completion and issue of the following forms:
 - Form B - Request by the court or tribunal to complete and/or rectify the claim form
 - Form C - Answer form (part I)
 - Form D - Certificate concerning a judgment in the European small claims procedure or a court settlement
 - When receiving an application, the **Assistant Clerk** shall verify that the requirements of the Regulation are met.
- Regulation (EC) 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
 - Completion and issue of the following forms:
 - European enforcement order certificate – judgment
 - European enforcement order certificate - court settlement
 - Certificate of lack or limitation of enforceability
 - European enforcement order replacement certificate following a challenge
 - When receiving an application, the **Assistant Clerk** shall verify that the requirements of the Regulation are met.
- Regulation (EU) No 1215/2012 of 12 December 2012 and Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
 - Completion and issue of the following forms:
 - Regulation (EU) No 1215/2012 - Certificate concerning a judgment in civil and commercial matters
 - Regulation (EU) No 1215/2012 - Certificate concerning an authentic instrument/court settlement in civil and commercial matters
 - Regulation (EC) No 44/2001 - Certificate referred to in Articles 54 and 58 of the Regulation on judgments and court settlements
 - Regulation (EC) No 44/2001 - Certificate referred to in Article 57(4) of the Regulation on authentic instruments

- Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility
 - Completion and issue of the following forms:
 - Certificate referred to in Article 39 concerning judgments in matrimonial matters
 - Certificate referred to in Article 39 concerning judgments on parental responsibility
Certificate referred to in Article 41(1) concerning judgments on rights of access
 - Certificate referred to in Article 42(1) concerning the return of the child
- Regulation (EU) No 655/2014 on the European Account Preservation Order (EAPO)
 - Completion and issue of the following forms:
 - ANNEXE II – European Account Preservation Order
 - ANNEXE III – Revocation of a European Account Preservation Order
 - ANNEXE IV – Declaration concerning the preservation of funds
 - ANNEXE VI – Acknowledgement of receipt
 - ANNEXE VIII – Transmission of a decision on a remedy to the Member State
- Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters
 - Completion and issue of the following forms:
 - Form I – Certificate issued in accordance with Article 5 of the Regulation (EU) No 606/2013 of the European Parliament and of the Council on mutual recognition of protection measures in civil matters
 - Form II – Certificate issued in accordance with Article 14 of the Regulation (EU) No 606/2013 of the European Parliament and of the Council on mutual recognition of protection measures in civil matters
- Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession
 - Completion and issue of the following forms:
 - Form V - European certificate of succession.

Criminal matters

- Issue, send and process international letters rogatory
 - European Convention on Mutual Assistance in Criminal Matters of 1959 and additional protocols
 - Convention on Mutual Legal Assistance in Criminal Matters of 2000
 - Convention implementing the Schengen Agreement

- Issue, send and process forms, according to the legal instruments of the European Union
 - Council Framework Decision 2002/584/JAI
 - Council Framework Decision 2003/577/JAI
 - Council Framework Decision 2006/783/JAI
 - Council Framework Decision 2005/214/JAI
 - Council Framework Decision 2008/909/JAI
 - Council Framework Decision 2008/947/JAI
 - Council Framework Decision 2009/829/JAI
 - EU Directive 2011/99
 - EU Directive 2014/41

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	PORTUGAL
Name of Court Staff Category	In Portuguese: Escrivão Auxiliar
	In English: Auxiliary Clerk
Statutory/Legal Basis for this Post	Decree law 343/99, 26 August
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Article 7: the statute establishes a specific professional course to access the career (the degree corresponds to a high school diploma)
Main Recruitment Procedure	State/Public exam. Candidates with the referred professional course are submitted to a specific knowledge test (national public exam) that approaches the tasks and duties of the profession (Articles 21 and 22).
Alternative Access Routes	<p>When the number of candidates available with the specific professional course is insufficient, they can be selected among persons with a regular high school diploma. In this case, they are submitted to a general knowledge exam and after they are graded, they start an internship in a first instance court. They also have access to specific training prepared by the training centre of DGAJ. When they finish this period, they are prepared to take a specific knowledge test that approaches the tasks and duties of the profession (Articles 8 and 23 to 30).</p> <p>Civil servants from the Directorate-General of Justice Administration or from judicial bodies may also apply if they have at least 3 years of service and a professional evaluation no lower than 'Very good' (Articles 8 and 31).</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Carry out the external service - Prepare mail dispatch and carry out its delivery and receipt 	

- Assist judges
- Perform other tasks assigned by law or by hierarchical superior decision

The main tasks related to the application of European legislation are mainly in the issuance and completion of the forms, as well as the verification of the requirements of the Regulations.

Organisation of the category/profession

Organising Structure	Direção-Geral da Administração da Justiça Av. D. João II, n.º 1.08.01 D/E, pisos 0, 9 a 14, 1990-097 Lisboa Telephone +351217906200 https://dgaj.justica.gov.pt/
Contact Details of any Professional Organisations in Connection with this Court Staff	Conselho dos Oficiais de Justiça (body responsible for evaluation and disciplinary matters) Av. D. João II, n.º 1.08.01 D/E, Piso 9 1990-097 Lisboa Tel. (+351) 217 903 676 Fax (+351) 211 545 103 http://coj.justica.gov.pt/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Auxiliary Clerk performs tasks which ‘require the application of EU law’.

The **Auxiliary Clerk** is involved directly in proceedings where it is necessary the application of European legal instruments, the completion of forms Annexes to Regulations or to their implementation.

European judicial cooperation instruments commonly used by this category are:

- Council Regulation 4/2009 of 18 December 2008 relating to maintenance obligations aims at ensuring the effective and swift recovery of maintenance.
 - Completion and issue of the following forms:
 - ANNEXE I – Extract from a decision/court settlement in matters relating to maintenance obligations not subject to proceedings for recognition or a declaration of enforceability

- ANNEXE II – Extract from a decision/court settlement in matters relating to maintenance obligations subject to proceedings for recognition and a declaration of enforceability
- At the stage of enforcement of a decision, the **Auxiliary Clerk** may be appointed as Enforcement Agent and must therefore check that the requirements of the Regulation are met, in particular as to the existence of an enforcement order
- They will also be able to provide support and information to the creditor, as regards the documents needed to initiate a request for recovery of maintenance abroad, as well as the completion of forms Annexe VI or VII.
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extra-judicial documents in civil or commercial matters (service of documents)
 - Completion and issue of the following forms:
 - F.1. Request for service of documents
 - F.2. Acknowledgement of receipt
 - F.3. Notice of return of request and document
 - F.4. Notice of retransmission of request and document to the appropriate receiving agency
 - F.5. Notice of receipt by the appropriate receiving agency having territorial jurisdiction to the transmitting agency
 - F.6. Certificate of service or non-service of documents
 - F.7. Information to the addressee about the right to refuse to accept a document
 - When examining or receiving an application, the **Auxiliary Clerk** shall verify that the requirements of the Regulation are met.
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
 - Completion and issue of the following forms:
 - Form A - Request for the taking of evidence
 - Form B - Acknowledgement of receipt of a request for the taking of evidence
 - Form C - Request for additional information for the taking of evidence
 - Form D - Acknowledgement of receipt of the deposit or advance
 - Form E - Notification concerning the request for special procedures and/or for the use of communications technologies
 - Form F - Notification of the date, time, place of performance of the taking evidence and the conditions for participation
 - Form G - Notification of delay
 - Form H - Information on the outcome of the request
 - Form I - Request for the direct taking of evidence
 - When examining or receiving an application, the **Auxiliary Clerk** shall verify that the requirements of the Regulation are met.

- Where the request for a videoconference is concerned, the **Auxiliary Clerk** shall, in liaison with the requesting Court, perform the tests and on the day itself for the taking of evidence.
- Council Regulation 1896/2006 of 12 December 2006 creating a European order for payment
 - Completion and issue of the following forms:
 - Form B - Request to the claimant to complete and/or rectify an application for a European order for payment
 - Form C - Proposal to the claimant to modify an application for a European order for payment
 - Form D - Decision to reject the application for a European order for payment
 - Form E - European order for payment
Form G - Declaration of enforceability
 - When receiving an application, the **Auxiliary Clerk** shall verify that the requirements of the Regulation are met.
- Council Regulation 861/2007 of 11 July 2007 establishing a European Small Claims Procedure
 - Completion and issue of the following forms:
 - Form B - Request by the court or tribunal to complete and/or rectify the claim form
 - Form C - Answer form (part I)
 - Form D - Certificate concerning a judgment in the European small claims procedure or a court settlement
 - When receiving an application, the **Auxiliary Clerk** shall verify that the requirements of the Regulation are met.
- Regulation (EC) 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
 - Completion and issue of the following forms:
 - European enforcement order certificate – judgment
 - European enforcement order certificate - court settlement
 - Certificate of lack or limitation of enforceability
 - European enforcement order replacement certificate following a challenge
 - When receiving an application, the **Auxiliary Clerk** shall verify that the requirements of the Regulation are met.
- Regulation (EU) No 1215/2012 of 12 December 2012 and Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
 - Completion and issue of the following forms:
 - Regulation (EU) No 1215/2012 - Certificate concerning a judgment in civil and commercial matters
 - Regulation (EU) No 1215/2012 - Certificate concerning an authentic instrument/court settlement in civil and commercial matters

- Regulation (EC) No 44/2001 - Certificate referred to in Articles 54 and 58 of the Regulation on judgments and court settlements
- Regulation (EC) No 44/2001 - Certificate referred to in Article 57(4) of the Regulation on authentic instruments
- Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility
 - Completion and issue of the following forms:
 - Certificate referred to in Article 39 concerning judgments in matrimonial matters
 - Certificate referred to in Article 39 concerning judgments on parental responsibility
Certificate referred to in Article 41(1) concerning judgments on rights of access
 - Certificate referred to in Article 42(1) concerning the return of the child
- Regulation (EU) No 655/2014 on the European Account Preservation Order (EAPO)
 - Completion and issue of the following forms:
 - ANNEXE II – European Account Preservation Order
 - ANNEXE III – Revocation of a European Account Preservation Order
 - ANNEXE IV – Declaration concerning the preservation of funds
 - ANNEXE VI – Acknowledgement of receipt
 - ANNEXE VIII – Transmission of a decision on a remedy to the Member State
- Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters
 - Completion and issue of the following forms:
 - Form I – Certificate issued in accordance with Article 5 of the Regulation (EU) No 606/2013 of the European Parliament and of the council on mutual recognition of protection measures in civil matters
 - Form II – Certificate issued in accordance with Article 14 of the Regulation (EU) No 606/2013 of the European Parliament and of the council on mutual recognition of protection measures in civil matters
- Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession
 - Completion and issue of the following forms:
 - Form V - European certificate of succession

Criminal matters:

- Issue, send and process international letters rogatory
 - European Convention on Mutual Assistance in Criminal Matters of 1959 and additional protocols

- Convention on Mutual Legal Assistance in Criminal Matters of 2000
 - Convention implementing the Schengen Agreement
- Issue, send and process forms, according to the legal instruments of the European Union
 - Council Framework Decision 2002/584/JAI
 - Council Framework Decision 2003/577/JAI
 - Council Framework Decision 2006/783/JAI
 - Council Framework Decision 2005/214/JAI
 - Council Framework Decision 2008/909/JAI
 - Council Framework Decision 2008/947/JAI
 - Council Framework Decision 2009/829/JAI
 - EU Directive 2011/99
 - EU Directive 2014/41

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	PORTUGAL
Name of Court Staff Category	In Portuguese: Técnico de Justiça Adjunto
	In English: Judicial Technical Assistant Clerk
Statutory/Legal Basis for this Post	Decree law 343/99, 26 August
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Articles 9 and 12: Candidates are selected among Court Clerks with the category of Auxiliary Clerk or Judicial Technical Auxiliary Clerk, with at least 3 years of professional experience in that category and with a professional evaluation no lower than 'Good'.
Main Recruitment Procedure	State/Public exam although presently is not in use ((Articles 32 to 35).
Alternative Access Routes	Presently, Auxiliary Clerk or Judicial Technical Auxiliary Clerk may apply and the administration selects the ones with the higher professional evaluation, combined with length of service.
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Ensure, under superior supervision, the performance of the tasks assigned to the respective section - Perform, within the scope of the investigation, the tasks of the criminal police bodies - Perform the tasks assigned to the Judicial Technical Auxiliary Clerk, in their absence or when the state of the services requires it - Perform other tasks assigned by law or by hierarchical superior decision 	
<p>The main tasks related to the application of European legislation are mainly in the issuance and completion of the forms, as well as the verification of the requirements of the Regulations.</p>	

<i>Organisation of the category/profession</i>	
Organising Structure	Direção-Geral da Administração da Justiça Av. D. João II, n.º 1.08.01 D/E, pisos 0, 9 a 14, 1990-097 Lisboa Telephone +351217906200 https://dgaj.justica.gov.pt/
Contact Details of any Professional Organisations in Connection with this Court Staff	Conselho dos Oficiais de Justiça (body responsible for evaluation and disciplinary matters) Av. D. João II, n.º 1.08.01 D/E, Piso 9 1990-097 Lisboa Tel. (+351) 217 903 676 Fax (+351) 211 545 103 http://coj.justica.gov.pt/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Judicial Technical Assistant Clerk performs tasks which ‘require the application of EU law’.

The **Judicial Technical Assistant Clerk** is involved directly in proceedings where the application of European legal instruments or the completion of forms is necessary, or of Annexes to Regulations or to their implementation.

European judicial cooperation instruments commonly used by this category are:

- Council Regulation 4/2009 of 18 December 2008 relating to maintenance obligations aims at ensuring the effective and swift recovery of maintenance.
 - When enforcement of a decision from the Central Authority is received, the **Judicial Technical Assistant Clerk** shall verify that the requirements of the Regulation are met
 - They will also be able to provide support and information to the creditor, as regards the documents needed to initiate a request for recovery of maintenance abroad, as well as the completion of forms Annexe VI or VII.
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)
 - Completion and issue of the following forms:

- F.1. Request for service of documents
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
 - Completion and issue of the following forms:
 - Form A - Request for the taking of evidence

Criminal matters:

- Issue, send and process international letters rogatory
 - European Convention on Mutual Assistance in Criminal Matters of 1959 and additional protocols
 - Convention on Mutual Legal Assistance in Criminal Matters of 2000
 - Convention implementing the Schengen Agreement
- Issue, send and process forms, according to the legal instruments of the European Union
 - Council Framework Decision 2002/584/JAI
 - Council Framework Decision 2003/577/JAI
 - Council Framework Decision 2006/783/JAI
 - Council Framework Decision 2005/214/JAI
 - Council Framework Decision 2008/909/JAI
 - Council Framework Decision 2008/947/JAI
 - Council Framework Decision 2009/829/JAI
 - EU Directive 2011/99
 - EU Directive 2014/41

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	PORTUGAL
Name of Court Staff Category	In Portuguese: Técnico de Justiça Auxiliar
	In English: Judicial Technical Auxiliary Clerk
Statutory/Legal Basis for this Post	Decree law 343/99, 26 August
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Article 7: the statute establishes a specific professional course to access the career (the degree corresponds to a high school diploma)
Main Recruitment Procedure	State/Public exam. Candidates with the referred professional course are submitted to a specific knowledge test (national public exam) that approaches the tasks and duties of the profession (Articles 21 and 22).
Alternative Access Routes	<p>When the number of candidates available with the specific professional course is insufficient, they can be selected among persons with a regular high school diploma. In this case, they are submitted to a general knowledge exam and after they are graded, they start an internship in a first instance court. They also have access to specific training prepared by the training centre of DGAJ. When they finish this period, they are prepared to take a specific knowledge test that approaches the tasks and duties of the profession (Articles 8 and 23 to 30).</p> <p>Civil servants from the Directorate-General of Justice Administration or from judicial bodies may also apply if they have at least 3 years of service and a professional evaluation no lower than 'Very good' (Articles 8 and 31).</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Perform, within the scope of the investigation, the tasks of the criminal police bodies 	

- Carry out the external service
- Prepare mail dispatch and carry out its delivery and receipt
- Assist prosecutors
- Perform other tasks assigned by law or by hierarchical superior decision

The main tasks related to the application of European legislation are mainly in the issuance and completion of the forms, as well as the verification of the requirements of the Regulations.

Organisation of the category/profession

Organising Structure	Direção-Geral da Administração da Justiça Av. D. João II, n.º 1.08.01 D/E, pisos 0, 9 a 14, 1990-097 Lisboa Telephone +351217906200 https://dgaj.justica.gov.pt/
Contact Details of any Professional Organisations in Connection with this Court Staff	Conselho dos Oficiais de Justiça (body responsible for evaluation and disciplinary matters) Av. D. João II, n.º 1.08.01 D/E, Piso 9 1990-097 Lisboa Tel. (+351) 217 903 676 Fax (+351) 211 545 103 http://coj.justica.gov.pt/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judicial Technical Auxiliary Clerk performs tasks which ‘require the application of EU law’.

The **Judicial Technical Auxiliary Clerk** is involved directly in proceedings where it is necessary the application of European legal instruments, the completion of forms Annexes to Regulations or to their implementation.

European judicial cooperation instruments commonly used by this category are:

- Council Regulation 4/2009 of 18 December 2008 relating to maintenance obligations aims at ensuring the effective and swift recovery of maintenance.

- When enforcement of a decision is received from the Central Authority the **Judicial Technical Auxiliary Clerk** shall verify that the requirements of the Regulation are met
- They will also be able to provide support and information to the creditor, as regards the documents needed to initiate a request for recovery of maintenance abroad, as well as the completion of forms Annexe VI or VII.
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)
 - Completion and issue of the following forms:
 - F.1. Request for service of documents
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
 - Completion and issue of the following forms:
 - Form A - Request for the taking of evidence

Criminal matters:

- Issue, send and process international letters rogatory
 - European Convention on Mutual Assistance in Criminal Matters of 1959 and additional protocols
 - Convention on Mutual Legal Assistance in Criminal Matters of 2000
 - Convention implementing the Schengen Agreement
- Issue, send and process forms, according to the legal instruments of the European Union
 - Council Framework Decision 2002/584/JAI
 - Council Framework Decision 2003/577/JAI
 - Council Framework Decision 2006/783/JAI
 - Council Framework Decision 2005/214/JAI
 - Council Framework Decision 2008/909/JAI
 - Council Framework Decision 2008/947/JAI
 - Council Framework Decision 2009/829/JAI
 - EU Directive 2011/99
 - EU Directive 2014/41

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	PORTUGAL
Name of Court Staff Category	In Portuguese: Secretário de Tribunal Superior
	In English: High Court Secretary
Statutory/Legal Basis for this Post	Decree-law 343/99, 26 August
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Articles 36 and 37: Candidates are selected among Court Clerks with the category of Secretary of Justice with a professional evaluation no lower than 'Very Good'.
Main Recruitment Procedure	They are chosen by the Court President
Alternative Access Routes	No
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Manage the court office services - Prepare and manage the court office budget - Distribute, coordinate and monitor the external service - Give orders in mere expedient cases, by delegation of the respective magistrate - Write to public and private bodies on matters relating to the functioning of the court, by delegation of the respective magistrate - Sign the tables of causes with designated day for trial - Attend court sessions and prepare the respective minutes - Ensure the Ministry of Justice's Social Service file, as its delegate - Submit to the President's dispatch the matters within their competence - Present the processes and mail to distribution 	

- Provide for the maintenance of the court's facilities and equipment
- Perform other tasks assigned by law or by hierarchical superior decision

The High Court Secretary should be aware of the application of European legal instruments.

Organisation of the category/profession

Organising Structure	Direção-Geral da Administração da Justiça Av. D. João II, n.º 1.08.01 D/E, pisos 0, 9 a 14, 1990-097 Lisboa Telephone +351217906200 https://dgaj.justica.gov.pt/
Contact Details of any Professional Organisations in Connection with this Court Staff	Conselho dos Oficiais de Justiça (body responsible for evaluation and disciplinary matters) Av. D. João II, n.º 1.08.01 D/E, Piso 9 1990-097 Lisboa Tel. (+351) 217 903 676 Fax (+351) 211 545 103 http://coj.justica.gov.pt/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – High Court Secretary performs tasks which ‘might require the application of EU law’.

The High Court Secretary should be aware of the application of European legal instruments. European judicial cooperation instruments commonly used by this category are:

- Council Regulation 4/2009 of 18 December 2008 relating to maintenance obligations aims at ensuring the effective and swift recovery of maintenance
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters

- Council Regulation 1896/2006 of 12 December 2006 creating a European order for payment
- Council Regulation 861/2007 of 11 July 2007 establishing a European Small Claims Procedure
- Regulation (EC) 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
- Regulation (EU) No 1215/2012 of 12 December 2012 and Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility
- Regulation (EU) No 655/2014 on the European Account Preservation Order (EAPO)
- Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters
- Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	PORTUGAL
Name of Court Staff Category	In Portuguese: Técnico de Justiça Principal
	In English: Judicial Technical Clerk
Statutory/Legal Basis for this Post	Decree law 343/99, 26 August
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Articles 9 and 11: Candidates are selected among Court Clerks with the category of Clerk Assistant or Judicial Technical Assistant Clerk, with at least 3 years of professional experience in that category and with a professional evaluation no lower than 'Good'.
Main Recruitment Procedure	State/Public exam ((Articles 32 to 35)
Alternative Access Routes	No
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Public Prosecution office central section: <ul style="list-style-type: none"> o Manage, coordinate, supervise and carry out the activities developed in the section, in accordance with the respective attributions o Prepare and present the processes and mail to distribution o Organise statistical maps o Prepare, process and organise the elements and data necessary for the preparation of the annual report o Perform other tasks assigned by law or by hierarchical superior decision - Public Prosecution office processes' section: 	

- Manage, coordinate, supervise and carry out the activities developed in the section, in accordance with the respective attributions
- Perform, within the scope of the investigation, the tasks of the criminal police bodies
- Perform other tasks assigned by law or by hierarchical superior decision

The main tasks related to the application of European legislation are mainly verification of the requirements of the Regulations and support of Assistant Clerks and Auxiliary Clerks on their application

Organisation of the category/profession

Organising Structure	Direção-Geral da Administração da Justiça Av. D. João II, n.º 1.08.01 D/E, pisos 0, 9 a 14, 1990-097 Lisboa Telephone +351217906200 https://dgaj.justica.gov.pt/
Contact Details of any Professional Organisations in Connection with this Court Staff	Conselho dos Oficiais de Justiça (body responsible for evaluation and disciplinary matters) Av. D. João II, n.º 1.08.01 D/E, Piso 9 1990-097 Lisboa Tel. (+351) 217 903 676 Fax (+351) 211 545 103 http://coj.justica.gov.pt/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Judicial Technical Clerk performs tasks which ‘might require the application of EU law’.

The **Judicial Technical Clerk** might be involved in proceedings where it is necessary to support Judicial Technical Assistant Clerks and Judicial Technical Auxiliary Clerks in the application and interpretation of European legal instruments.

European judicial cooperation instruments commonly used by this category are:

- Council Regulation 4/2009 of 18 December 2008 relating to maintenance obligations aims at ensuring the effective and swift recovery of maintenance

- Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters

Criminal matters:

- Issue, send and process international letters rogatory
 - European Convention on Mutual Assistance in Criminal Matters of 1959 and additional protocols
 - Convention on Mutual Legal Assistance in Criminal Matters of 2000
 - Convention implementing the Schengen Agreement
- Issue, send and process forms, according to the legal instruments of the European Union
 - Council Framework Decision 2002/584/JAI
 - Council Framework Decision 2003/577/JAI
 - Council Framework Decision 2006/783/JAI
 - Council Framework Decision 2005/214/JAI
 - Council Framework Decision 2008/909/JAI
 - Council Framework Decision 2008/947/JAI
 - Council Framework Decision 2009/829/JAI
 - EU Directive 2011/99
 - EU Directive 2014/41

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	PORTUGAL
Name of Court Staff Category	In Portuguese: Escrivão de Direito
	In English: Legal Clerk
Statutory/Legal Basis for this Post	Decree law 343/99, 26 August
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Articles 9 and 11: Candidates are selected among Court Clerks with the category of Clerk Assistant or Judicial Technical Assistant Clerk, with at least 3 years of professional experience in that category and with a professional evaluation no lower than 'Good'.
Main Recruitment Procedure	State/Public exam (Articles 32 to 35)
Alternative Access Routes	No
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Judicial Services' Central section: <ul style="list-style-type: none"> o Manage, coordinate, supervise and carry out the activities developed in the section, in accordance with the respective attributions o Prepare and present the processes and mail to distribution o Ensure calculation of court costs of processes and of separate papers o Carry out final settlements in criminal courts o Organise statistical maps o Record revenue and expense o Process courts' expenses o Perform other tasks assigned by law or by hierarchical superior decision 	

- Judicial processes' section:
 - o Manage, coordinate, supervise and carry out the activities developed in the section, in accordance with the respective attributions
 - o Perform other tasks assigned by law or by hierarchical superior decision
- External service central section:
 - o Manage, coordinate, supervise and carry out the activities developed in the section, in accordance with the respective attributions
 - o Perform other tasks assigned by law or by hierarchical superior decision

The main tasks related to the application of European legislation are mainly verification of the requirements of the Regulations and support of Assistant Clerks and Auxiliary Clerks on their application.

Organisation of the category/profession

Organising Structure	Direção-Geral da Administração da Justiça Av. D. João II, n.º 1.08.01 D/E, pisos 0, 9 a 14, 1990-097 Lisboa Telephone +351217906200 https://dgaj.justica.gov.pt/
Contact Details of any Professional Organisations in Connection with this Court Staff	Conselho dos Oficiais de Justiça (body responsible for evaluation and disciplinary matters) Av. D. João II, n.º 1.08.01 D/E, Piso 9 1990-097 Lisboa Tel. (+351) 217 903 676 Fax (+351) 211 545 103 http://coj.justica.gov.pt/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Legal Clerk performs tasks which ‘might require the application of EU law’.

The **Legal Clerk** might be involved in proceedings where it is necessary to support Assistant Clerks and Auxiliary Clerks in the application and interpretation of European legal instruments.

European judicial cooperation instruments commonly used by this category are:

- Council Regulation 4/2009 of 18 December 2008 relating to maintenance obligations aims at ensuring the effective and swift recovery of maintenance
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- Council Regulation 1896/2006 of 12 December 2006 creating a European order for payment
- Council Regulation 861/2007 of 11 July 2007 establishing a European Small Claims Procedure
- Regulation (EC) 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
- Regulation (EU) No 1215/2012 of 12 December 2012 and Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility
- Regulation (EU) No 655/2014 on the European Account Preservation Order (EAPO)
- Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters
- Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession

Criminal matters:

- Issue, send and process international letters rogatory
 - European Convention on Mutual Assistance in Criminal Matters of 1959 and additional protocols
 - Convention on Mutual Legal Assistance in Criminal Matters of 2000
 - Convention implementing the Schengen Agreement
- Issue, send and process forms, according to the legal instruments of the European Union
 - Council Framework Decision 2002/584/JAI
 - Council Framework Decision 2003/577/JAI
 - Council Framework Decision 2006/783/JAI
 - Council Framework Decision 2005/214/JAI
 - Council Framework Decision 2008/909/JAI
 - Council Framework Decision 2008/947/JAI
 - Council Framework Decision 2009/829/JAI
 - EU Directive 2011/99

- EU Directive 2014/41

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	PORTUGAL
Name of Court Staff Category	In Portuguese: Secretário de Justiça
	In English: Secretary of Justice
Statutory/Legal Basis for this Post	Decree law 343/99, 26 August
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Article 10: Candidates are selected among Court Clerks with the category of Legal Clerk or Judicial Technical Clerk. Court Clerks of any category with a selected university degree, at least 7 years of professional experience and with a professional evaluation no lower than 'Very good' may also apply.
Main Recruitment Procedure	State/Public exam (Articles 32 to 35)
Alternative Access Routes	No
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Manage the court office services - Prepare and manage the court office budget - Ensure the Ministry of Justice's Social Service file, as its delegate - Give orders in mere expedient cases, by delegation of the respective magistrate - Write to public and private bodies on matters relating to the functioning of the court and to the regular progress of cases, by delegation of the respective magistrate - Directing the court costs calculation service, providing for the correct performance of these tasks, assuming them personally when justified - Perform the tasks of 'Escrivão de Direito' or Legal Clerk whenever the staff plan does not foresee this category for the central section 	

- Perform the tasks of ‘Escrivão de Direito’ or Legal Clerk and ‘Técnico de Justiça Principal’ or Judicial Technical Clerk whenever the staff plan does not foresee these categories for the judicial processes’ section
- Distribute, coordinate and monitor the external service
- Provide for the maintenance of the court's facilities and equipment
- Perform other tasks assigned by law or by hierarchical superior decision

Occasionally or when replaces the Legal Clerk or the Judicial Technical Clerk, the Secretary of Justice may apply European legislation, in particular with regard to the verification of the requirements of the Regulations and support to Assistant/ Judicial Technical Assistant Clerks and Auxiliary/ Judicial Technical Auxiliary Clerks on their application.

Organisation of the category/profession

Organising Structure	Direção-Geral da Administração da Justiça Av. D. João II, n.º 1.08.01 D/E, pisos 0, 9 a 14, 1990-097 Lisboa Telephone +351217906200 https://dgaj.justica.gov.pt/
Contact Details of any Professional Organisations in Connection with this Court Staff	Conselho dos Oficiais de Justiça (body responsible for evaluation and disciplinary matters) Av. D. João II, n.º 1.08.01 D/E, Piso 9 1990-097 Lisboa Tel. (+351) 217 903 676 Fax (+351) 211 545 103 http://coj.justica.gov.pt/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Secretary of Justice performs tasks which ‘might require the application of EU law’.

The **Secretary of Justice**, when replaces the Legal Clerk or the Judicial Technical Clerk, might be involved in proceedings where it is necessary to support Assistant/ Judicial Technical Assistant Clerks and Auxiliary/ Judicial Technical Auxiliary Clerks in the application and interpretation of European legal instruments.

European judicial cooperation instruments commonly used by this category are:

- Council Regulation 4/2009 of 18 December 2008 relating to maintenance obligations aims at ensuring the effective and swift recovery of maintenance
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- Council Regulation 1896/2006 of 12 December 2006 creating a European order for payment
- Council Regulation 861/2007 of 11 July 2007 establishing a European Small Claims Procedure
- Regulation (EC) 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
- Regulation (EU) No 1215/2012 of 12 December 2012 and Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
- Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility
- Regulation (EU) No 655/2014 on the European Account Preservation Order (EAPO)
- Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters
- Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	PORTUGAL
Name of Court Staff Category	In Portuguese: Administrador Judiciário
	In English: Court Administrator Although this is not a category defined in the professional statute, it's a position to be assumed only by Court Clerks and defined by law.
Statutory/Legal Basis for this Post	Law 62 2013 Articles 104 107 Decree law 49 2014 articles 14 23
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Ordinance 288 2016 Candidates are selected among Court Clerks with the category of Secretary of Justice with a selected university degree, at least 15 years of professional experience and with a professional evaluation no lower than 'Very good'.
Main Recruitment Procedure	Curriculum evaluation and skills assessment interview
Alternative Access Routes	No
<i>Responsibilities, Duties, Tasks</i>	
<u>Specific tasks:</u>	
<ul style="list-style-type: none"> - Manage the court office services - Authorise the leave of absence of court clerks and other workers and approve the respective annual maps - Transiently reinstate court clerks within the respective region and within the legally defined limits, by means of a duly substantiated decision and whenever the use of court clerks who are in the availability regime proves to be unfeasible 	

- Manage, under the guidance of the presiding judge, the use of courtrooms
- Ensure the existence of accessibility conditions to court services and the maintenance of the quality and safety of the existing spaces
- Regulate the use of parks or private vehicle parking spaces, when available
- Provide, in collaboration with the competent services of the Ministry of Justice, for the correct management, use, maintenance and conservation of spaces and equipment assigned to court services
- Provide, in collaboration with the competent services of the Ministry of Justice, for the conservation of facilities and common goods and equipment, as well as take or propose measures for their rational use
- Ensure budget distribution, after approval
- Execute, in collaboration with the Ministry of Justice, the district court's budget
- Disclose the district court's statistical data annually

The Court Administrator should be aware of the application of European legal instruments.

Organisation of the category/profession

Organising Structure	Direção-Geral da Administração da Justiça Av. D. João II, n.º 1.08.01 D/E, pisos 0, 9 a 14, 1990-097 Lisboa Telephone +351217906200 https://dgaj.justica.gov.pt/
Contact Details of any Professional Organisations in Connection with this Court Staff	Conselho dos Oficiais de Justiça (body responsible for evaluation and disciplinary matters) Av. D. João II, n.º 1.08.01 D/E, Piso 9 1990-097 Lisboa Tel. (+351) 217 903 676 Fax (+351) 211 545 103 http://coj.justica.gov.pt/

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Court Administrator does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Operational assistant*	Public care, telephone service, administrative tasks	178
Operational assistant (Driver)**	Driving the court's vehicle during missions	21
Technical assistant*	Public care, Criminal Record Certificate issuance, administrative tasks	7
Technical assistant (Judicial archives)	Organising the Judicial archives	127

* These professionals develop a set of different tasks, but we do not have enough data to individualise them

** Although these professionals belong to the general categories of 'Operational assistant' or 'Technical assistant', they develop the specific tasks mentioned above

ROMANIA

1- GENERAL INFORMATION

Answering institution(s)	National School of Clerks
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁶⁵

In the table below, an overview of the Court staff in Romania is presented, including their Type and, when applicable, Functions⁶⁶.

Category	Type	Functions	Approximate numbers
Clerks	Type 1	Functions 1/3/4	8,190
Archivist Clerks	Type 3	N/A	1,014
Documentary Clerks	Type 3	N/A	29
IT Specialists	Type 3	N/A	475
Registrar Clerks	Type 3	N/A	51
Statistician Clerks	Type 3	N/A	59
Civil servants	Type 3	N/A	1,329
Connected staff	Type 3	N/A	1,373
Contracted staff	Type 3	N/A	776
Forensic technicians ⁶⁷	Type 3	N/A	36
Judicial officers and judicial petty officers/ officers and petty officers within the Ministry of National Defence ⁶⁸	Type 3	N/A	461

Additional information:

⁶⁵ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁶⁶ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

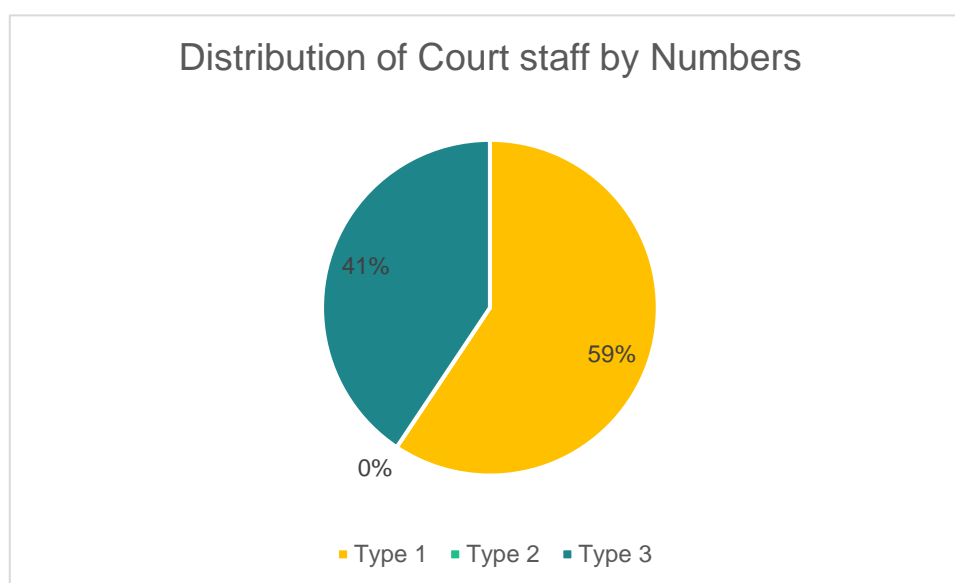
⁶⁷ operate only within some prosecutors' offices.

⁶⁸ operate only within some prosecutors' offices.

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	8,190	59%
Type 2	0	0%
Type 3	5,603	41%
TOTAL	13,793	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Romania, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	ROMANIA
Name of Court Staff Category	In Romanian: Grefier
	<p>In English: Clerk</p> <p>The term ‘clerk’ covers specialists working in court offices and prosecutors’ offices.</p> <p>The Law no 567/2004 on the status of the specialised auxiliary personnel of the law courts and prosecutor’s offices and the personnel functioning within the National Institute of Forensic Expertise in Art.3(2) provides for the following categories of clerks:</p> <ul style="list-style-type: none"> - Clerks - Statistician Clerks - Documentary Clerks - Archivist clerks - Registrar clerks - IT specialists <p>Art.3 (3) of Law 567/2004 stipulate the body of clerks consist of clerks with higher legal education and clerks with high school education.</p> <p>Art. 3(4) of Law 567/2004 provides for the following connected functions:</p> <ul style="list-style-type: none"> - Ushers/huissier – assist the parties and other participants by indicating the way to the courtrooms, registry and archives rooms and contributes to maintaining the cleanliness and good state of the courtrooms - Procedural Agents – hand out the judicial acts and documents which are to be communicated by order of the court/prosecutor’s office within the legal terms - Drivers – ensure the transportation of case files to other courts and prosecutors’ offices and, occasionally, that of court and prosecutors’ office personnel

<p>Statutory/Legal Basis for this Post</p>	<ul style="list-style-type: none"> - Law no. 567/2004 on the status of the specialised auxiliary personnel working in law courts and prosecutor's offices and of the personnel working within National Institute of Forensic Expertise, (Lege privind statutul personalului auxiliar de specialitate al instanțelor judecătorești și al parchetelor de pe lângă acestea și al personalului care funcționează în cadrul Institutului Național de Expertize Criminalistice) as amended by Emergency Act no 59/2017. http://www.grefieri.ro/Docs/20190411LG_567_din_2004.pdf - Law no. 304/2004, republished, regarding the judicial organisation, (Legea nr. 304/2004 privind organizarea judiciară) http://www.grefieri.ro/Docs/20190411LG_304_din_2004.pdf <p>Both laws provisions were detailed and implemented through the rules and regulations of the law courts and prosecutor's offices</p>
<p><i>Access to the Court Staff Category</i></p>	
<p>Main Access Conditions</p>	<p>Qualifications:</p> <ul style="list-style-type: none"> - Secondary school/high school diploma - Higher education degree - Higher education degree in law <p>A person who fulfils the following requirements can be appointed as a clerk:</p> <ul style="list-style-type: none"> - is a Romanian citizen, has a domicile in Romania and full legal capacity; - does not have a criminal record, no tax record and a good reputation; - knows the Romanian language; - is medically able to hold the office; - has higher legal education or high school education, PC or typing skills. - has graduated National School of Clerks (this requirement is not compulsory for those who are recruited through contests for the direct occupation of the vacant clerk offices) <p>Aspects of EU law: are not compulsory</p>

Main Recruitment Procedure	The National School of Clerks is the main recruiter for clerks by means of yearly national contest
Alternative Access Routes	Transfer routes from other professions: Yes, direct recruitment for vacant clerk posts, since the NSC does not have the capacity to train enough new clerks. The law provides for this possibility through competitions organised by the Courts of Appeal, the Prosecutors' Office, the National Anticorruption Directorate, the Investigation Directorate for Organised Crime and Terrorist Activity. The candidates are tested by an examination Commission at the Courts.

Responsibilities, Duties, Tasks

1. Clerks – carry out a wide range of tasks, such as:

- Assisting the magistrate in the activity taking place during court session or criminal investigations carried out by prosecutors
- Filling the subpoenas and other judicial acts following the order of the magistrate
- Carrying out the activity of summoning the parties either by telephone/fax/e-mail or by means of postal service and fills in a report regarding the results of this activity
- Completing a specific document after each court session, consisting of a list of all the cases and the solutions that were given which can be consulted by accessing the court's portal
- Communicating to the parties the minutes and the court decision, within the legal term
- Drafting the court decisions and other documents in their competence under the supervision of the magistrate
- Forwarding to the National Institute of Magistracy and the Governmental Agent for the European Court of Justice copies of the requests for the preliminary rulings submitted to the CJEU and also of the decisions by which the courts have overruled the request for a preliminary ruling
- In the case of delegated clerks, the tasks may vary from managing and filling the registry books for certain specific activities (e.g. the registry for the enforcement of court rulings) to keeping the correspondence allotted to their compartments
- Making all the necessary communications with the public institutions in the area of social services, financial services, police and penitentiaries
- Receiving and distributes the correspondence addressed to the prosecutors within the prosecutors' offices
- Receiving and registers the criminal complaints and other requests, memos, petitions formulated by natural persons and the representatives of legal persons
- Identifying the EU legal instrument applicable in a concrete case
- Assisting the judge in carrying out European procedures by preparing and participating in the court sessions in order to solve the specific requests by

- issuing subpoenas and other communications, drafting a series of judicial acts and court decisions (civil, commercial, family and criminal law cases)
- Assisting the judicial authorities in the execution of letters rogatory, of hearings by means of video conference and notification of judicial acts by participating in the hearings, issuing the subpoenas and other communications, drafting a series of judicial acts and court decisions, keeping records for specific activities (civil, commercial, family and criminal law cases)
 - Drafting, registering and issuing the certificates provided by the law applicable to divorce and legal separation and Mutual recognition of protection measures in civil matters Regulations (family law cases)
 - Drafting, registering and issuing the certificates provided by the Service of Documents, Taking of Evidence, European Small Claims, European Payment Order Regulations (civil and commercial law cases)
 - Supervising of files and transmission of documents in civil procedures related to service of judicial and extrajudicial documents under the Service of documents Regulation
 - Filling in forms related to enforcement of court decisions under Regulations Brussels I bis, Brussels I bis recast, Brussels II bis and Maintenance obligations (civil/commercial and family law cases)
 - Preparing video conferences under Article 17 (Direct taking of evidence by the requesting court) of the Regulation on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
 - Forwarding all documents accompanying the European procedures (EAW, EIO, letters rogatory, etc.) in order to be translated; keeping the records regarding the procedures (criminal law cases)
 - Filling in and sending to the judicial authorities of other Member States the specific certificates and all the documents accompanying them, such as European arrest warrant, certificates in cases of mutual recognition of judgments in criminal matters, orders freezing property or evidence, certificates in cases of mutual recognition of financial penalties or confiscation orders, European Investigation Order (criminal law cases)
 - Requesting/ Providing additional information from/to the judicial authorities of the States, where appropriate (civil, commercial, family and criminal law cases)

This court staff category plays an important role in:

- Civil law and procedures (cross-border civil procedures)
- Commercial law and procedures (cross-border commercial procedures)
- Criminal law and procedures (cross-border criminal procedures)
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim

- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors
- Management of Courts
- E-justice (organisation of Information Technology & Communication, videoconferencing)
- Data protection
- Authentication of judicial and extra-judicial documents
- Court programming/management of court agendas

2. Statistician Clerks carry out judicial statistical reports. Their main tasks include:

- Providing daily judicial statistic entries
- Filling in and keeping criminal records
- Drafting the judicial statistic reports ordered by the Superior Council of Magistracy and communicates any other statistic information requested by the Superior Council of Magistracy, the heads of courts and the Ministry of Justice
- Collaborating with the county commissions of statistics in order to draft and forward the statistic newsletters and for other specific activities
- Coordinating the personnel that gathers the statistical data

3. Documentary Clerks are responsible for the research, such as:

- Keeping records of the legislation, case-law and doctrine, including case-law and EU legislation
- Keeping records and manages the library
- Drafting material about the legislative changes at the order of the head of the court
- Making daily newsletters addressed to the judges of the court regarding the legal changes published in the Official Monitor, Part I
- Identifying the relevant decisions and doctrine regarding a certain matter of law
- Identifying CJEU, TFEU and ECHR case-law

4. Archivist Clerks provide the safekeeping of the documents and perform tasks such as:

- Ensuring the interested parties' access to the case files and keeps track of the persons who receive for studying purposes the documents of each case
- Preparing case files for the court sessions, ensures their circuit within the court and their transmission to other courts
- Ensuring the safekeeping of the case files and registries

- Keeps yearly records of solved cases, decision records and other registries
- Receiving the communication confirmations for judicial documents and attaches them to the case files
- Managing the electronic archives whenever possible

This court staff category plays an important role in:

- Civil law and procedures
- Criminal law and procedures
- Access to justice

5. Registrar Clerks carry out tasks such as:

- Receiving, registering and distributing to the corresponding compartments the civil claims, criminal investigation cases, other case files and correspondence
- Transmitting the solved cases and all the usual correspondence
- Receiving and registering new case files, keeping track of their circuit, introducing in the informational system the correspondent legal taxes based on the proof of payment

This court staff category plays an important role in:

- Civil law and procedures
- Criminal law and procedures
- Access to justice

6. IT specialists work within Courts of Appeal, tribunals, specialised tribunals, courts of first instance located in county capital cities and in Bucharest and perform tasks such as:

- Participating, at the request of the Ministry of Justice, in the analysis and implementation of IT applications
- Ensuring the exploitation of IT programmes by installing IT products and periodically checking the compliance with the terms of use
- Coordinating and checks the judicial IT activity carried out within the courts and prosecutors' offices
- Ensuring the initiation and training of personnel regarding the exploitation of IT applications
- Creating IT applications for courts and prosecutors' offices
- Ensuring the proper function of the electronic archiving system
- Drawing up the necessary documentation for the allocation of the electronic signature
- Cooperating with the statistician clerk or with other designated persons in order to collect the statistical data from the system

This court staff category plays an important role in:

- Assistance to judges and/ or public prosecutors
- E-justice (organisation of Information Technology & Communication, videoconferencing)

Aspects of EU law: are increasingly present in a clerk's everyday activity as EU legislative instruments are being adopted

Organisation of the category/profession

Organising Structure

There is no single authority in charge of the overall organisation of the profession, several institutions share distinct managing and organising powers in accordance with their own area of specialised activity:

- **High courts and prosecutors' offices in charge of designation, evaluation, promotion, sanctioning, payment and the dismissal from office of clerks:**
 - o High Court of Cassation and Justice – Batiștei Street no. 25, sector 2, postal cod 020934, Bucharest, Telephone number: +4021/310.39.08, website: www.scj.ro
 - o Prosecutor's Office attached to the High Court of Cassation and Justice, Blvd. Libertății no. 12, sector 5 – Bucharest, postal code: 050706, Telephone number: +4021/319.38.33, +4021/319.38.56
 - o 16 Courts of Appeal and 16 prosecutor's offices attached to them – a comprehensive list of all these courts and prosecutor's office can be found here: <http://portal.just.ro/SitePages/acasa.aspx> and here: <http://www.mpublic.ro/ro/content/harta-unitati-subordonate>
- **Superior Council of Magistracy** - in charge of the coordination of the admission process and training of clerks. Contact: Calea Plevnei no. 141B, sector 6, postal code 060011, Telephone number: +4021/311.69.02, Fax: +4021/311.69.01, website: <https://www.csm1909.ro>
- **National School of Clerks (coordinated by the Superior Council of Magistracy)** – in charge of the initial and continuing training of clerks. Contact: Regina Elisabeta Street no. 53, Sector 5, Bucharest, Telephone number: +4021/407.62.09, Fax: +4021/310.34.80, website: www.grefieri.ro
- **Ministry of Justice** – in charge of providing the necessary budget for court clerks. Contact: Apolodor Street no.17, sector 5, Bucharest, telephone number: +4037/204.10.46, www.just.ro

	<ul style="list-style-type: none"> - Public Ministry – in charge of providing the necessary budget for clerks within the prosecutors’ offices. Contact: B-dul Libertății np.14, Sector 5, Bucharest, postal code: 050706, telephone number: +4021/319.38.33; +4021/319.38.56, fax: +4021/319.38.61, website: www.mpublic.ro
Contact Details of any Professional Organisations in Connection with this Court Staff	<ul style="list-style-type: none"> - National Syndicate of Judicial Clerks Dicasterial – Contact: Eugeniu de Savoya Street no. 2, ap. T113, Timișoara, postal code 300055, Timiș county, telephone number: +40736/332.230, website: https://www.grefajudiciara.ro - National Syndicate Federation Lex Just – Contact: Pitești, Argeș county, Casa de cultură a sindicatelor - Piata Vasile Milea no. 3. - National Syndicate Federation PROJUS – Contact: Splaiul Independentei no.5, room P75, sector 4, Bucharest, telephone number: +40735.860.669, fax: +40352.814.059, website: http://projus.ro - National Syndicate Federation Justitia – Contact: Danielopol Street, no.2-4, sector 4, Bucharest, website: http://www.csnmeridian.ro - The Association of Romanian Clerks – Contact: Negru Vodă Street, Bl. 33, Sc. B, apt. 30, Et. 4, Giurgiu, Giurgiu county, telephone number:+40764.191.592. - National Association of judicial IT specialists – Contact: website: https://www.anij.ro

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Clerks performs tasks which ‘require the application of EU law’.

- Assisting the judge in carrying out European proceedings such as service of documents, taking of evidence, European small claim procedure, European payment order procedure, recognition and enforcement of judgments by preparing and participating to the court sessions in order to solve the specific requests by issuing the subpoenas and other communications, drafting a series of judicial acts and court decisions.
- Drafting, registering and issuing the certificates provided by Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation (called Rome III Regulation and Council Regulation (EU) No. 606/2013 on mutual recognition of protection measures in civil matters (family cases)).

- Drafting, registering and issuing the certificates provided by Council Regulation (EC) 1393/2007 of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters, Regulation (EC) No 1206/2001 on cooperation between the courts of the EU countries in the taking of evidence in civil or commercial matters, Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure, Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure (civil and commercial cases).
- Supervising of files and transmission of documents in civil procedures related to service of judicial and extrajudicial documents under the Regulation (EC) 1393/2007 of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters.
- Filling in forms related to enforcement of court decisions under Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters - Brussels I bis , Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters - Brussels I bis recast, Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments -Brussels II bis, Regulation (EC) No 4/2009 of 18 December 2008 relating to maintenance obligations, Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession (civil/commercial and family law cases).
- Preparing the videoconferences under Article 17 (Direct taking of evidence by the requesting court) of Regulation 1206/2001 on cooperation between the courts of the EU countries in the taking of evidence in civil or commercial matters.
- Assisting the judge in carrying out proceedings such as: European arrest warrant and the surrender procedures between Member States (Council Framework Decision of 13 June 2002), Mutual recognition of judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union (Council Framework Decision 2008/909/JHA of 27 November 2008), the execution in the European Union of orders freezing property or evidence (Council Framework Decision 2003/577/JHA of 22 July 2003), Mutual recognition of financial penalties (Council Framework Decision 2005/214/JHA of 24 February 2005), Mutual recognition of confiscation orders (Council Framework Decision 2006/783/JHA of 6 October 2006) by preparing and participating to the court sessions in order to solve the specific requests, issuing the subpoenas and other communications, drafting a series of judicial acts and court decisions, keeping the records for specific activities.
- Assisting the judicial authorities in the execution of letters rogatory, of hearings by means of videoconference and notification of judicial acts under Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters (criminal law cases).
- Filling in and sending to the judicial authorities of other Member States the specific certificates and all the documents accompanying them (European arrest warrant, certificates in case of mutual recognition of judgments in criminal matters, orders freezing property or evidence, certificates in case of mutual recognition of financial penalties or confiscation orders, European Investigation Order) (criminal law cases).

- Forwarding all documents accompanying the procedures (European Arrest Warrant, European Investigation Order, letters rogatory, etc.) in order to be translated; keeping records regarding the procedures (criminal law cases).
- Requesting / Providing additional information from /to the judicial authorities of the Member State, where appropriate (civil, commercial, family and criminal law cases).

TYPE 3 – Statistician Clerks, Documentary Clerks, Archivist Clerks, Registrar Clerks and IT Specialists does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1: REMAINING CATEGORIES OF COURT STAFF

The following categories are all considered as Type 3, i.e. they do not perform tasks requiring the application of EU law.

Category	Description of work	Approximate numbers
Connected staff	hand out the judicial documents which are to be communicated by order of the court/prosecutor's office within the legal terms; assist the parties and other participants by indicating the way to the court rooms, registry and archives rooms and contributes to maintaining the cleanliness and good state of the court rooms.	<i>Within courts = 939</i> <i>Within prosecutors' offices = 434</i> Total = 1,373
Contracted staff	ensure the building maintenance and carry out the minor repairs needed throughout the building and the premises.	<i>Within courts = 407</i> <i>Within prosecutors' offices = 369</i> Total = 776
Civil servants	carry out financial and accounting activities, manage human and material resources, ensure the proper conditions for carrying out the activity within courts/prosecutors' offices.	<i>Within courts = 526</i> <i>Within prosecutors' offices = 803</i> Total = 1,329
Forensic technicians	perform the assigned forensic work using the laboratory equipment.	<i>* operate only within some prosecutors' offices = 36</i>
Judicial officers and judicial petty officers/ officers and petty officers within the Ministry of National Defence	draw up criminal investigation documents under the supervision of a prosecutor.	<i>* operate only within some prosecutors' offices = 461</i>

SLOVAKIA

1- GENERAL INFORMATION

Answering institution(s)	Judicial Academy (Justičná akadémia Slovenskej republiky)
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁶⁹

In the table below, an overview of the Court staff in Slovakia is presented, including their Type and, when applicable, Functions⁷⁰.

Category	Type	Functions	Approximate numbers
Assistant to Judge of the Supreme Court	Type 1	Functions 2/3/4	83
Court Secretary	Type 1	Functions 1/3	740
Higher Court Official	Type 1	Functions 2/3/4	1,080
Chief Administrator Assistant	Type 3	N/A	73

Additional information:

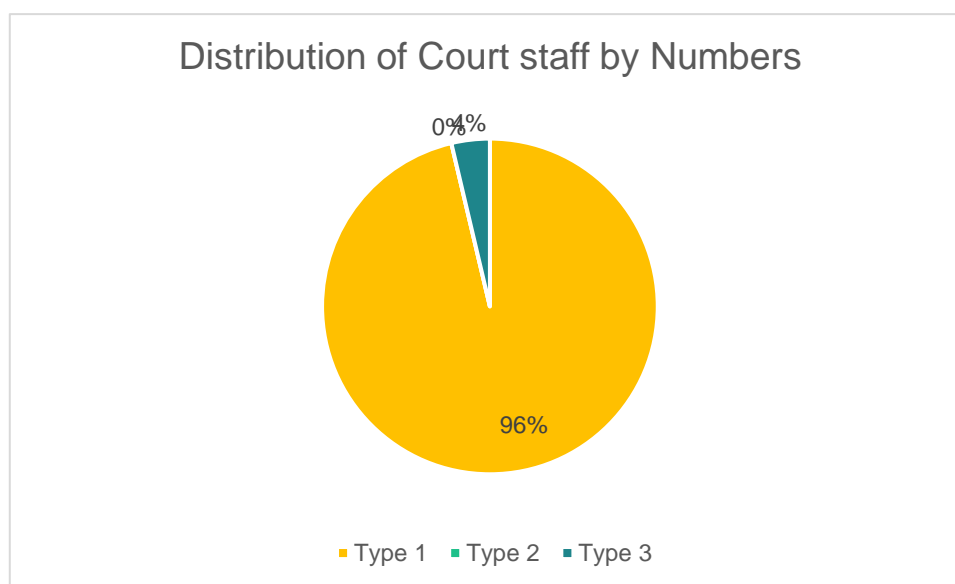
- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

⁶⁹ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁷⁰ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

Approximate Number of Court Staff	Total	
Type 1	1,903	96%
Type 2	0	0%
Type 3	73	4%
TOTAL	1,976	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Slovakia, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVAKIA
Name of Court Staff Category	In Slovakian: Asistent sudcu najvyššieho súdu
	In English: Assistant to the judge of the Supreme Court
Statutory/Legal Basis for this Post	In Slovakian: zákon č. 549/2003 Z. z. o súdnych úradníkoch v znení zákona č. 757/2004 Z. z. In English: Act No. 549/2003 Coll. on the court officials as amended
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Qualifications: Higher education, Master's in Law Aspects of EU law: are compulsory
Main Recruitment Procedure	Recruitment procedure: The recruitment procedure takes place at court level. Recruitment process: <ul style="list-style-type: none"> - Interview by recruitment panel - Selection through written application
Alternative Access Routes	Transfer routes from other professions: Yes, e.g. from academia, law enforcement services, public administrations, etc
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Specific competences regarding judicial decisions - Preparing highly professional materials necessary for judge decisions, i.e. documents, analysis and opinions for assessment and drafting of decisions with EU law aspects. 	

This category plays an important role in:

- Civil law and procedures (Cross-border civil procedures)
- Criminal law and procedures (Cross-border criminal procedures)
- Commercial law and procedures (Cross-border commercial procedures)
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors

Aspects of EU law: are important for the exercise of their duties

Organisation of the category/profession

Organising
Structure

[The Judicial Academy of the Slovak Republic](#)

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The assistant to the judge of the Supreme Court performs tasks which ‘require the application of EU law’.

- International law – private procedural, international treaties/agreements and conventions
- EU law
- Monitoring of legislative changes in Slovakia, EU, etc.
- Rules, conditions and methods of conducting court hearings, hearing witnesses and experts as well as parties to proceedings

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVAKIA
Name of Court Staff Category	<p>In Slovakian: Súdny tajomník</p> <p>In English: Court Secretary</p>
Statutory/Legal Basis for this Post	<p>In Slovakian: zákon č. 549/2003 Z. z. o súdnych úradníkoch v znení zákona č. 757/2004 Z. z.</p> <p>In English: Act No. 549/2003 Coll. on court officials as amended</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: Secondary school/high school diploma</p> <p>Aspects of EU law: Not known</p>
Main Recruitment Procedure	<p>Recruitment procedure: The recruitment procedure takes place at court level.</p> <p>Recruitment process:</p> <ul style="list-style-type: none"> - Interview by recruitment panel - Practical tests
Alternative Access Routes	<p>Transfer routes from other professions:</p> <p>Yes, e.g. from academia, law enforcement services, public administrations, etc</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Administrative tasks <p>This category plays an important role in:</p> <ul style="list-style-type: none"> - Civil law and procedures 	

- Criminal law and procedures
- Commercial law and procedures
- Service of Judicial and non-judicial documents

The Court secretary is authorised to perform mostly administrative acts of court in civil proceedings, criminal proceedings, bankruptcy proceedings and other activities of the court to the extent provided by the law.

Organisation of the category/profession

Organising
Structure

[The Judicial Academy of the Slovak Republic](#)

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Court Secretary performs tasks which ‘require the application of EU law’.

- Criminal and Civil Law
 - Particulars of legal acts, documents and documents

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVAKIA
Name of Court Staff Category	In Slovakian: Vyšší súdny úradník
	In English: Higher Court Official
Statutory/Legal Basis for this Post	<p>In Slovakian: zákon č. 549/2003 Z. z. o súdnych úradníkoch v znení zákona č. 757/2004 Z. z.</p> <p>In English: Act No. 549/2003 Coll. on the court officials as amended</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: Higher education, master's in law: A higher judicial officer must hold a master's degree in the field of Law from a Law Faculty of schools in the Slovak Republic, or a recognised certificate of university education in law issued by a foreign university</p> <p>Aspects of EU law: Aspects of EU law are compulsory</p>
Main Recruitment Procedure	<p>Recruitment procedure: takes place at court level</p> <ul style="list-style-type: none"> - Interview by recruitment panel - Selection through written application
Alternative Access Routes	<p>Transfer routes from other professions: It is possible to access the profession from other professions after fulfilling this qualification requirement (holding a MA in law)</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Specific competences regarding judicial decisions - Procedures - Administrative tasks - Assistance to the judiciary in drafting decisions 	

More specifically:

- assistance to the judiciary in drafting court decisions and other procedural acts;
- legal analysis of matters in the area of commercial, civil, criminal law;
- independent decision-making activity under the authority of a judge to the extent permitted by law;
- performing data entry into the commercial register, registration of its changes in order to comply with the proposal for incorporation into the commercial register under a special law;

This court staff category plays an important role in:

- Civil law and procedures
- Commercial law and procedures
- Criminal law and procedures
- Enforcement of court decisions
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors

Aspects of EU law: exist but constitute only a small aspect of the overall duties

Organisation of the category/profession

Organising
Structure

[The Judicial Academy of the Slovak Republic](#)

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Higher Court Official performs tasks which ‘require the application of EU law’.

- Application of Criminal, Civil, Commercial law
- Creation of legal analyses, opinions and positions
- Preparation of documents and documents for criminal proceedings

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVAKIA
Name of Court Staff Category	In Slovakian: Hlavný referent- asistent
	In English: Chief Administrator – Assistant
Statutory/Legal Basis for this Post	<p>In Slovakian: Zákon č. 400/2009 Z.z. o štátnej službe a o zmene a doplnení niektorých zákonov</p> <p>In English: Act No. 400/2009 on the Civil Service and on amendments of certain laws</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications: Secondary school/high school diploma</p> <p>Aspects of EU law: N/A</p>
Main Recruitment Procedure	<p>Recruitment procedure: The recruitment procedure takes place at court level</p> <p>Recruitment procedure:</p> <ul style="list-style-type: none"> - Interview by recruitment panel - Selection through written application - Practical tests
Alternative Access Routes	<p>Transfer routes from other professions: Yes, e.g. from academia, law enforcement services, public administrations, etc.</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Administrative tasks - Performing tasks related to the management of court files and court registers of the particular judicial department - Other administrative activities (service of judicial and extra-judicial documents) 	

This category plays an important role in:

- Service of judicial and extra-judicial documents

Aspects of EU law: are not relevant to the exercise of their duties

Organisation of the category/profession

Organising
Structure

[The Judicial Academy of the Slovak Republic](#)

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – The Chief Administrator – Assistant does not perform tasks ‘that require the application of EU law’.

SLOVENIA

1- GENERAL INFORMATION

Answering institution(s)	Judicial Training Centre
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁷¹

In the table below, an overview of the Court staff in Slovenia is presented, including their Type and, when applicable, Functions⁷².

Category	Type	Functions	Approximate numbers
Court Reporters	Type 2	Functions 1/4	868
Judicial Advisers (Courts and State Prosecutor's Offices)	Type 2	Functions 2/3/4	669
Judicial Assistant	Type 2	Functions 2/3/4	569
Administrative Assistant	Type 3	N/A	38
Director	Type 3	N/A	26
Human Resources and Financial Officers	Type 3	N/A	215
IT Specialist	Type 3	N/A	66
Registering Clerk	Type 3	N/A	583
Technical Staff	Type 3	N/A	300

Additional information:

- Type:
 - 1 – Court staff performing tasks which 'require the application of EU law'
 - 2 – Court staff performing tasks which 'might require the application of EU law'

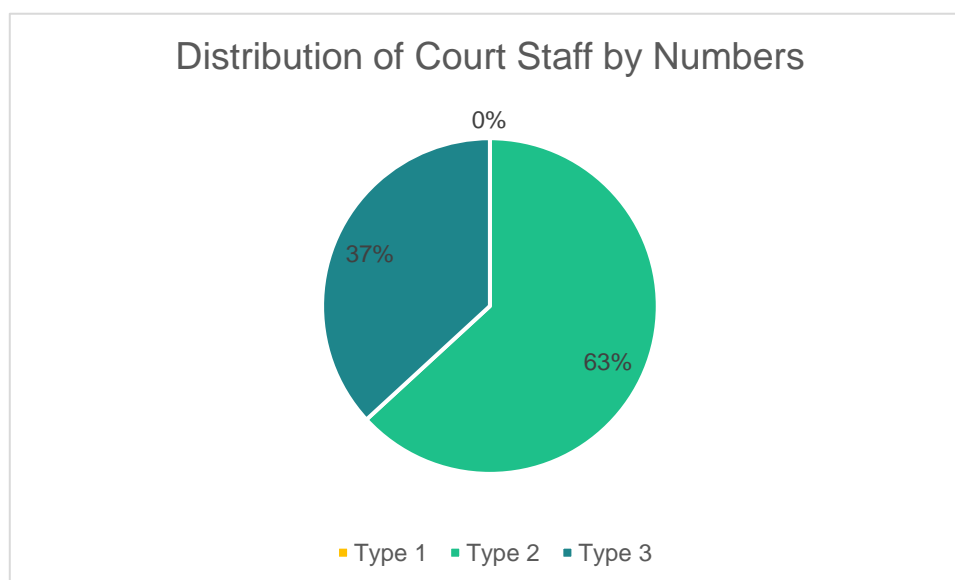
⁷¹ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

⁷² The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

- 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	0	0%
Type 2	2,106	63%
Type 3	1,228	37%
TOTAL	3,334	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Slovenia, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVENIA
Name of Court Staff Category	In English: Court Reporter
Statutory/Legal Basis for this Post	Courts Act http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO332
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Work experience (one year) - Attained a certain level of education (at least an upper secondary vocational-technical education, an upper secondary technical education or a general upper secondary education) <p>The field of study is not always specified, preference will be given to candidates that are able to use the ten-finger touch typing method. Their education did not include aspects of EU law.</p>
Main Recruitment Procedure	<ul style="list-style-type: none"> - A vacancy notice is published for the position. - In most cases, the court director conducts an interview with the candidate. If there is a large number of candidates, a prior written test is carried out. In a quarter of cases, the application review committee also conducts an interview with the candidate. A practical test is often carried out. - In half of cases, the decision is taken by the president of the court or the court director and in a quarter of cases by the application review committee.
Alternative Access Routes	Anyone who meets the conditions for occupying the position can apply for the vacancy.
<i>Responsibilities, Duties, Tasks</i>	
Court Reporters write down records of hearings, make transcripts of audio recordings from hearings and more.	

Main responsibilities, duties and tasks of the category/profession:

- Administrative tasks
- Others

Court Reporters plays a role in:

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors

Organisation of the category/profession

Organising Structure

Contact Details of any Professional Organisations in Connection with this Court Staff

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Court Reporter performs tasks which ‘might require the application of EU law’.

- Civil law and procedures: Service under Regulation, Pom-i register, service of foreign documents, writs, enquiries
- Cross-border civil procedures: Service under Regulation
- Commercial law and procedures: Service under Regulation, writs, enquiries
- Cross-border commercial procedures: Service under Regulation
- Criminal law and procedures: Service under Regulation
- Cross-border criminal procedures: Service under Regulation
- Service of judicial and extra-judicial documents: Filling in forms, service abroad
- Rights of the child: Enquiries

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVENIA
Name of Court Staff Category	In English: Judicial Advisers (Courts and State Prosecutor's Offices)
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Courts Act http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO332 - State Prosecution Service Act http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5812
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Work experience (two years) - Having passed the national bar examination - Attained a certain level of education (Master's degree (Bologna second cycle), university degree (former)) - Law, law studies also include subjects related to EU law
Main Recruitment Procedure	<ul style="list-style-type: none"> - A vacancy notice is published for the position. - In the majority of cases, an application review committee conducts an interview with the candidate. If there is a large number of candidates, a prior written test is carried out. In 50% of cases, the president of the court also conducts an interview with the candidate; in 18% of cases, the candidate is also interviewed by the court director; a practical test is rarely carried out. At state prosecutor's offices, the interview is always conducted by the application review committee, in a fifth of cases also by the head of the state prosecutor's office. - In just under half of cases, the decision is taken by the president of the court or, at a state prosecutor's office, by the head of the state prosecutor's office, in just under a third of cases by the president of the court and in just over a quarter of cases by the application review committee. At the state prosecutor's office, the decision is made by the application review committee in just under a half of cases.

Alternative Access Routes

Anyone who meets the conditions for occupying the position can apply for the vacancy.

Responsibilities, Duties, Tasks

Judicial Advisers at Courts:

Judicial advisers at courts, in specific cases outside hearings, perform tasks relating to the examination of parties, witnesses and experts, perform more complex preparatory work for hearings, present cases at panel sessions, draft decisions, conduct hearings under the guidance of a judge and perform other tasks by order of a judge.

Main responsibilities, duties and tasks of the category/profession:

- Specific competences regarding judicial decisions
- Procedures
- Administrative tasks
- Assistance to the judiciary in drafting decisions
- Others

Judicial Advisers at Courts play a role in:

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors

Judicial Advisers at State Prosecutor's Offices:

Judicial advisers at state prosecutor's offices, in particular cases, draft prosecution acts, conduct proceedings of suspended deferred prosecution under the guidance of state prosecutors and perform other tasks by order of a state prosecutor. Judicial advisers may independently appear before the court in all matters in which judicial advisers at courts may conduct procedures and/or perform procedural tasks at the court independently, in accordance with the Act regulating the courts.

Main responsibilities, duties and tasks of the category/profession:

- Specific competences regarding judicial decisions
- Procedures
- Assistance to the judiciary in drafting decisions
- Others

Judicial Advisers at State Prosecutor's Offices play a role in:

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors

Organisation of the category/profession

Organising Structure

Contact Details of any Professional Organisations in Connection with this Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Judicial Advisers performs tasks which ‘might require the application of EU law’.

- **Judicial Adviser at Courts:**

- Civil law and procedures: Writing drafts of decisions and filling in more complex forms, service, jurisdiction, application of the law, recognition of foreign court decisions, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, European Certificate of Succession, issuing European Payment Orders, preparing court decisions, drafting court decisions, filling in forms, obtaining evidence from other EU countries, service abroad, European Account Preservation Order, certificate (Brussels Regulation) on recognised property claims, requests for examination of witnesses in accordance with regulation, requests for taking of evidence in EU Member States
- Cross-border civil procedures: Writing drafts of decisions and filling in more complex forms, international legal aid, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, determining court jurisdiction, preparing court decisions
- Commercial law and procedures: Writing drafts of decisions and filling in more complex forms, service, jurisdiction, application of the law, recognition of foreign court decisions, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, issuing European Payment Orders, drafting court decisions, requests for taking of evidence abroad
- Cross-border commercial procedures: Writing drafts of decisions and filling in more complex forms, international legal aid, bankruptcy proceedings, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, determining court jurisdiction, drafting court decisions, European Payment Order, European Small Claims
- Criminal law and procedures: Writing drafts of decisions and filling in more complex forms, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, requests for video conferences, other legal aid, obtaining evidence, referral of cases to foreign countries, European Arrest Warrant, transfers of prosecution to other countries, service abroad, obtaining evidence from other EU

- Member States, issuing European Investigation Orders, requests to take over criminal prosecution, requests for international legal aid
- Cross-border criminal procedures: Writing drafts of decisions and filling in more complex forms, international legal aid, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, obtaining evidence, preparing court decisions, European Arrest Warrant, European Investigation Order, extradition procedure on the basis of European Arrest Warrants
 - Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.): Writing drafts of decisions and filling in more complex forms, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, issuing requests, service abroad, verifications
 - Service of judicial and extra-judicial documents: Writing drafts of decisions and filling in more complex forms, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, service in EU Member States, requests for service of judicial documents (indictments, writs, judgments, summons to serve prison sentence), service of documents in accordance with regulation, service of foreign judicial documents
 - Enforcement of court decisions: Writing drafts of decisions and filling in more complex forms, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, issuing European Enforcement Orders, certificates of enforceability, enforcement, drafting court decisions, recovery of pecuniary sanctions, requests for transfers of enforcements of a sentence, providing certificates regarding the recognition of confiscation orders, pecuniary sanctions, enforcement of alternative ways of serving a prison sentence, execution of orders freezing property or evidence in the EU, European Enforcement Orders
 - Human rights: Writing drafts of decisions and filling in more complex forms, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, monitoring case-law of the European Court of Human Rights, drafting court decisions
 - Access to justice: Writing drafts of decisions and filling in more complex forms, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, within their competency
 - Rights of the victim: Writing drafts of decisions and filling in more complex forms, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, service of writs and other documents, knowledge of the Victims' Rights Directive
 - Rights of the child: Writing drafts of decisions and filling in more complex forms, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, monitoring case-law of the European Court of Human Rights, drafting court decisions, recovery of maintenance in EU Member States
 - Administrative law and procedures: Writing drafts of decisions and filling in more complex forms, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, drafting court decisions, enforcement of non-payment of maintenance where the debtor is in another EU Member State

- Competition law and procedures: Preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia
- Protection of the environment and procedures: Preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia
- Assistance to judges: Writing drafts of decisions and filling in more complex forms, preparing reports and drafting decisions in cases before the Supreme Court of the Republic of Slovenia, writing drafts of judgments and decisions, application of regulations and directives, searching case-law of the Court of Justice of the European Union and the European Court of Human Rights, decisions of the Court of Justice of the European Union in preliminary rulings
- **Judicial Advisers at State Prosecutor's Offices:**
 - Civil law and procedures: Implementation of procedures in accordance with the Confiscation of Assets of Illicit Origin Act
 - Cross-border civil procedures: Application of procedures in accordance with the Confiscation of Assets of Illicit Origin Act
 - Criminal law and procedures: Conducting criminal prosecution – international cases, examining European legislation when drafting procedural acts, procedures relating to criminal offences under Article 229 of the Criminal Code
 - Cross-border criminal procedures: Conducting criminal prosecution - international cases, examining European legislation when drafting procedural acts, European Investigation Order, international legal aid
 - Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.): Examining European legislation when drafting procedural acts, hearings of parties
 - Human rights: Examining European legislation when drafting procedural acts
 - Access to justice: Examining European legislation when drafting procedural acts
 - Rights of the victim: Examining European legislation when drafting procedural acts
 - Assistance to state prosecutors: Examining European legislation when drafting procedural acts, drafting state prosecution, examining case-law

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVENIA
Name of Court Staff Category	<p>In English: Judicial Assistant</p> <p>Three levels: Judicial Assistant, Independent Judicial Assistant and Senior Judicial Assistant</p>
Statutory/Legal Basis for this Post	<p>Courts Act</p> <p>http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO332</p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Work experience (at least seven months for an independent judicial assistant, one year for a judicial assistant and four years for a senior judicial assistant) - Attained a certain level of education (at least an upper secondary education for a judicial assistant, at least short-cycle higher vocational education or short-cycle higher education (former) for an independent judicial assistant, and at least a higher vocational education (former) or higher vocational education (Bologna first cycle) for a senior judicial assistant) <p>The field of study is not always specified, law and public administration studies also include subjects related to EU law.</p>
Main Recruitment Procedure	<ul style="list-style-type: none"> - A vacancy notice is published for the position. - In the majority of cases, an application review committee conducts an interview with the candidate. If there is a large number of candidates, a prior written test is carried out. In 40% of cases, the president of the court also conducts an interview with the candidate; in 15% of cases, the candidate is also interviewed by the court director; a practical test is rarely carried out. - In just under half of cases, the decision is taken by the court director, in just over a quarter of cases by the president of the court and in just under a quarter of cases by the application review committee.

Alternative Access Routes

Anyone who meets the conditions for occupying the position can apply for the vacancy.

Responsibilities, Duties, Tasks

Judicial assistants file applications and statements by parties for the record and, by order of a judge, perform less demanding tasks related to preparations for trial proceedings or other procedural acts, make calculations of costs, prepare drafts of decisions and perform other tasks in judicial proceedings under the orders of a judge.

Independent judicial assistants and senior judicial assistants conduct proceedings and decide in matters concerning the court register, conduct executor proceedings and issue decisions allowing execution of the enforcement of monetary claims, issue rulings permitting enforcement on the basis of the veracity of documents and decisions and issue orders on advance payments, bail, costs of proceedings and court fees, decide at the first instance on entries that under the Act regulating the land register are not decided by an individual judge of the land registry court, and decide in probate matters regarding hereditary succession when the subject of succession is only moveable property.

Independent judicial assistants and senior judicial assistants manage court offices, keep public books as organisational units and perform other tasks in accordance with the law and the Rules of Court.

Judicial assistants are employed in courts of all instances, except the Supreme Court of the Republic of Slovenia.

Main responsibilities, duties and tasks of the category/profession:

- Specific competences regarding judicial decisions
- Procedures
- Administrative tasks
- Assistance to the judiciary in drafting decisions
- Others

Judicial Assistants play a role in:

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions

<ul style="list-style-type: none"> - Human rights - Access to justice - Rights of the victim - Rights of the child - Administrative law and procedures - Assistance to judges and/or public prosecutors 	
<i>Organisation of the category/profession</i>	
Organising Structure	
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Judicial Assistant performs tasks which ‘might require the application of EU law’.

- Civil law and procedures: Filling in forms annexed to regulations and directives, service, application of law, court jurisdiction, European Certificate of Succession, enforcement procedures, land registry procedures, court register procedures, allowing enforcement on the basis of European orders
- Cross-border civil procedures: Filling in forms annexed to regulations and directives
- Commercial law and procedures: Filling in forms annexed to regulations and directives, jurisdiction, application of law, service
- Cross-border commercial procedures: Filling in forms annexed to regulations and directives
- Criminal law and procedures: Certain correspondence with and advice to parties, service, application of the law, jurisdiction
- Cross-border criminal procedures: Certain correspondence with and advice to parties
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.): certain correspondence with and advice to parties

- Service of judicial and extra-judicial documents: Certain correspondence with and advice to parties, summons to serve a prison sentence, individual tasks relating to service of judicial documents abroad, European Enforcement Order
- Enforcement of court decisions: Certain correspondence with and advice to parties, enforcement orders, jurisdiction, requests for transfers of enforcements of sentence to another country, European Arrest Warrant, European Payment Order
- Human rights: Certain correspondence with and advice to parties
- Access to justice: Certain correspondence with and advice to parties
- Rights of the victim: Certain correspondence with and advice to parties
- Rights of the child: Certain correspondence with and advice to parties
- Administrative law and procedures: Certain correspondence with and advice to parties
- Assistance to judges: Certain correspondence with and advice to parties, drafting judicial decisions, reviewing EU law and the case-law of the Court of Justice of the European Union with regard to individual labour disputes

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVENIA
Name of Court Staff Category	In English: Administrative Assistant
Statutory/Legal Basis for this Post	State Prosecutor Rules http://www.pisrs.si/Pis.web/pregledPredpisa?id=AKT_675
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Work experience (depends on the level of difficulty of the position, a few months on average) - Attained a certain level of education (at least an upper secondary vocational-technical education, an upper secondary technical education or a general upper secondary education) <p>The field of study is not always specified, preference will be given to candidates that are able to use the ten-finger touch typing method. Their education did not include aspects of EU law.</p>
Main Recruitment Procedure	<ul style="list-style-type: none"> - A vacancy notice is published for the position. - In the majority of cases, an application review committee conducts an interview with the candidate. In half of cases, the decision is made by the application review committee, while in a fifth of cases the decision is taken by the head of the state prosecutor's office or the director.
Alternative Access Routes	Anyone who meets the conditions for occupying the position can apply for the vacancy.
<i>Responsibilities, Duties, Tasks</i>	
<p>Administrative Assistants at the state prosecutor's offices assist state prosecutors with various administrative tasks.</p> <p>Main responsibilities, duties and tasks of the category/profession:</p>	

- Administrative tasks
- Others

Administrative Assistants play a role in:

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Environmental law and procedures
- Assistance to judges and/or public prosecutors

Organisation of the category/profession

Organising
Structure

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Administrative Assistant does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVENIA
Name of Court Staff Category	In English: Director
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Courts Act http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO332 - State Prosecution Service Act http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5812
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Work experience (six and a half years at court, four years at a state prosecutor's office) - Attained a certain level of education (Master's degree (Bologna second cycle), university degree (former)) - Law, law studies also include subjects related to EU law <p>Once appointed, they must undergo compulsory training for directors of courts or state prosecutor's offices.</p>
Main Recruitment Procedure	<ul style="list-style-type: none"> - A vacancy notice is published for the position. - In the majority of cases, an application review committee conducts an interview with the candidate. If there is a large number of candidates, a prior written test is carried out. Almost always, the president of the court or the head of the state prosecutor's office also conducts an interview with the candidate. - The decision is made by the president of the court or the head of the state prosecutor's office.
Alternative Access Routes	Anyone who meets the conditions for occupying the position can apply for the vacancy.

Responsibilities, Duties, Tasks

At Courts:

District and higher courts and the Administrative Court of the Republic of Slovenia, or a higher court for lower courts in its territory and the Ljubljana Local Court may have court directors for the performance of court administration matters. A court director independently and for the whole territory of the court performs court administration tasks related to the material, technical and financial operations of the court, the conducting of public procurement procedures, decision-making in court staffing matters, ensuring court security, monitoring, analysing and drafting the modernisation of business processes and carries out other court administration tasks under the authorisation of the president of the competent court, with the exception of tasks relating to the performance of the judicial service.

The Supreme Court of the Republic of Slovenia has a secretary-general that is an official and performs the tasks referred to in the preceding paragraph.

If a certain court has no director in accordance with the first paragraph of this Article, tasks falling within their competence are performed by the president of the court.

Main responsibilities, duties and tasks of the category/profession:

- Procedures
- Management
- Others

Directors play a role in:

- Management of courts
 - o Data protection
 - o Court programming/management of court agendas
 - o Human Resources/personnel issues
 - o Budget
 - o Health & safety, building administration

At State Prosecutor's Offices:

The director independently performs state prosecution administration tasks relating to:

- Management of state prosecution staff and implementation of regulations on safety and health at work;
- Deciding on rights, obligations and responsibilities of state prosecution staff;
- Financial, accounting and material operations and management of public procurement procedures.

Under the authorisation of the head of a district state prosecutor's office, the director may independently perform state prosecution administration tasks relating to:

- Entering, recording and statistical monitoring of cases;

- Office and technical operations;
- Activities associated with tangible assets held in direct use by the state prosecutor's office;
- Concern for and measures aimed at the security of persons, documents and assets of the state prosecutor's office, and
- Other state prosecution administration tasks except those relating to the performance of the state prosecution service.

Main responsibilities, duties and tasks of the category/profession:

- Procedures
- Management
- Administrative tasks
- Others

Directors play a role in:

- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)
 - o Data protection
 - o Court programming/management of court agendas
 - o Human Resources/personnel issues
 - o Budget
 - o Health & safety, building administration

Organisation of the category/profession

Organising Structure	
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Director does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVENIA
Name of Court Staff Category	In English: Staff in the Human Resources and Financial Offices
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Courts Act http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO332 - State Prosecutor Rules http://www.pisrs.si/Pis.web/pregledPredpisa?id=AKT_675
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>The conditions of employment depend on the level of difficulty of each position:</p> <ul style="list-style-type: none"> - Work experience (on average, three years at courts and five years at state prosecutor's offices) - Attained a certain level of education (in the majority of cases, at least a higher vocational education, i.e. a Bologna first cycle degree) - For finance offices, preference will be given to candidates with an education in economics, whereas for human resources offices, preference will be given to candidates with an education in the humanities.
Main Recruitment Procedure	<ul style="list-style-type: none"> - A vacancy notice is published for the position. - In the majority of cases, an application review committee conducts an interview with the candidate. If there is a large number of candidates, a prior written test is carried out. In 20% of cases, the candidate is interviewed by the president of the court or the court director and, in the case of a state prosecutor's office, by the head of the state prosecutor's office. - In half of cases, the decision is taken by the court director and in a third of cases by the president of the court. At state prosecutor's offices, the decision is taken by the director of the state prosecutor's office or the application review committee in 40% of cases and by the head of the state prosecutor's office in a fifth of cases.

Alternative Access Routes	Anyone who meets the conditions for occupying the position can apply for the vacancy.
<i>Responsibilities, Duties, Tasks</i>	
<p><u>At Courts:</u> Court services are organised for the implementation of judicial power and for the management of court administration matters. These services include the finance and accounting office and the human resources office.</p> <p>The human resources staff are in charge of court staff matters, whereas the finance staff are responsible for the court's financial operations and for monitoring the budget. Local courts do not have their own court services; instead, the competent district court carries out these tasks for them. The exception is the Ljubljana District Court, as it is the largest court.</p> <p><u>At State Prosecutor's Offices:</u> The financial and accounting aspects of managing funds for the operation of state prosecutor's offices are governed by regulations on public finance, public procurement, budget implementation and other related regulations. At each state prosecutor's office, funds for the operation of state prosecutor's offices are managed by the accounting office.</p> <p>The human resources staff are in charge of court staff matters.</p>	
<p>Main responsibilities, duties and tasks of the category/profession:</p> <ul style="list-style-type: none"> - Procedures - Management - Administrative tasks 	
<p>Human Resource and Financial Officers play a role in:</p> <ul style="list-style-type: none"> - Management of courts <ul style="list-style-type: none"> o E-justice (organisation of Information Technology & Communication, videoconferencing) o Data protection o Court programming/management of court agendas o Human Resources/personnel issues o Budget o Health & safety, building administration 	
<i>Organisation of the category/profession</i>	
Organising Structure	

Contact Details of
any Professional
Organisations in
Connection with
this Court Staff

*QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING
KNOWLEDGE OF AND TRAINING IN EU LAW*

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Staff in the Human Resources and Financial Offices do not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVENIA
Name of Court Staff Category	In English: IT Specialist
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Courts Act http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO332 - State Prosecutor Rules http://www.pisrs.si/Pis.web/pregledPredpisa?id=AKT_675
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Work experience (two years on average) - Attained a certain level of education (depends on the level of difficulty of the position, from at least an upper secondary vocational-technical education, an upper secondary technical education or a general upper secondary education to, in some cases, higher vocational education or a Bologna first cycle degree) - Relevant technical education is required. Their education did not include aspects of EU law
Main Recruitment Procedure	<ul style="list-style-type: none"> - A vacancy notice is published for the position. - In most cases, the court director conducts an interview with the candidate. In a quarter of cases, the application review committee also conducts an interview with the candidate. A practical test may be carried out. - In half of cases, the decision is taken by the court director, in a fifth of cases by the application review committee and in a quarter of cases by the president of the court. At the state prosecutor's office, the decision is taken by the court director or the application review committee in just under half of cases.
Alternative Access Routes	Anyone who meets the conditions for occupying the position can apply for the vacancy.
<i>Responsibilities, Duties, Tasks</i>	

IT Specialists provide uniform technical support for the operation of the courts and the legal information system of state prosecutor's offices.

Main responsibilities, duties and tasks of the category/profession:

- Administrative tasks
- Service (guarding, cleaning, etc.)
- Others

IT Specialist play a role in:

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Assistance to judges and/or public prosecutors
- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)

Organisation of the category/profession

Organising
Structure

Contact Details of
any Professional
Organisations in
Connection with
this Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – IT Specialist does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVENIA
Name of Court Staff Category	In English: Registering Clerk
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Courts Act http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO332 - State Prosecutor Rules http://www.pisrs.si/Pis.web/pregledPredpisa?id=AKT_675
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Work experience (one year and four months) - Attained a certain level of education (at least an upper secondary vocational-technical education, an upper secondary technical education or a general upper secondary education) <p>The field of study is not always specified, preference will be given to candidates with an education in the humanities or economics. Their education did not include aspects of EU law.</p>
Main Recruitment Procedure	<ul style="list-style-type: none"> - A vacancy notice is published for the position. - In the majority of cases, an application review committee conducts an interview with the candidate. If there is a large number of candidates, a prior written test is carried out. In a quarter of cases, the court director or the president of the court also conducts an interview with the candidate. - In just under half of cases, the decision is taken by the president of the court, in just over a quarter of cases by the court director and in a third of cases by the application review committee. At state prosecutor's offices, the candidate is selected by the application review committee in 60% of cases and by the head or the director of the state prosecutor's office in a fifth of cases.
Alternative Access Routes	Anyone who meets the conditions for occupying the position can apply for the vacancy.

Responsibilities, Duties, Tasks

Registering Clerks register cases, arrange case files and prepare correspondence, documents and certificates.

At Courts:

Main responsibilities, duties and tasks of the category/profession:

- Specific competences regarding judicial decisions
- Procedures
- Administrative tasks
- Others

The Registering Clerk plays a role in:

- Civil law and procedures
 - o Cross-border civil procedures
- Commercial law and procedures
 - o Cross-border commercial procedures
- Criminal law and procedures
 - o Cross-border criminal procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Assistance to judges and/or public prosecutors

At State Prosecutor's Offices:

Main responsibilities, duties and tasks of the category/profession:

- Specific competences regarding judicial decisions
- Administrative tasks
- Others

The Registering Clerk plays a role in:

- Civil law and procedures
- Commercial law and procedures
- Criminal law and procedures
- Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Service of judicial and extra-judicial documents
- Enforcement of court decisions
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Administrative law and procedures
- Assistance to judges and/or public prosecutors

*Organisation of the category/profession*Organising
StructureContact Details of
any Professional
Organisations in
Connection with
this Court Staff**QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW****Instructions**

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Registering Clerk does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SLOVENIA
Name of Court Staff Category	In English: Technical Staff (Caretakers, Maintenance Workers, Security Guards, Cleaners, Couriers, Chauffeurs, Archivists)
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Courts Act http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO332 - State Prosecutor Rules http://www.pisrs.si/Pis.web/pregledPredpisa?id=AKT_675
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Work experience (depends on the level of difficulty of the position, a few months) - Attained a certain level of education (depends on the level of difficulty of the position, from at least a basic education to at least an upper secondary vocational-technical education, an upper secondary technical education or a general upper secondary education) - A specific field of study is usually not required. Their education did not include aspects of EU law.
Main Recruitment Procedure	<ul style="list-style-type: none"> - A vacancy notice is published for the position. - In most cases, the court director or the application review committee conducts an interview with the candidate; in some cases, the interview is also conducted by the president of the court. - In half of cases, the decision is taken by the court director, in a fifth of cases by the application review committee and in a quarter of cases by the president of the court.
Alternative Access Routes	Anyone who meets the conditions for occupying the position can apply for the vacancy.
<i>Responsibilities, Duties, Tasks</i>	

<p>Main responsibilities, duties and tasks of the category/profession:</p> <ul style="list-style-type: none"> - Service (guarding, cleaning, etc.) <p>Technical Staff play a role in:</p> <ul style="list-style-type: none"> - Health & safety, building administration 	
<p><i>Organisation of the category/profession</i></p>	
<p>Organising Structure</p>	
<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Technical Staff does not perform tasks ‘that require the application of EU law’.

SPAIN

1- GENERAL INFORMATION

Answering institution(s)	Centro de Estudios Jurídicos
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁷³

In the table below, an overview of the Court staff in Spain is presented, including their Type and, when applicable, Functions⁷⁴.

Category	Type	Functions	Approximate numbers
Judicial Counsellors (Civil)	Type 1	Functions 1/3/4	3,146
Judicial Counsellors (Criminal)	Type 1	Functions 1/3/4	1,134
Procedural Managers (Civil)	Type 1	Functions 1/4	4,238
Procedural Managers (Criminal)	Type 1	Functions 1/4	4,089
Auxiliary Staff	Type 3	N/A	7,882
IT Staff	Type 3	N/A	Not available
Psychosocial Team	Type 3	N/A	Not available
Clerks (Civil)	Type 3	N/A	6,389
Clerks (Criminal)	Type 3	N/A	7,012
Forensic Doctors	Type 3	N/A	1,141
Practitioners	Type 3	N/A	210

⁷³ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

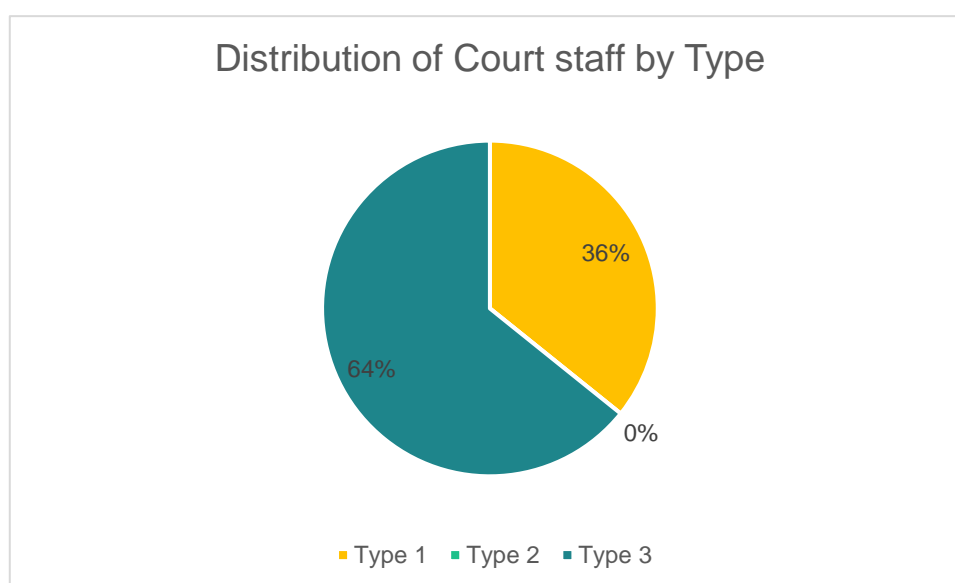
⁷⁴ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

3- COUNTRY STATISTICS

Approximate Number of Court Staff	Total	
Type 1	12,607	36%
Type 2	0	0%
Type 3	22,634	64%
TOTAL	35,241	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Spain, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SPAIN
Name of Court Staff Category	In Spanish: Letrados de la administración de justicia
	<p>In English: Judicial Counsellors (Civil)</p> <p>In Spain, according to the Ley Orgánica del Poder Judicial (framework law on the judiciary), Judicial Counsellors form a single higher national legal entity, working within the Justice Administration, attached to the Ministry of Justice and performing their duties as judicial authorities on an independent basis. By law, they carry out the technical and procedural administration in relation to all the staff of the Judicial Office and also, exclusively and independently, provide legal attestations. They hold the status of executive staff of the Justice Administration.</p> <p>The Judicial Counsellors have equal individual and collective rights and duties than Judges and Prosecutors and they practise their duties with the character of authority, according to Article 440 of the Framework Law on the Judiciary and Article 1 of Order 1608/2005 of 30 December 2005.</p> <p>According to their competences, the Judicial Counsellors could be divided into:</p> <ul style="list-style-type: none"> - Judicial Counsellors in civil matters - Judicial Counsellors in criminal matters <p>The Judicial Counsellors in civil matters would include the courts responsible for civil, commercial, administrative and labour cases.</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Framework Law on the Judiciary - Order 1608/2005, of 30 December
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - A Law degree - Successful completion of a high-level State examination (tests an oral examination of the opposition), a difficult competitive examination fully comparable to that taken by judges and public prosecutors - Compulsory training period in the Centre for Legal Studies (CEJ). Furthermore, the Judicial Counsellor together with

	<p>the prosecutors regularly attends ongoing training seminars in the CEJ</p> <ul style="list-style-type: none"> - Appointment issued by the Ministry of Justice
Main Recruitment Procedure	<p>Exam: 266 topics (civil, criminal, social, administrative..)</p> <ul style="list-style-type: none"> - Test - 1 oral exam - 1 practical exercise - A theoretical and practical course at the Centre for Legal Studies in Madrid (minimum 8 weeks) - Practices at court (minimum 16 weeks): - Attendance at hearings before the different courts - Work in different courts (civil, criminal, labour, administrative, violence against women, etc.) - Attend reconciliations procedures - Attend on-call service - Manage the court bank account - Set procedural resolutions in specific cases
Alternative Access Routes	<p>Procedural Managers who take two years of exercise in the Judicial Administration may promote to Judicial Counsellors, with a reduction of half of the planned list of topics for public examination.</p>

Responsibilities, Duties, Tasks

These are the main responsibilities and powers of the Judicial Counsellor according to the Spanish law:

- Powers in relation to the **evaluation of the adequacy of lawsuits**, issuing judicial orders and carrying on the proceedings;
- **Monitoring of proceedings**, documents, records and files and drawing up the judicial statistics.
- **Carrying out judicial resolutions, orders and rulings**. This includes the orders assessing in relation to lawsuits and other parties' claims. Final decisions on voluntary jurisdiction are also of their competence.
- Powers as a **judicial authority** to attest documents
- Functions as responsible for the **activity of documentation**
- Functions as **promoters and organisers of the procedure**
- Functions as **technical procedural directors** of the Court Office

- Functions of **collaboration and cooperation** with other bodies and Administrations: with the General Council of the Judiciary and with the Autonomous Communities
- **International Legal Cooperation.** They issue warrants, official mail and rogatory letters required for the executions of what was decided at the proceedings according to the provisions of procedural laws
- Responsible for the **management of judicial files**, according to the Regulations on the organisation of records of proceedings and dossier files, as well as the expurgation of judicial archives
- **Promote the use of technical, audio-visual and computing documentation means**
- Director of **Electronic-Auction**
- Protagonist in **implementing the electronic judicial file**
- **Electronic Account management** and electronic seizure of accounts
- Authority responsible for **legalising documents.** E-Apostille

Organisation of the category/profession

<p>Organising Structure</p>	<pre> graph TD A[Judicial counsellors] --> B[Procedural managers] A --> C[Procedural managers] B --> D[Clerks] C --> E[Clerks] C --> F[Clerks] D --> G[Auxiliary staff] E --> G F --> G </pre>
<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	<p>RECILAJ: Spanish Network of Judicial Counsellors in International Legal Cooperation (Red Española de Cooperación jurídica Internacional de Letrados de la Administración de Justicia in Spanish language)</p>

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judicial Counsellors (Civil) performs tasks which 'require the application of EU law'.

- Tasks:
 - Evaluation of the adequacy of lawsuits, issuing judicial orders and carrying on the proceedings
 - Monitoring of proceedings, documents, records and files and the judicial statistics
 - Carrying out judicial resolutions, orders and rulings. Powers as a judicial authority to attest documents
 - Functions as responsible for the activity of documentation
 - Functions as promoters and organisers of the procedure
 - Functions as technical procedural directors of the Court Office
 - International Legal Cooperation
 - Responsible for the management of judicial files
- EU Regulations used by Judicial Counsellors:
 - Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
 - Regulation (EU) No. 606/2013 on mutual recognition of protection measures in civil matters
 - Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation (called Rome III Regulation)
 - Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters
 - Regulation (EC) 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure
 - Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure
 - Council Regulation (EC) No 4/2009 of 18 December 2008 relating to maintenance obligations
 - Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims

- Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000
- Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes
- Council Regulation (EU) 2016/1104 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)
- Council Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- Regulation (EU) No 650/2012 of 4 July 2012 governing jurisdiction, applicable law, recognition and enforcement of decisions and acceptance of authentic instruments aims at facilitating the handling of international successions for citizens
- Regulation (EU) no 655/2014 of the European Parliament and of the council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters
- Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SPAIN
Name of Court Staff Category	<p>In Spanish: Letrados de la administración de justicia</p> <p>In English: Judicial Counsellors (Criminal)</p> <p>In Spain, according to the Ley Orgánica del Poder Judicial (framework law on the judiciary), Judicial Counsellors form a single higher national legal entity, working within the Justice Administration, attached to the Ministry of Justice and performing their duties as judicial authorities on an independent basis. By law, they carry out the technical and procedural administration in relation to all the staff of the Judicial Office and also, exclusively and independently, provide legal attestations. They hold the status of executive staff of the Justice Administration.</p> <p>The Judicial Counsellors have equal individual and collective rights and duties than Judges and Prosecutors and they practise their duties with the character of authority, according to Article 440 of the Framework Law on the Judiciary and Article 1 of the Order 1608/2005 of 30 December.</p> <p>According to their competences, the Judicial Counsellors could be divided into:</p> <ul style="list-style-type: none"> - Judicial Counsellors in civil matters - Judicial Counsellors in criminal matters <p>The Judicial Counsellors in criminal matters would include the courts responsible for the investigation and prosecution of crimes.</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Framework Law on the Judiciary - Order 1608/2005, of 30 December
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - A Law degree - Successful completion of a high-level State examination (tests an oral examination of the opposition), a difficult competitive examination fully comparable to that taken by judges and public prosecutors - Compulsory training period in the Centre for Legal Studies (CEJ). Furthermore, the Judicial Counsellor together with

	<p>the prosecutors regularly attends the ongoing training seminars in the CEJ</p> <ul style="list-style-type: none"> - Appointment issued by the Ministry of Justice
Main Recruitment Procedure	<p>Exam: 266 topics (civil, criminal, social, administrative..)</p> <ul style="list-style-type: none"> - Test - 1 oral exam - 1 practical exercise - Theoretical and practical course at the Centre for Legal Studies in Madrid (minimum 8 weeks) - Practices at court (minimum 16 weeks): - Attendance at hearings before the different courts <ul style="list-style-type: none"> o Work in different courts (civil, criminal, labour, administrative, violence against women, etc.) o Attend reconciliations procedures o Attend on-call service o Manage the court bank account o Set procedural resolutions in specific cases
Alternative Access Routes	<p>Procedural Managers who take two years of exercise in the Judicial Administration may promote to Judicial Counsellors, with a reduction of half of the planned list of topics for public examination.</p>

Responsibilities, Duties, Tasks

These are the main responsibilities and powers of the Judicial Counsellor according to the Spanish law:

- Powers in relation to the **evaluation of the adequacy of lawsuits**, issuing judicial orders and carrying on the proceedings;
- **Monitoring of proceedings**, documents, records and files and drawing up the judicial statistics.
- **Carrying out judicial resolutions, orders and rulings**. This includes the orders assessing in relation to lawsuits and other parties' claims. Final decisions on voluntary jurisdiction are also of their competence.
- Powers as a **judicial authority** to attest documents
- Functions as **responsible for the activity of documentation**
- Functions as **promoters and organisers of the procedure**
- Functions as **technical procedural directors** of the Court Office

- Functions of **collaboration and cooperation** with other bodies and Administrations: with the General Council of the Judiciary and with the Autonomous Communities
- **International Legal Cooperation.** They issue warrants, official mail and rogatory letters required for the executions of what was decided at the proceedings according to the provisions of procedural laws
- Responsible for the **management of judicial files**, according to the Regulations on the organisation of records of proceedings and dossier files, as well as the expurgation of judicial archives
- **Promote the use of technical, audio-visual and computing documentation means**
- Director of **Electronic-Auction**
- Protagonist in implementing the **electronic judicial file**
- **Electronic Account management** and electronic seizure of accounts
- Authority responsible for **legalizing documents.** E-Apostille

Organisation of the category/profession

<p>Organising Structure</p>	<pre> graph TD A[Judicial counsellors] --> B[Procedural managers] A --> C[Procedural managers] B --> D[Clerks] C --> E[Clerks] C --> F[Clerks] D --> G[Auxiliary staff] E --> G F --> G </pre>
<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	<p>RECILAJ: Spanish Network of Judicial Counsellors in International Legal Cooperation (Red Española de Cooperación jurídica Internacional de Letrados de la Administración de Justicia in Spanish language)</p>

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judicial Counsellors (Criminal) performs tasks which ‘require the application of EU law’.

- Tasks:
 - Evaluation of the adequacy of lawsuits, issuing judicial orders and carrying on the proceedings
 - Monitoring of proceedings, documents, records and files and the judicial statistics
 - Carrying out judicial resolutions, orders and rulings. Powers as a judicial authority to attest documents
 - Functions as responsible for the activity of documentation
 - Functions as promoters and organisers of the procedure
 - Functions as technical procedural directors of the Court Office
 - International Legal Cooperation
 - Responsible for the management of judicial files
- EU Regulations used by Judicial Counsellors:
 - Directive 2014/41/EU regarding the European Investigation Order in criminal matters
 - 2002/584/JHA: Council Framework Decision 2002/584/JHA of 13 June 2002 on the European Arrest Warrant and the surrender procedures between Member States
 - Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings
 - 2001/500/JHA: Council Framework Decision 2001/500/JHA of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime
 - 2002/475/JHA: Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism Implemented
 - 2002/629/JHA: Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings
 - 2003/577/JHA: Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence
 - 2005/212/JHA: Council Framework Decision 2005/212/JHA of 24 February 2005 on Confiscation of Crime-Related Proceeds, Instrumentalities and Property
 - 2005/222/JHA: Council Framework Decision 2005/222/JHA of 24 February 2005 on attacks against information systems
 - 2005/214/JHA: Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition of financial penalties

- 2006/783/JHA: Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition of confiscation orders
- 2006/960/JHA: Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence
- 2008/978/JHA: Council Framework Decision 2008/978/JHA of 18 December 2008 on the European Evidence Warrant (EEW) for the purpose of obtaining objects, documents and data for use in proceedings in criminal matters. – repealed by Regulation (EU) 2016/95 of 20 January 2016 repealing certain acts in the field of police cooperation and judicial cooperation in criminal matters.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SPAIN
Name of Court Staff Category	<p>In Spanish: Gestor procesal</p> <p>In English: Procedural Managers (Civil) Auxiliary Staff.</p> <p>It is up to the Body of Procedural Managers to collaborate in the activity higher level procedural, as well as performing own procedural tasks.</p> <p>According with their competences, the Procedural Managers could be divided into:</p> <ul style="list-style-type: none"> - Procedural Managers in civil matters - Procedural Managers in criminal matters <p>The Procedural Managers in civil matters would include the courts responsible of civil, commercial, administrative and labour cases.</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Framework Law on the Judiciary - Decree 1451/2005, of December 7, which approves the Regulation of Access, Jobs Provision and Professional Promotion of Official Personnel at the Service of the Administration of Justice
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Exam: 64 topics (civil, criminal, social, administrative..)</p> <ul style="list-style-type: none"> - Test (100 questions) - 1 practical exercise (20 questions) - 1 practical case
Main Recruitment Procedure	<ul style="list-style-type: none"> - Degree certificate - Spanish nationality - Be sixteen years old and have not reached the age of forced retirement

	- Possess the functional capacity to perform the tasks of the Body they aspire to
Alternative Access Routes	Clerks may promote to Procedural managers through a public exam.

Responsibilities, Duties, Tasks

In general, and under the principle of hierarchy, and without prejudice to the functions specific job positions they perform:

- **Manage the processing of the procedures**, which will be reported to the Judicial Counsellors, in particular when certain aspects require an interpretation of law or procedural rules, notwithstanding informing the head of the body judicial when required to do so.
- **Practice and sign** the appearances made by the parties in relation to the procedures that are followed in the judicial body, in respect of which it will have the capacity for certification.
- **Document** seizures, launches and other acts whose nature requires it, with the character and representation attributed to them by the laws, unless the Judicial Counsellors consider their intervention necessary, represented in said acts as an official with authority.
- **Extend the notes** that aim to join the procedure data or elements that do not constitute proof in it, in order to guarantee its due and subsequent proof processing, giving an account of it, to that end, to the higher authority, as well as elaborating notes, which may be of reference, a summary of the records and examination of the procedure to which refer.
- Perform the tasks of **registration, receipt and distribution** of writings and documents, relating to matters that were being processed in Courts.
- Perform simple copies of writings and documents that appear in undeclared records Secrets or reserved.
- In certain units of direct support and common services, notwithstanding performing the functions assigned to the specific position, they **manage the distribution of the tasks of the staff**, responding from its development.
- **Collaboration** with the competent administrative management bodies, performing functions related to the management of personnel and material resources of the unit of the judicial office in which the services are provided, provided that these functions are expressly contemplated in the description of jobs.
- Perform as many functions as they can assume in order to **protect and support the victims**, as well as support for restorative justice and extrajudicial action solutions.
- Perform all those functions that are legally established and any other functions of a similar nature to the previous ones, inherent in the job position, whether entrusted by hierarchical superiors, organic or functional, in the exercise of their competencies.

<i>Organisation of the category/profession</i>	
Organising Structure	<pre> graph TD JC[Judicial counsellors] --> PM1[Procedural managers] JC --> PM2[Procedural managers] PM1 --> C1[Clerks] PM1 --> C2[Clerks] PM2 --> C3[Clerks] C1 --> AS[Auxiliary staff] C2 --> AS C3 --> AS </pre>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Procedural Managers (Civil) performs tasks which ‘require the application of EU law’.

- EU Regulations used by Procedural Managers:
 - Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
 - Regulation (EC) 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure
 - Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure
 - Council Regulation (EC) No 4/2009 of 18 December 2008 relating to maintenance obligations

- Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents)
- Council Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters
- Regulation (EU) no 655/2014 of the European Parliament and of the council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SPAIN
Name of Court Staff Category	<p>In Spanish: Gestor procesal</p> <p>In English: Procedural Managers (Criminal) Auxiliary Staff.</p> <p>It is up to the Body of Procedural Managers to collaborate in the activity higher level procedural, as well as performing own procedural tasks.</p> <p>According with their competences, the Procedural Managers could be divided into:</p> <ul style="list-style-type: none"> - Procedural Managers in civil matters - Procedural Managers in criminal matters <p>The Procedural Managers in criminal matters would include the courts responsible for the investigation and prosecution of crimes.</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Framework Law on the Judiciary - Decree 1451/2005, of December 7, which approves the Regulation of Access, Jobs Provision and Professional Promotion of Official Personnel at the Service of the Administration of Justice
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Exam: 64 topics (civil, criminal, social, administrative..)</p> <ul style="list-style-type: none"> - Test (100 questions) - 1 practical exercise (20 questions) - 1 practical case
Main Recruitment Procedure	<ul style="list-style-type: none"> - Degree certificate - Spanish nationality - Be sixteen years old and have not reached the age of forced retirement - Possess the functional capacity to perform the tasks of the Body they aspire to

Alternative Access Routes	Clerks may promote to Procedural managers through a public exam.
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Responsibilities, Duties, Tasks

In general, and under the principle of hierarchy, and without prejudice to the functions specific job positions they perform:

- **Manage the processing of the procedures**, which will be reported to the Judicial Counsellors, in particular when certain aspects require an interpretation of law or procedural rules, notwithstanding informing the head of the body judicial when required to do so.
- **Practice and sign** the appearances made by the parties in relation to the procedures that are followed in the judicial body, in respect of which it will have the capacity to certification.
- **Document** the seizures, launches and other acts whose nature requires it, with the character and representation attributed to them by the laws, unless the Judicial Counsellors considers their intervention necessary, represented in said acts as the authorised agent.
- **Extend the notes that aim to join the procedure data or elements that do not constitute proof** in it, in order to guarantee its due and subsequent proof processing, giving an account of it, to that end, to the higher authority, as well as elaborating notes, which may be of reference, a summary of the records and examination of the procedure to which refer.
- Perform the tasks of **registration, receipt and distribution** of writings and documents, relating to matters that were being processed in Courts.
- Perform **simple copies of writings and documents** that appear in undeclared records Secrets or reserved.
- In certain units of direct support and common services, notwithstanding performing the functions assigned to the specific position, they **manage the distribution of the tasks of the staff**, responding to its development.
- **Collaboration** with the competent administrative management bodies, performing functions related to the **management of personnel and material resources of the unit** of the judicial office in which the services are provided, provided that these functions are expressly contemplated in the description of jobs.
- Perform as many functions as they can assume in order to **protect and support the victims**, as well as support for restorative justice and extrajudicial action solutions.
- Perform all those functions that are legally established and any other functions of a similar nature to the previous ones, inherent in the job position, whether entrusted by hierarchical superiors, organic or functional, in the exercise of their competencies.

<i>Organisation of the category/profession</i>	
Organising Structure	<pre> graph TD JC[Judicial counsellors] --> PM1[Procedural managers] JC --> PM2[Procedural managers] PM1 --> C1[Clerks] PM1 --> C2[Clerks] PM2 --> C3[Clerks] C1 --> AS[Auxiliary staff] C2 --> AS C3 --> AS </pre>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Procedural Managers (Criminal) performs tasks which ‘require the application of EU law’.

- EU Regulations used by Procedural Managers:
 - 2002/584/JHA: Council Framework Decision 2002/584/JHA of 13 June 2002 on the European Arrest Warrant and the surrender procedures between Member States
 - Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings
 - 2001/500/JHA: Council Framework Decision 2001/500/JHA of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime
 - Directive 2014/41/EU regarding the European Investigation Order in criminal matters

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SPAIN
Name of Court Staff Category	<p>In Spanish: Tramitación procesal y administrativa</p> <p>In English: Clerks (Civil) Auxiliary Staff.</p> <p>Corresponds in general to the Clerks the carrying out as many activities as supporting procedural management, according to the level of specialisation of the position held, under the principle of hierarchy and of compliance with what is established in the relations of jobs.</p> <p>According to their competences, the Clerks could be divided into:</p> <ul style="list-style-type: none"> - Clerks in civil matters - Clerks in criminal matters <p>The Clerks in civil matters would include the courts responsible for civil, commercial, administrative and labour cases.</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Framework Law on the Judiciary - Decree 1451/2005, of December 7, which approves the Regulation of Access, Jobs Provision and Professional Promotion of Official Personnel at the Service of the Administration of Justice
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - High School certificate - Spanish nationality - Be sixteen years old and have not reached the age of forced retirement - Possess the functional capacity to perform the tasks of the Body they aspire to
Main Recruitment Procedure	<p>Exam: 31 topics (civil, criminal, social, administrative..)</p> <ul style="list-style-type: none"> - Test (100 questions) - 1 practical exercise (20 questions) - 1 practical exercise using Microsoft Word

Alternative Access Routes	Enforcement officers may promote to Clerks through a public exam.
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Responsibilities, Duties, Tasks

It corresponds to them:

- The **general managing of the procedures**, through the use of the corresponding mechanical or office automation.
- **Registration and classification** of correspondence.
- The **creation of records and files**, under the supervision of the superior.
- The preparation of the **relevant documents** for the practice of **the acts of communication** to be carried out.
- The performance of those duties assigned to this Body in the description of jobs of the particular Judicial office, in the form and conditions that in them be established.
- The **possibility of occupying positions of the administrative units**, provided that they meet the necessary requirements and knowledge required in the description of that job.
- As many functions as can be assumed in order to **protect and support victims**, as well as support for **restorative justice** and extra-procedural solution actions.
- The performance of all those functions that are legally or statutory established and of any other functions similar in nature to the previous ones that, inherent to the job that is performed, may be entrusted by the hierarchical, organic or functional superiors, in the exercise of their competencies.

Organisation of the category/profession

Organising Structure	<pre> graph TD JC[Judicial counsellors] --> PM1[Procedural managers] JC --> PM2[Procedural managers] PM1 --> C1[Clerks] PM1 --> C2[Clerks] PM2 --> C3[Clerks] C1 --> AS[Auxiliary staff] C2 --> AS C3 --> AS </pre>
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Clerks (Civil) does not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SPAIN
Name of Court Staff Category	In Spanish: Tramitación procesal y administrativa
	In English: Clerks (Criminal)
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Framework Law on the Judiciary - Decree 1451/2005, of December 7, which approves the Regulation of Access, Jobs Provision and Professional Promotion of Official Personnel at the Service of the Administration of Justice
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - High School certificate - Spanish nationality - Be sixteen years old and have not reached the age of forced retirement - Possess the functional capacity to perform the tasks of the Body they aspire to
Main Recruitment Procedure	<p>Exam: 31 topics (civil, criminal, social, administrative..)</p> <ul style="list-style-type: none"> - Test (100 questions) - 1 practical exercise (20 questions) - 1 practical exercise using Microsoft Word
Alternative Access Routes	Enforcement officers may promote to Clerks through a public exam.
<i>Responsibilities, Duties, Tasks</i>	
<p>It corresponds to them:</p> <ul style="list-style-type: none"> - The general managing of the procedures, through the use of the corresponding mechanical or office automation. 	

- **Registration and classification** of correspondence.
- The **creation of records and files**, under the supervision of the superior.
- The preparation of the **relevant documents** for the practice of **the acts of communication** to be carried out.
- The performance of those duties assigned to this Body in the description of jobs of the particular Judicial office, in the form and conditions that in them be established.
- The **possibility of occupying positions of the administrative units**, provided that they meet the necessary requirements and knowledge required in the description of that job.
- As many functions as can be assumed in order to **protect and support victims**, as well as support for **restorative justice** and extra-procedural solution actions.
- The performance of all those functions that are legally or statutory established and of any other functions similar in nature to the previous ones that, inherent to the job that is performed, may be entrusted by the hierarchical, organic or functional superiors, in the exercise of their competencies.

Organisation of the category/profession

<p>Organising Structure</p>	<pre> graph TD JC[Judicial counsellors] --> PM1[Procedural managers] JC --> PM2[Procedural managers] PM1 --> C1[Clerks] PM1 --> C2[Clerks] PM2 --> C3[Clerks] C1 --> AS[Auxiliary staff] C2 --> AS C3 --> AS </pre>
<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Clerks (Criminal) does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SPAIN
Name of Court Staff Category	In Spanish: Médicos forenses
	In English: Forensic Doctors
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Framework Law on the Judiciary - Law 52/1997, legal assistance to the State and Public Institutions
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - A Medicine degree. - Successful completion of a high-level State examination (tests an oral examination of the opposition).
Main Recruitment Procedure	<p>Exam: topics of several fields of law including international law.</p> <ul style="list-style-type: none"> - 1 multiple-choice exam - 1 oral exam - The elaboration of a professional report - Not compulsory foreign language exam <p>Initial Training after passing this exam at the Centre for Legal Studies (1 month of theoretical training and 2 months of practical training with a mentor)</p>
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>These are the main responsibilities of a State Lawyer:</p> <ul style="list-style-type: none"> - Technical assistance to Courts in their field of expertise, reporting and issuing opinions in the judicial procedure. - Assistance or surveillance of detainees. 	

- **Reporting and issuing opinions** asked by the **different parties** in a judicial procedure.
- **Training and investigation** tasks.

Organisation of the category/profession

Organising Structure	They depend directly on the Minister of Justice or the Autonomous Regions which have delegated competences.
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Forensic Doctors does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SPAIN
Name of Court Staff Category	In Spanish: Facultativos del instituto nacional de toxicología y ciencias forenses
	In English: Practitioners of the National Toxicology and Forensic Sciences Institute
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Framework Law on the Judiciary - Law 52/1997, legal assistance to the State and Public Institutions
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - A degree on several different options depending on the specialisation they look for: Medicine, pharmacy, chemistry, environmental sciences, biology, genetic sciences, etc. - Successful completion of a high-level State examination (tests an oral examination of the opposition).
Main Recruitment Procedure	<p>Exam:</p> <ul style="list-style-type: none"> - 1 multiple-choice exam - 1 written practical case - 1 oral exam <p>Initial Training after passing this exam at the Centre for Legal Studies (1 month of theoretical training and 1 month of practical training with a mentor)</p>
Alternative Access Routes	

Responsibilities, Duties, Tasks

These are the main responsibilities of these professionals, as a national body consisting of different academic background people working for the Justice administration, it will depend on their speciality:

- **Technical advice** in their professional field to the judicial authorities, to the Prosecutor's Offices, and to the forensic doctors during judicial procedures or investigations.
- **Analysis and investigations** that they can be asked for.
- **Reporting activity** regarding the questions they can be asked for in judicial procedures by different authorities and organisms.
- **Prevention of intoxications.**

Organisation of the category/profession

Organising
Structure

They depend directly on the Minister of Justice.

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Practitioners of the National Toxicology and Forensic Sciences Institute do not perform tasks 'that require the application of EU law'.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SPAIN
Name of Court Staff Category	In Spanish: Auxilio Judicial
	In English: Auxiliary Staff Under the principle of hierarchy and according to what it is established in the job description, the performance of as many tasks as an aid to the activity of the courts
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Framework Law on the Judiciary - Decree 1451/2005, of December 7, which approves the Regulation of Access, Jobs Provision and Professional Promotion of Official Personnel at the Service of the Administration of Justice
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - Secondary education certificate - Spanish nationality - Be sixteen years old and have not reached the age of forced retirement - Possess the functional capacity to perform the tasks of the Body they aspire to
Main Recruitment Procedure	Exam: 26 topics (civil, criminal, social, administrative..) <ul style="list-style-type: none"> - Test (100 questions) - 1 practical exercise (40 questions)
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	

- The practice of communication acts consisting of delivering the **notifications, and requirements**, as provided in the procedural laws and under the supervision of their hierarchic superiors
- As an agent of the authority, materially **proceed to the execution of seizures, evictions, and other acts** according to the laws
- Archiving the casefiles
- **Ensuring the conditions** of use of the hearing rooms and maintain order.
- **Verify** the good conditions of the **technical means** needed for the hearing.
- The performance of all those functions that are legally or statutory established and of any other functions of a similar nature to all the previous ones that, inherent to the job that is performed, are entrusted by the hierarchical superiors, organic or functional, in the exercise of their competencies.

Organisation of the category/profession

<p>Organising Structure</p>	<pre> graph TD A[Judicial counsellors] --> B[Procedural managers] A --> C[Procedural managers] B --> D[Clerks] C --> E[Clerks] C --> F[Clerks] D --> G[Auxiliary staff] E --> G F --> G </pre>
<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Auxiliary Staff do not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SPAIN
Name of Court Staff Category	In Spanish: Personal general
	In English: General Staff
Statutory/Legal Basis for this Post	<p>It depends on whether their Autonomous Region in which they work has the competences delegated from the central government or not. If they have, they would depend on the Justice authorities in that Autonomous Region. If they are Civil servants, they are from the Autonomous region, not the State, so their statute would be that of the civil servants of that Region. But some of them are not civil servants but private workers, only organically depending on the Autonomous Region.</p> <p>In case their Autonomous region does not have these competences delegated from the Central Government, then they would be State Civil servants, and their statute would be the law: <i>Real Decreto Legislativo 5/2015, de 30 de octubre, por el que se aprueba el texto refundido de la Ley del Estatuto Básico del Empleado Público.</i></p>
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<ul style="list-style-type: none"> - IT STAFF: Civil servants (public exam), whether of the State or the Autonomous regions. - Psychosocial Teams: consisting of psychologists, psychiatrists and Social Workers, also civil servants so they must pass an official exam. Depending on the Court, they are civil servants from the State or the Autonomous regions.
Main Recruitment Procedure	By official exam
Alternative Access Routes	

<i>Responsibilities, Duties, Tasks</i>	
<p>IT Staff: IT support to the courts</p> <p>Psychosocial Teams:</p> <ul style="list-style-type: none"> - They do reports when the judicial authorities ask them for. - They defend their reports or change them during the hearings. - They normally act in family law issues in which they are asked to report about the needs of the minor. - In criminal law procedures, they evaluate the personal, social, familial, educational circumstances of a minor who has committed a crime. 	
<i>Organisation of the category/profession</i>	
Organising Structure	
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – IT Staff and Psychosocial Teams do not perform tasks ‘that require the application of EU law’.

SWEDEN

1- GENERAL INFORMATION

Answering institution(s)	Judicial Training Academy
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2- OVERVIEW OF THE CATEGORIES OF COURT STAFF⁷⁵

In the table below, an overview of the Court staff in Sweden is presented, including their Type and, when applicable, Functions⁷⁶.

Category	Type	Functions	Approximate numbers
Drafting Lawyer	Type 1	Functions 1/2/3/4	140
Head of Drafting Division	Type 1	Functions 2/4	5
Judge Referee	Type 1	Functions 1	70
Law Clerk (Administrative courts)	Type 1	Functions 1/2/3/4	215
Law Clerk (General Courts)	Type 1	Functions 1/2/3/4	695
Reporting Clerk (Administrative Courts)	Type 1	Functions 1/2/3/4	665
Administrative Director	Type 2	Functions 1	90
Administrative Lawyer	Type 2	Functions 1/2	20
Administrator Assistant	Type 2	Functions 1	145
Court Clerk	Type 2	Functions 1/4	1,660
Drafting Coordinator	Type 2	Functions 1/4	5
Head of Court Clerks	Type 2	Functions 1/4	85

⁷⁵ Further information regarding the methodology applied for the data collection and regarding the Types and Functions is available in Chapters 4, 5 and 6 of this Study.

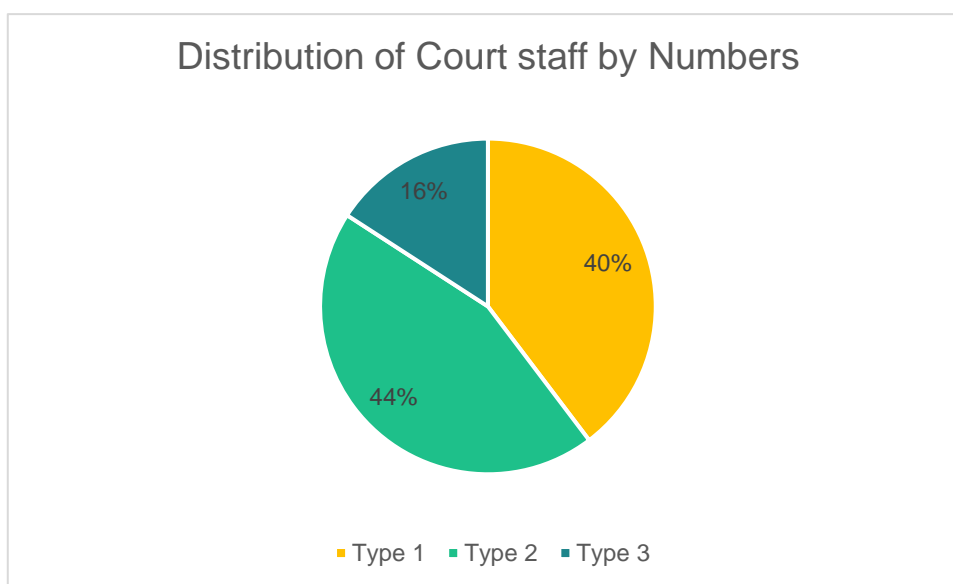
⁷⁶ The Functions are not indicated for Type 3 Court staff categories, unless in specific cases (e.g. data protection).

Executive Secretary	Type 3	N/A	5
Registrar	Type 3	N/A	80
Archival staff	Type 3	N/A	630
Controller	Type 3	N/A	
HR specialist	Type 3	N/A	
IT staff	Type 3	N/A	
Janitorial/cleaning staff	Type 3	N/A	
Librarian	Type 3	N/A	
Public relations officer	Type 3	N/A	
Security and attendance staff	Type 3	N/A	
Service manager	Type 3	N/A	
Telephonist	Type 3	N/A	

Additional information:

- Type:
 - 1 – Court staff performing tasks which ‘require the application of EU law’
 - 2 – Court staff performing tasks which ‘might require the application of EU law’
 - 3 – Court staff not performing tasks ‘that require the application of EU law’
- Functions:
 - 1 – Court staff with functions primarily related to the administration and management of the courts.
 - 2 – Court staff whose functions include providing assistance to judges and prosecutors in case preparation and research.
 - 3 – Court staff whose tasks include some judicial functions.
 - 4 – Court staff whose tasks include procedural functions of a cross-border nature.

Approximate Number of Court Staff	Total	
Type 1	1,790	40%
Type 2	2,005	44%
Type 3	715	16%
TOTAL	4,510	100%



4- DATA COLLECTION: QUESTIONNAIRE 1 FACTSHEETS

The details of the different categories of court staff in Sweden, their functions and the extent to which they apply EU law can be found in the following pages.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	<p>In Swedish: Beredningsjurist</p> <p>In English: Drafting Lawyer</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Förordning (1996:381) med tingsrättsinstruktion (Ordinance containing Terms of Reference for the District Courts) - Förordning (1996:379) med hovrättsinstruktion (Ordinance containing Terms of Reference for the Courts of Appeal)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Higher education Master's in law - Higher education state diploma in law <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	Recruitment decision is taken locally at each court after interviews and contact with references
Alternative Access Routes	<p>Transfer routes from other professions: Yes – All the drafting lawyers have served as law clerks in the court and have attended the courses for law clerks at national level. They may also attend courses offered to permanent judges.</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Specific competences regarding judicial decisions - Procedures - Administrative tasks - Assistance to the judiciary in drafting decisions 	

The drafting lawyers take part in judicial and administrative matters, especially in civil cases. They might adjudicate in less complicated cases.

Their main tasks include:

- Conduct and present judicial enquiries and assessments of appeals and applications
- Submit motivated draft opinions to judges
- Take minutes during certain court hearings

This court staff category plays a role in:

- Civil law and procedures
- Commercial law and procedures
- Procedural rights in criminal procedures
- Human rights
- Access to justice
- Rights of the child
- Administrative law and procedures
- Competition law and procedures
- Assistance to judges and/or public prosecutors

Aspects of EU law are important to the exercise of their duties

Organisation of the category/profession

Organising
Structure

[Sveriges Domstolar](#) – Courts of Sweden

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Drafting Lawyer performs tasks which ‘require the application of EU law’.

- Conducting and presenting judicial enquiries and assessments of appeals and applications require application of relevant EU acts including the following:
 - Council Regulation (EC) 1346/2000 of 29 May 2000 on insolvency proceedings
 - Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Beredningschef
	In English: Head of Drafting Division
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Förordning (1996:377) med instruktion för Högsta domstolen (Ordinance Containing Terms of Reference for the Supreme Court) - Förordning (1996:378) med instruktion för Högsta förvaltningsdomstolen (Ordinance Containing Terms of Reference for the Supreme Administrative Court)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Completion of the training of judges at a court of appeal or an administrative court of appeal. Work experience as a judge referee.
Main Recruitment Procedure	Recruitment decision taken at the Supreme Court and Supreme Administrative Court after interviews and contact with references.
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>The heads of the drafting division are responsible for supervising the drafting and presentation of cases at the Supreme Court and Supreme Administrative Court. They also assist the judge referees in preparing and presenting cases.</p> <p>Their main tasks include:</p> <ul style="list-style-type: none"> - Identify incoming cases that possibly could be granted a leave to appeal and cases that can be handled together for improved efficiency - Guide and support the judge referees in their daily work - Decide the need for notifications and injunctions to parties 	

- Conduct and present legal investigations and legal assessments of appeals and applications
- Submit motivated draft opinions to the justices of the Supreme Court and the Supreme Administrative Court

This court staff category plays a role in the following:

- Within the Supreme Court:
 - o Civil law and procedures
 - Cross-border civil procedures
 - o Commercial law and procedures
 - Cross-border commercial procedures
 - o Criminal law and procedures
 - Cross-border criminal procedures
 - Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)

- Within the Supreme Administrative Court:
 - o Administrative law and procedures

- Within both courts:
 - o Human rights
 - o Access to justice
 - o Rights of the victim
 - o Rights of the child
 - o Competition law and procedures
 - o Environmental law and procedures
 - o Assistance to judges

Organisation of the category/profession

Organising
Structure

[Sveriges Domstolar](#) – Courts of Sweden

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – The Head of Drafting Division performs tasks which ‘require the application of EU law’.

- Conducting and presenting thorough legal investigations and legal assessments of appeals and applications require application of relevant EU acts. Some common acts include:
 - For the Supreme Court:
 - Council Regulation (EC) 1346/2000 of 29 May 2000 on insolvency proceedings
 - Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings
 - For the Supreme Administrative Court:
 - Council directive 2006/112/EC of 28 November 2006 on the common system of value-added tax
 - Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	<p>In Swedish: Justitiesekreterare / Rättssekreterare</p> <p>In English: Judge Referee</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Förordning (1996:377) med instruktion för Högsta domstolen (Ordinance Containing Terms of Reference for the Supreme Court) - Förordning (1996:378) med instruktion för Högsta förvaltningsdomstolen (Ordinance Containing Terms of Reference for the Supreme Administrative Court) - Förordning (1988:1137) med instruktion för Arbetsdomstolen (Ordinance Containing Terms of Reference for the Labour Court)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Completion of the training of judges at a court of appeal or an administrative court of appeal (at least 4 years) or some other longer work experience within the court system with specialist knowledge in certain fields of law.
Main Recruitment Procedure	Recruitment decision taken at the Supreme Court, Supreme Administrative Court and Labour court after interviews and contact with references.
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
The Judge referees are responsible for the preparation and presentation of cases in the Supreme Court and in the Supreme Administrative Court. Their title in the Labour Court is 'rättssekreterare'.	

Their main tasks include:

- Conduct and present judicial enquiries and assessments of appeals and applications
- Decide the need for notifications and injunctions to parties
- Submit motivated draft opinions to the justices of the Supreme Court, the Supreme Administrative Court and the Labour Court

This court staff category plays a role in the following:

- Within the Supreme Court:
 - o Civil law and procedures
 - Cross-border civil procedures
 - o Commercial law and procedures
 - Cross-border commercial procedures
 - o Criminal law and procedures
 - Cross-border criminal procedures
 - Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)
- Within the Supreme Administrative Court:
 - o Administrative law and procedures
- Within both of these courts:
 - o Human rights
 - o Access to justice
 - o Rights of the victim
 - o Rights of the child
 - o Competition law and procedures
 - o Environmental law and procedures
 - o Assistance to judges
- Within the Labour Court:
 - o Labour law and procedures
 - o Access to justice
 - o Assistance to judges

<i>Organisation of the category/profession</i>	
Organising Structure	Sveriges Domstolar – Courts of Sweden Arbetsdomstolen – Labour Court
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Judge Referee performs tasks which ‘require the application of EU law’.

- Conducting and presenting thorough legal investigations and legal assessments of appeals and applications require application of relevant EU acts including e.g. the following:
 - For the Supreme Court:
 - Council Regulation (EC) 1346/2000 of 29 May 2000 on insolvency proceedings
 - Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings
 - For the Supreme Administrative Court:
 - Council directive 2006/112/EC of 28 November 2006 on the common system of value-added tax
 - Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC
 - For the Labour Court:
 - Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses
 - Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Förvaltningsrättsnotarie
	In English: Law Clerk (Administrative Courts)
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Notarieförordning (1990:469) - Förordning (1996:382) med förvaltningsrättsinstruktion (Ordinance containing Terms of Reference for the Administrative Courts)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Higher education Master's in law - Higher education state diploma in law <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Recruitment procedure:</p> <ul style="list-style-type: none"> - takes place at national level - (national decision) the Law Clerk Office which is part of the Swedish National Court Administration - state/public exam
Alternative Access Routes	Transfer routes from other professions: N/A
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Specific competences regarding judicial decisions - Procedures - Administrative tasks 	

- Assistance to the judiciary in drafting decisions

The law clerks take part in judicial and administrative matters in most cases in the Administrative courts. After a certain period of service, the law clerks are appointed to adjudicate regularly in less complicated cases as social and tax law cases.

The administrative Courts have competence for, among other things, social cases, tax law cases, public procurement cases, preventive detention of children, addicts and mentally ill cases.

There are also four migration courts which are part of the Administrative Courts and they are competent for migration and asylum cases.

Their main tasks include:

- Conduct and present judicial enquiries and assessments of appeals and applications
- Submit motivated draft opinions to judges
- Take minutes during certain court hearings
- Decide certain less complicated cases independently together with lay judges
- Preside over oral hearings in less complicated cases

This court staff category plays a role in:

- Human rights
- Access to justice
- Rights of the child
- Administrative law and procedures
- Assistance to judges

Aspects of EU law are important to the exercise of their duties

Organisation of the category/profession

Organising
Structure

[Sveriges Domstolar](#) – Courts of Sweden

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Law Clerk (Administrative Courts) performs tasks which ‘require the application of EU law’.

- Conducting and presenting judicial enquiries and assessments of appeals and applications require application of relevant EU acts including the following:
 - Council directive 2006/112/EC of 28 November 2006 on the common system of value-added tax
 - Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	<p>In Swedish: Tingsrättsnotarie</p> <p>In English: Law Clerk (General Courts – Civil and Criminal Law Cases)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Förordning (1996:381) med tingsrättsinstruktion (Ordinance containing Terms of Reference for the District Courts) - Notarieförordning (1990:469)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Higher education Master's in law - Higher education state diploma in law <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	<p>Recruitment procedure:</p> <ul style="list-style-type: none"> - takes place at national level - (national decision) the Law Clerk Office which is part of the Swedish National Court Administration - state/public exam
Alternative Access Routes	<p>Transfer routes from other professions: N/A</p>
<i>Responsibilities, Duties, Tasks</i>	
<ul style="list-style-type: none"> - Specific competences regarding judicial decisions - Procedures - Administrative tasks 	

- Assistance to the judiciary in drafting decisions

The law clerks take part in judicial and administrative matters in most cases in the general courts. After a certain period of service, the law clerks are appointed to adjudicate regularly in less complicated cases such as traffic offences.

Their main tasks include:

- Conduct and present judicial enquiries and assessments of appeals and applications
- Submit motivated draft opinions to judges
- Take minutes during certain court hearings
- Decide certain less complicated cases independently together with lay judges
- Preside over oral hearings in less complicated cases

This court staff category plays a role in:

- Civil law and procedures
- Commercial law and procedures
- Criminal law and procedures
- Procedural rights in criminal procedures
- Human rights
- Access to justice
- Rights of the victim
- Rights of the child
- Competition law and procedures
- Assistance to judges and/or public prosecutors

Aspects of EU law are important to the exercise of their duties

Organisation of the category/profession

Organising Structure	Sveriges Domstolar – Courts of Sweden
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Law Clerk (General Courts) performs tasks which ‘require the application of EU law’.

- Conducting and presenting judicial enquiries and assessments of appeals and applications require application of relevant EU acts including the following:
 - Council Regulation (EC) 1346/2000 of 29 May 2000 on insolvency proceedings
 - Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	<p>In Swedish: Föredragande / Föredragande jurist / Rättslig expert / Kammarrättssekreterare / Specialistföredragande</p> <p>In English: Reporting Clerk (Administrative Courts)</p>
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Förordning (1996:382) med förvaltningsrättsinstruktion (Ordinance containing Terms of Reference for the Administrative Courts) - Förordning (1996:380) med kammarrättsinstruktion (Ordinance containing Terms of Reference for the Administrative Courts of Appeal) - Förordning (2012:34) om utökade möjligheter till delegering i förvaltningsrätt
<i>Access to the Court Staff Category</i>	
Main Access Conditions	<p>Qualifications:</p> <ul style="list-style-type: none"> - Higher education Master's in law - Higher education state diploma in law <p>Aspects of EU law: are compulsory</p>
Main Recruitment Procedure	Recruitment decision taken locally at each court after interviews and contact with references
Alternative Access Routes	<p>Transfer routes from other professions: Yes – An alternative route to access a reporting clerk post is to have professional experience as a clerk (after the law exam) from the Swedish authorities such as the Swedish Tax Agency, the Social Insurance Office or the Swedish Migration Board.</p> <p>Also, many of the reporting clerks have served as law clerks in the court and have attended the courses for the law clerks at national level.</p>

Responsibilities, Duties, Tasks

- Specific competences regarding judicial decisions
- Procedures
- Administrative tasks
- Assistance to the judiciary in drafting decisions

The law clerks take part in judicial and administrative matters in a broad range of cases in the Administrative Courts.

The administrative Courts have competence for, among other things, social cases, tax law cases, public procurement cases, preventive detention of children, addicts and mentally ill cases.

There are also four migration courts which are part of the Administrative Courts and they are competent for migration and asylum cases.

Their main tasks include:

- Conduct and present judicial enquiries and assessments of appeals and applications
- Submit motivated draft opinions to judges
- Take minutes during certain court hearings
- Decide certain less complicated cases independently together with lay judges (only after having previously worked as a law clerk)
- Preside over oral hearings in less complicated cases (only after having previously worked as a law clerk)

This court staff category plays a role in:

- Human rights
- Access to justice
- Rights of the child
- Administrative law and procedures
- Assistance to judges

Aspects of EU law are important to the exercise of their duties

Organisation of the category/profession

Organising
Structure

[Sveriges Domstolar](#) – Courts of Sweden

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 1 – Reporting Clerk (Administrative Courts) performs tasks which ‘require the application of EU law’.

- Conducting and presenting judicial enquiries and assessments of appeals and applications require application of relevant EU acts including the following:
 - Council directive 2006/112/EC of 28 November 2006 on the common system of value-added tax
 - Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Administrativ chef / Administrativ direktör / Chefsadministratör / Kanslichef / Kansliföreståndare In English: Administrative Director
Statutory/Legal Basis for this Post	<ul style="list-style-type: none"> - Förordning (1996:377) med instruktion för Högsta domstolen (Ordinance Containing Terms of Reference for the Supreme Court) - Förordning (1996:378) med instruktion för Högsta förvaltningsdomstolen (Ordinance Containing Terms of Reference for the Supreme Administrative Court)
<i>Access to the Court Staff Category</i>	
Main Access Conditions	An academic degree, a law degree (with compulsory aspects of EU law) is typically preferred but not required. Previous work experience with planning, leading and developing administrative operations. Previous managerial work experience.
Main Recruitment Procedure	Recruitment decision is taken locally at each court after interviews and contact with references.
Alternative Access Routes	Previous work experience as court clerk.
<i>Responsibilities, Duties, Tasks</i>	
<p>The Administrative Director is typically the head of the court's administrative section and part of the management group. They are usually responsible for leading and following up on the work of administrators and other court staff. They work operationally with the court management and handle a wide range of administrative and strategic duties.</p> <p>Their tasks typically include:</p> <ul style="list-style-type: none"> - Manage the recruitment of most other court staff - Planning and following up the court's budget 	

- Help with other administrative duties

This court staff category plays a role in:

- Data protection
- Human Resources/personnel issues
- Budget
- Health & safety, building administration

Organisation of the category/profession

Organising
Structure

[Sveriges Domstolar](#) – Courts of Sweden

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Administrative Director performs tasks which ‘might require the application of EU law’.

- Participating in public procurement procedures might require at least some knowledge of Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Administrativ jurist / Administrativ assessor / Administrativ föredragande
	In English: Administrative Lawyer
Statutory/Legal Basis for this Post	
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Master's degree in law (aspects of EU law are compulsory). Previous work experience within the court system. Completion of four years of the judge training program for certain positions (administrative assessor).
Main Recruitment Procedure	Recruitment decision is taken locally at each court after interviews and contact with references.
Alternative Access Routes	Work experience as an administrative lawyer at a governmental agency or equivalent.
<i>Responsibilities, Duties, Tasks</i>	
<p>Administrative lawyers can be found at both general and administrative courts. Their main responsibility is typically to serve the court president or a judge with draft opinions regarding administrative legal matters such as decisions about access to public records and declarations of precedence for cases that have long processing times. They can also support administrators and administrative directors with other administrative duties.</p> <p>Their main tasks typically include:</p> <ul style="list-style-type: none"> - Conduct judicial enquiries before preparing draft opinions - Distribute administrative tasks to other relevant court staff - Participate in certain court specific public procurement procedures 	

<p>This court staff category plays a role in:</p> <ul style="list-style-type: none"> - Administrative procedures - Assistance to judges 	
<p><i>Organisation of the category/profession</i></p>	
Organising Structure	Sveriges Domstolar – Courts of Sweden
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Administrative Lawyer performs tasks which ‘might require the application of EU law’.

- Providing support during public procurement procedures might require at least some knowledge of Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Administratör / Administrativ assistent
	In English: Administrator
Statutory/Legal Basis for this Post	No statutory basis.
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Varies but include high school diploma and some work experience and computer knowledge.
Main Recruitment Procedure	Recruitment decision taken locally at each court after interviews and contact with references.
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>Administrators are usually found at all general and administrative courts. They are responsible for most of the daily administrative matters of the court. They can either work with general tasks or be specialised in e.g. financial matters, HR matters or IT matters.</p> <p>Their main tasks include:</p> <ul style="list-style-type: none"> - Manage the court's administrative register - Verify and certify invoices to the court and expense reports from other court staff - Book trips for other court staff - Update the court's general guidelines and policies - Participate in certain court specific public procurement procedures - Book and schedule sessions for lay judges 	

<p>This court staff category plays a role in:</p> <ul style="list-style-type: none"> - Assistance to judges - Management of courts <ul style="list-style-type: none"> o Data protection 	
<p><i>Organisation of the category/profession</i></p>	
<p>Organising Structure</p>	<p>Sveriges Domstolar – Courts of Sweden</p>
<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Administrator performs tasks which ‘might require the application of EU law’.

- Participating in public procurement procedures might require at least some knowledge of Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Domstolshandläggare / Domstolssekreterare / Nämndhandläggare In English: Court Clerk
Statutory/Legal Basis for this Post	No statutory basis.
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Varies but include a high school diploma and some work experience and computer knowledge.
Main Recruitment Procedure	Recruitment decision is taken locally at each general court or administrative court after interviews and contact with references.
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>Court clerks are found at all general courts and administrative courts. They are responsible for supporting the judges and other staff with managing most of the practical work in courts that does not require a degree in law.</p> <p>Their main tasks include:</p> <ul style="list-style-type: none"> - Receive incoming documents and telephone calls from parties and the public - Book appointments and dates for court sessions - Manage the booking of interpreters - Appoint public counsel according to decisions from a judge - Send notifications to the parties and monitor time limits - Record the servicing of documents - Take minutes during certain court hearings 	

- Dispatch judgments and decisions to parties and other relevant agencies

This court staff category plays a role in:

- Civil procedures
- Commercial procedures
- Criminal procedures
- Procedural rights in criminal procedures
- Service of judicial and extra-judicial documents
- Administrative procedures
- Competition procedures
- Environmental procedures (within certain courts)
- Assistance to judges
- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)
 - o Data protection
 - o Court programming/management of court agendas

Organisation of the category/profession

Organising
Structure

[Sveriges Domstolar](#) – Courts of Sweden

Contact Details of
any Professional
Organisations in
Connection with this
Court Staff

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Court Clerk performs tasks which ‘might require the application of EU law’.

- Servicing of documents, sending or handing documents over to the person sought and receiving evidence that he or she has received the document which might require at least some knowledge of the Council Regulation (EC) 1393/2007.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Beredningssamordnare
	In English: Drafting Coordinator
Statutory/Legal Basis for this Post	No statutory basis.
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Master's degree in law (aspects of EU law are compulsory). Work experience as e.g. law clerk or reporting clerk.
Main Recruitment Procedure	Recruitment decision taken locally at each court after interviews and contact with references.
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>The drafting coordinators are typically found at administrative courts and are responsible for and for preparing the cases up until the point where the drafting of the verdict begins.</p> <p>Their main tasks include:</p> <ul style="list-style-type: none"> - Distribute cases to drafting clerks - Decide the need for notifications and injunctions to parties <p>This court staff category plays a role in:</p> <ul style="list-style-type: none"> - Service of judicial and extra-judicial documents - Administrative law and procedures - Assistance to judges 	

<i>Organisation of the category/profession</i>	
Organising Structure	Sveriges Domstolar – Courts of Sweden
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Drafting Coordinator performs tasks which ‘might require the application of EU law’.

- Servicing of documents, sending or handing documents over to the person sought and receiving evidence that he or she has received the document which might require at least some knowledge of the Council Regulation (EC) 1393/2007.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF**FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)**

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Handläggarchef In English: Head of Court Clerks
Statutory/Legal Basis for this Post	No statutory basis.
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Varies but include high school diploma and some work experience as a court clerk and computer knowledge.
Main Recruitment Procedure	Recruitment decision taken locally at each court after interviews and contact with references.
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>The head of court clerks can be found at larger courts and is typically responsible for leading and following up on the work of the court clerks and to a large extent also work operationally with the court management.</p> <p>Their main tasks include:</p> <ul style="list-style-type: none"> - Distribute tasks to court clerks and monitor their work environment - Cooperate on development issues and help during work overload - Other court clerk tasks <p>This court staff category plays a role in:</p> <ul style="list-style-type: none"> - Civil procedures - Commercial procedures 	

- Criminal procedures
- Procedural rights in criminal procedures
- Service of judicial and extra-judicial documents
- Administrative procedures
- Competition procedures
- Environmental procedures (within certain courts)
- Assistance to judges
- Management of courts
 - o E-justice (organisation of Information Technology & Communication, videoconferencing)
 - o Data protection
 - o Court programming/management of court agendas
 - o Human Resources/personnel issues

Organisation of the category/profession

Organising Structure	Sveriges Domstolar – Courts of Sweden
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 2 – Head of Court Clerks performs tasks which ‘might require the application of EU law’.

- Servicing of documents, sending or handing documents over to the person sought and receiving evidence that he or she has received the document which might require at least some knowledge of the Council Regulation (EC) 1393/2007.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Chefssekreterare
	In English: Executive Secretary
Statutory/Legal Basis for this Post	No legal basis.
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Varies but include a high school diploma and some work experience as a court clerk or similar positions. Usually includes knowledge of English and computers.
Main Recruitment Procedure	Recruitment decision is taken locally at each general court or administrative court after interviews and contact with references.
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>Executive secretaries typically support specific executive positions such as for example the President of the Supreme Court. They are responsible for providing comprehensive administrative support and might also perform other secretarial duties for e.g. the Administrative director.</p> <p>Their main tasks include:</p> <ul style="list-style-type: none"> - Handling telephone calls and other correspondence to the person whom they are supporting - Booking meetings and trips - Monitoring calendar events - Being host during visits to the court and during internal and external events 	

<p>This court staff category plays a role in:</p> <ul style="list-style-type: none"> - Data protection - Assistance to judges 	
<p><i>Organisation of the category/profession</i></p>	
<p>Organising Structure</p>	<p>Sveriges Domstolar – Courts of Sweden</p>
<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Executive Secretary does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Chefsregistrator / Registrator / Registratorsassistent In English: Registrar
Statutory/Legal Basis for this Post	No statutory basis.
<i>Access to the Court Staff Category</i>	
Main Access Conditions	Varies but include a high school diploma and some work experience and computer knowledge.
Main Recruitment Procedure	Recruitment decision is taken locally at each court after interviews and contact with references.
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>Registrars usually work at larger courts of all levels while other courts have these tasks handled by other court staff such as court clerks. Registrars are responsible for the inbox of the court.</p> <p>Their main tasks include:</p> <ul style="list-style-type: none"> - Identify incoming documents and sort them into relevant categories - Register and distribute incoming documents and distribute them to the relevant section or staff member - Answer questions from the public regarding the registration of cases and documents 	

<p>This court staff category plays a role in:</p> <ul style="list-style-type: none"> - Assistance to judges - Management of courts <ul style="list-style-type: none"> o Data protection 	
<p><i>Organisation of the category/profession</i></p>	
<p>Organising Structure</p>	<p>Sveriges Domstolar – Courts of Sweden</p>
<p>Contact Details of any Professional Organisations in Connection with this Court Staff</p>	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – Registrar does not perform tasks ‘that require the application of EU law’.

QUESTIONNAIRE 1, PART A: DESCRIPTION OF CATEGORIES OF COURT STAFF

FACTSHEET LINKED TO QUESTIONNAIRE 1, PART A (Q1A)

COUNTRY	SWEDEN
Name of Court Staff Category	In Swedish: Övrig personal
	In English: General staff
Statutory/Legal Basis for this Post	
<i>Access to the Court Staff Category</i>	
Main Access Conditions	
Main Recruitment Procedure	
Alternative Access Routes	
<i>Responsibilities, Duties, Tasks</i>	
<p>Archival staff</p> <ul style="list-style-type: none"> - Arkivarie – Archivist - Förste arkivarie – Senior archivist - Arkivassistent – Archives assistant - Arkivhandläggare – Archives officer <p>Responsible for maintaining the court archives. Their tasks include:</p> <ul style="list-style-type: none"> - File and archive documents - Update routine guidelines - Answer questions about archiving - Locate public records upon request 	

Security and attendance staff

- Expeditionsvakt / Expeditionsförman – Office attendant
- Ordningsvakt – Public security guard
- Domstolsvärd / Domstolsassistent – Court attendant
- Receptionist – Receptionist

Responsible for security in the court premises and/or to guide and helping visitors to the court. Their tasks might include:

- Search bags and scan people at the security control
- Resolve disturbance issues
- Help and guide visitors to where they need to go
- Answer questions at the reception

Janitorial/cleaning staff

- Lokalvårdare – Cleaner
- Vaktmästare – Janitor

Responsible for cleaning and maintaining the court premises. Their tasks include:

- Resupplying materials
- Other maintenance duties

IT staff

- IT-säkerhetschef – IT security director
- IT-strateg – IT strategist
- IT-administratör – IT administrator

Responsible for the performance of the court's IT systems. Their tasks include:

- Identify possible issues and future challenges with the IT systems
- Assist with technical assistance during court sessions
- Handle court staff access to IT systems

Informatör / Kommunikatör – Public relations officer

Responsible for communicating news and other information from the court. Their tasks include:

- Manage external website of the court
- Manage the social media posts and press releases from the court

Bibliotekarie – Librarian

Responsible for the court library at bigger courts. Their tasks include:

- Keep the library sorted and updated

- Order new books
- Follow what the media writes about the court and compile this information

Controller – Controller

Responsible for monitoring and analysing the financial situation of certain courts. Their tasks include:

- Budgeting and budgetary follow-up
- Write periodic reports and forecasts

Servicechef – Service manager

Responsible for providing service to the other sections of the court and to the public. Their tasks include:

- Lead and coordinate the service function
- Help planning the court's budget
- Monitor the work situation and work environment for court staff

Telefonist – Telephonist

Responsible for the operation of a switchboard at certain courts. Their tasks include:

- Answer and redirect incoming phone calls

HR specialist – HR specialist

Responsible for the necessary HR support to the court management. Their tasks include:

- Provide necessary support during e.g. recruitment processes
- Manage projects related to the work environment

Organisation of the category/profession

Organising Structure	Sveriges Domstolar – Courts of Sweden
Contact Details of any Professional Organisations in Connection with this Court Staff	

QUESTIONNAIRE 1, PART B: CATEGORIES OF COURT STAFF REQUIRING KNOWLEDGE OF AND TRAINING IN EU LAW

Instructions

Please complete one Questionnaire (1B) for each Factsheet court staff category identified in Questionnaire 1A. You must place each category in **one** of the four Types.

TYPE 3 – General staff does not perform tasks 'that require the application of EU law'.

Annexe 8 – Questionnaire 2

Thank you for completing Questionnaire 1A and 1B. We are very grateful for your assistance in this Project. We are now interested in finding out the nature and extent of training in EU law for those staff categories you have identified as **Type 1** ('performing tasks that **require** the application of EU law') and **Type 2** ('performing tasks that **might require** the application of EU law'). We would therefore be grateful if you would provide as much information as possible regarding training for these staff categories.

Please provide a separate Factsheet for each of the categories you have identified as either Type 1 or Type 2.

Country:

Category of Court Staff:

1- Please describe the nature, amount and extent of **training in EU Law** provided to each **Type 1** staff category you identified in your response to **Questionnaire 1B**.

As **induction training** on taking up their position.

The **number of hours** of such training that is offered to each individual per annum.

Is any such training thus provided **voluntary** or **compulsory**?

What are the **areas of EU law** covered in the training?

As **continuation training** once in post.

The **number of hours** of such training that is offered to each individual per annum.

Is any such training thus provided **voluntary** or **compulsory**?

	What are the areas of EU law covered in the training?
2- Please describe the nature, amount and extent of training in EU law provided to each Type 2 staff category you identified in your response to Questionnaire 1B .	
As induction training on taking up their position.	The number of hours of such training that is offered to each individual per annum.
	Is any such training thus provided voluntary or compulsory ?
	What are the areas of EU law covered in the training?
As continuation training once in post.	The number of hours of such training that is offered to each individual per annum.
	Is any such training thus provided voluntary or compulsory ?
	What are the areas of EU law covered in the training?
3- Please identify who are the providers of the induction and continuation training you have outlined at 1 or 2 above .	Description of training provider(s) body(s) :

<p>Is the training provided in-house or by an outside training provider or both?</p>	
<p>4- Identify the key methodologies used by your trainers.</p>	<p>Typical background of the trainers:</p> <p>a- Face-to-face training</p> <p>b- E-Learning</p> <p>c- Blended learning</p> <p>d- Other methods</p> <p>e- Do your trainers receive any formal training as trainers, either direct or indirect (e.g. attend courses, receive mentoring or other support in carrying out their training responsibilities)?</p>
<p>5- What methods are used to evaluate the following aspects of these training activities:</p> <p>a) the relevance;</p> <p>b) the quality;</p> <p>c) the effectiveness of the training provided;</p> <p>d) other method</p> <p>Who is responsible for any such evaluation?</p>	
<p>6- Identify any areas of EU law where current training</p>	

provision is either absent or insufficient .	
7- Are there any plans or proposals in place to change or increase the amount of training in EU law offered to court staff who require such training?	
8- Are there any training activities carried out in conjunction with other legal professionals ? If the answer is Yes, please explain a) how this works? b) who is responsible for its delivery ?	
9- In which language are the training sessions delivered in your country?	

Annexe 9 – Questionnaire 2, Model Factsheets

*Model Answer for a Type 1 Factsheet***Country:****Category of Court Staff:** Court Clerk

1- Please describe the nature, amount and extent of **training in EU law** provided to each **Type 1** staff category you identified in your response to **Questionnaire 1B**.

As induction training on taking up their position.	The number of hours of such training that is offered to each individual per annum.
	80 hours
	<p>Is any such training thus provided voluntary or compulsory?</p> <p>The court Clerk must attend 80 hours of compulsory training in EU law per year.</p> <p>This category is also allowed to attend non-compulsory training if the training is directly related to relevant tasks.</p> <p>There is no limit to the number of hours of voluntary training.</p>
As continuation training once in post.	<p>What are the areas of EU law covered in the training?</p> <ul style="list-style-type: none"> - General aspects of EU law - Enforcement of judgments in civil matters in the EU - European Arrest Warrant - European Investigation Order - European Protection Order
	The number of hours of such training that is offered to each individual per annum.

	<p>The Court Clerk must attend a minimum of 20 hours of training per annum.</p> <p>Is any such training thus provided voluntary or compulsory?</p> <p>The Director of the Court indicates the main relevant topics. Courses related to the position held are compulsory.</p> <p>What are the areas of EU law covered in the training?</p> <ul style="list-style-type: none"> - European Arrest Warrant - European Investigation Order - European Protection Order - Recognition and enforcement of decisions on the confiscation of property - Recognition and enforcement of decisions on financial penalties - Recognition and enforcement of judgments by which a prison sentence has been pronounced or any measure which includes the deprivation of liberty.
<p>3- Please identify who are the providers of the induction and continuation training you have outlined at 1 or 2 above.</p>	<p>Description of training provider(s) body(s):</p> <p>For both, induction and continuation training, the School of Clerks is responsible, supported by the Ministry of Justice.</p> <p>In addition, the Judicial Academy responsible for the training of magistrates and prosecutors participate in the organisation of Court Clerk Curricula and joint training.</p> <p>With regard to continuation training, Court Clerks may attend special training in EU law offered by other Jurisdictions, if it is relevant for the performance of their tasks. For instance, Court Clerks are encouraged to attend study visits in neighbouring countries every two years.</p>

<p>Is the training provided in-house or by an outside training provider or both?</p>	<p>Within.</p> <p>Typical background of the trainers:</p> <p>Experts from Courts with a minimum of 10 years of experience, including the following:</p> <ul style="list-style-type: none"> - Lawyers - Judges and Prosecutors - Bailiffs - Notaries - Professional trainers - Scholars - Coaches
<p>4- Identify the key methodologies used by your trainers.</p>	<p>a- Face-to-face training</p> <p>This represents the majority of training received every year during the induction period and continuation period. In initial training, an on-the-job trainer facilitates learning in the workplace.</p> <p>Experts from the Courts and experienced practitioners provide participants with both theoretical background information and practical examples from their daily work. Taking a practical approach and using real-life examples, the training includes interactive sessions, using standard PowerPoint presentations, video recordings and other materials which are designed to give participants the greatest possible insight into their practice.</p> <p>Training methods include case studies, simulations, role play, moot courts, etc.</p> <p>b- E-Learning</p> <p>There is an e-Learning platform available which offers general information on EU instruments. Before the training session, the participants are obliged to attend a minimum of 6 hours of e-Learning prior to any face-to-face training.</p> <p>Other e-Learning training is also offered for continuation training based on online presentations</p>

	<p>and meetings with the trainers, e.g. Question and answers sessions.</p> <p>c- Blended learning</p> <p>Yes, the method of blended learning (a style of education in which students learn via electronic and online media as well as traditional face-to-face teaching) is used.</p> <p>d- Other methods.</p> <p>e- Do your trainers receive any formal training as trainers, either direct or indirect (e.g. attend courses, receive mentoring or other support in carrying out their training responsibilities)?</p> <p>Trainers attend ‘train the trainers’ activities organised by the School of Clerks at national level.</p> <p>Methods where they learn trainer skills including:</p> <ul style="list-style-type: none"> - Attending face-to-face training sessions - Completing distance training sessions - Completing e-learning modules developed by training providers established in another Member State - Completing blended learning activities.
<p>5- What methods are used to evaluate the following aspects of these training activities:</p> <p>a) the relevance;</p> <p>b) the quality;</p> <p>c) the effectiveness of the training provided;</p> <p>d) other method</p> <p>Who is responsible for any such evaluation?</p>	<p>The School of Clerks is responsible for the evaluation. The School applies DAC criteria (OECD) for evaluating seminars, workshops, courses. The five criteria are the following :</p> <ul style="list-style-type: none"> - relevance, - efficiency, - effectiveness, - impact, and - sustainability. <p>For more details:</p> <p>https://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.html</p>

<p>6- Identify any areas of EU law where current training provision is either absent or insufficient.</p>	<p>There is a lack of training related to the application of Regulation No. 1206/2001 on taking of evidence in civil and commercial matters, in particular how to operate the videoconferencing in practice.</p>
<p>7- Are there any plans or proposals in place to change or increase the amount of training in EU law offered to court staff who require such training?</p>	<p>A formal request has been sent to the Director of the Court who can liaise with the Ministry of Justice, in order to increase by 20 % the annual amount of EU law training offered to Court Staff.</p> <p>The training could be organised at a national or regional level, dependent upon the budget allocated to such activities.</p>
<p>8- Are there any training activities carried out in conjunction with other legal professionals?</p> <p>If the answer is Yes, please explain</p> <p>a) how this works?</p> <p>b) who is responsible for its delivery?</p>	<p>a) The Judicial Academy responsible for the training of magistrates and prosecutors participate in the organisation of Court Clerks' Curricula. Once a year, Court Clerks are invited to participate in joint training.</p> <p>In addition, the national and regional Lawyer training providers offer several courses on EU law over the year. Court Clerks are invited to attend join seminars upon request.</p> <p>b) Legal practitioners and professional trainers.</p>
<p>9- In which language are the training sessions delivered in your country?</p>	

*Model Answer for a Type 2 Factsheet***Country:****Category of Court Staff:**

2- Please describe the nature, amount and extent of **training in EU law** provided to each **Type 2** staff category you identified in your response to **Questionnaire 1B**.

As **induction training** on taking up their position.

The **number of hours** of such training that is offered to each individual per annum.

40 hours per annum

Is any such training thus provided **voluntary** or **compulsory**?

Compulsory. The Court Clerk should acquire basic knowledge of EU law instruments to be able to support and/or replace other colleagues in the Court service.

What are the **areas of EU law** covered in the training?

- Civil and commercial cooperation in the EU
- Criminal cooperation in the EU
- Data protection
- E-justice portal

As **continuation training** once in post.

The **number of hours** of such training that is offered to each individual per annum.

32 hours per annum

Is any such training thus provided **voluntary** or **compulsory**?

Voluntary, but it is highly recommended in cases such as:

- training related to assignment to a new post

	<ul style="list-style-type: none"> - specific curriculum for accessing certain positions - doing internships (tutorat) in courts or administrative services.
<p>3- Please identify who are the providers of the induction and continuation training you have outlined at 1 or 2 above.</p>	<p>What are the areas of EU law covered in the training?</p> <p>EU cross-border judicial procedures.</p> <p>Description of training provider(s) body(s):</p> <p>For both induction and continuation training, the School of Clerks is responsible, supported by the Ministry of Justice.</p> <p>In addition, the Judicial Academy responsible for the training of magistrates and prosecutors participate in the organisation of Court Clerk Curricula and joint training.</p> <p>With regard to continuation training, Court Clerks may attend special training in EU law offered by other Jurisdictions, if it is relevant for the performance of their tasks. For instance, Court Clerks are encouraged to attend study visits in neighbouring countries every two years.</p>
<p>Is the training provided in-house or by an outside training provider or both?</p>	<p>Within.</p>
	<p>Typical background of the trainers:</p> <p>Experts from Courts with a minimum of 10 years of experience, including the following:</p> <ul style="list-style-type: none"> - Lawyers - Judges and Prosecutors - Bailiffs - Notaries - Professional trainers - Scholars - Coaches

4- Identify the **key methodologies** used by your trainers.

a- Face-to-face training

This represents the majority of training received every year during the induction period and continuation period. In initial training, an on-the-job trainer facilitates learning in the workplace.

Experts from the Courts and experienced practitioners provide participants with both theoretical background information and practical examples from their daily work. Taking a practical approach and using real-life examples, the training includes interactive sessions, using standard PowerPoint presentations, video recordings and other materials which are designed to give participants the greatest possible insight into their practice.

Training methods include case studies, simulations, role play, moot courts, etc.

b- E-Learning

There is an e-Learning platform available which offers general information on EU instruments. Before the training session, the participants are obliged to attend a minimum of 6 hours of e-Learning prior to any face-to-face training.

Other e-Learning training is also offered for continuation training based on online presentations and meetings with the trainers, e.g. Question and answers sessions.

c- Blended learning

Yes, the method of blended learning (a style of education in which students learn via electronic and online media as well as traditional face-to-face teaching) is used.

d- Other methods

e- Do your trainers receive any formal training as trainers, either direct or indirect (e.g. attend courses, receive mentoring or other support in carrying out their training responsibilities)?

	<p>Trainers attend ‘train the trainers’ activities organised by the School of Clerks at national level.</p> <p>Methods where they learn trainer skills including:</p> <ul style="list-style-type: none"> - Attending face-to-face training sessions - Completing distance training sessions - Completing e-learning modules developed by training providers established in another Member State - Completing blended learning activities.
<p>5- What methods are used to evaluate the following aspects of these training activities:</p> <p>a) the relevance;</p> <p>b) the quality;</p> <p>c) the effectiveness of the training provided;</p> <p>d) other method</p> <p>Who is responsible for any such evaluation?</p>	<p>The School of Clerks is responsible for the evaluation. The School applies DAC criteria (OECD) for evaluating seminars, workshops, courses. The five criteria are the following :</p> <ul style="list-style-type: none"> - relevance, - efficiency, - effectiveness, - impact, and - sustainability. <p>For more details:</p> <p>https://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.html</p>
<p>6- Identify any areas of EU law where current training provision is either absent or insufficient.</p>	<p>There is a lack of training related to the application of Regulation No.1206/2001 on taking of evidence in civil and commercial matters, in particular how to operate the videoconferencing in practice.</p>
<p>7- Are there any plans or proposals in place to change or increase the amount of training in EU law offered to court staff who require such training?</p>	<p>A formal request has been sent to the Director of the Court who can liaise with the Ministry of Justice, in order to increase by 20% the annual amount of EU law training offered to Court Staff.</p> <p>The training could be organised at a national or regional level, dependent upon the budget allocated to such activities.</p>
<p>8- Are there any training activities carried out in conjunction with other legal professionals?</p>	<p>a) The Judicial Academy responsible for the training of magistrates and prosecutors participate in the organisation of Court Clerks’ Curricula. Once a year, Court Clerks are invited to participate in joint training.</p> <p>In addition, the national and regional Lawyer training providers offer several courses on EU law over the</p>

<p>If the answer is Yes, please explain</p> <p>a) how this works?</p> <p>b) who is responsible for its delivery?</p>	<p>year. Court Clerks are invited to attend join seminars upon request.</p> <p>b) Legal practitioners and professional trainers.</p>
<p>9- In which language are the training sessions delivered in your country?</p>	

Annexe 10 – Questionnaire 2, Factsheet Summaries

This Annexe comprises Questionnaire 1 summary information and Factsheets by country:

- Austria: Page 812
- Belgium: Page 813
- Bulgaria: Page 816
- Croatia: Page 821
- Cyprus: Page 825
- Czechia: Page 829
- Denmark: Page 832
- Estonia: Page 835
- Finland: Page 838
- France: Page 842
- Germany: Page 844
- Greece: Page 855
- Hungary: Page 858
- Ireland: Page 860
- Italy: Page 863
- Latvia: Page 867
- Lithuania: Page 873
- Luxembourg: Page 876
- Malta: Page 878
- Netherlands: Page 884
- Poland: Page 890
- Portugal: Page 899
- Romania: Page 903
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- Sweden: Page 913

AUSTRIA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Court Officer Type 1 Functions 3	Compulsory 12.5 hours. Enforcement, Insolvency, Civil Procedure, Non-litigious Cases, Land and Ship Registry, Company Registry.	Ongoing training depends on the specific needs of each individual officer.	Federal Ministry of Justice and Justice Education Centre in Schwechat.	Judges, public prosecutors, court officers, bailiffs, court clerks (all are full time in these posts) and seconded to provide training.	Not directly, but all trainers are selected on basis of their relevant skills.	Primarily face-to-face, with some lectures delivered via e-Learning. Feedback forms from trainees are evaluated by the training bodies.	None identified	None

BELGIUM

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
<i>The Registry</i>								
A) Chief Clerk Type 1 Functions 1/2/4	Type 1 Voluntary (though strongly encouraged for newly appointed clerks)	Voluntary same hours, covering the same topics as for induction training.	Judicial Training Institute plus external experts.	Experts from courts, competent bodies or MOJ.	Same as for Secretariat of the Public Prosecutor.	Same as for Secretariat of the Public Prosecutor.	General Introduction to EU law, with further plans to update current programme including reference to the European Investigation Order.	Yes. The JTI in partnership with ERA is organising a series of practical workshops on EU Regs. 1393/2007, 1206/2001.
B) Clerks: Heads of Service Type 1 Functions 1/2/4	6 hours (civil and commercial) 18 hours (criminal). Includes Regulations related to family law, procedural law, and judicial cooperation plus some aspects of EU criminal law e.g.							
C) Clerks and Administrative Experts Type 1 Functions 1/2/4								
D) Assistants Type 2								

<p>Functions 1/2/4</p> <p>E) Employees Type 2 Functions 1/2/4</p>	<p>EAWs, mutual recognition, rogatory commissions, freezing, seizure, confiscation.</p> <p>Type 2</p> <p>Voluntary 6 hours. Some aspects of civil and commercial law plus Regulations related to family law, procedural law, and judicial cooperation.</p>	<p>Voluntary same hours, covering same topics as for induction training.</p>						
<p><i>Secretariat of the Public Prosecutor</i></p>								
<p>A) Principal Secretary Type 1 Functions 2/4</p> <p>B) Secretaries and Administrative Experts Type 1 Functions 2/4</p> <p>C) Assistants Type 2</p>	<p>Voluntary 18 hours. Application of EU criminal law, EAWs, mutual recognition, rogatory commissions, freezing, seizure, confiscation.</p>	<p>Voluntary 18 hours, covering same topics as for induction training.</p>	<p>Judicial Training Institute (JTI)</p>	<p>Experts from prosecutor's office, competent bodies (e.g. Interpol, FAST) or MOJ.</p>	<p>Yes by attendance at 'Train the Trainers' events provided by JTI or Federal Admin. Training Institution.</p>	<p>Only face-to-face, including theory and practical exercises. Materials can be downloaded in advance. Post-training evaluation is carried out by JTI on basis of feedback forms submitted to</p>	<p>European Investigation Order (as executing authority but also possibly as issuing authority); Enforcement of foreign criminal sentences based on Directives for pre-trial</p>	

<p>Functions 2/4</p> <p>D) Employees</p> <p>Type 2</p> <p>Functions 2/4</p>						<p>them by participants. It is focused upon the quality of the training materials, the length of the training, the quality of the speakers and course admin.</p>	<p>detention; custodial sentences; supervision of probation measures and alternative sanctions (as executing authority/ issuing authority); useful vocabulary (offences, summary of the facts, etc.); exchange of criminal records; cybercrime; conduct and conclusion of the procedure in other countries; protection orders.</p>	
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BULGARIA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Court Administrator Type 2 Functions 1	None	Voluntary. 72 hours face-to-face, plus 7 days e-Learning. Also 6 hours from courts and prosecutor's office, and 12 hours from EIPA. Data protection, human resources, public procurement, EU law for non-lawyers.	National Institute of Justice (NIJ): data protection, human resources and public procurement Court and prosecutor offices, data Protection.	Magistrates, court staff, specialist experts, scholars.	Train the trainer courses can be taken in NIJ.	Mostly face-to-face including PowerPoint and printed materials, plus online courses via NIJ e-Learning Portal. Evaluation follows Kirkpatrick Evaluation Model Levels 1 and 2.	More law for non-lawyers and discrimination laws as they regulate the workplace.	The National Institute of Justice runs joint activities with courts, prosecutor's offices, the Supreme Judicial Council and various EU organisations (ERA, EJTN, EIPA, etc.) under both project or direct initiatives.
Administrative Secretary Type 2 Functions 1	None	Voluntary. 36 hours face-to-face, plus 25 days e-Learning. Also, 6 hours	National Institute of Justice (NIJ) plus courts and prosecutor's Office.	Court staff, specialists in field of data protection, plus scholars.	Ditto	Ditto	Ditto	Ditto

STUDY ON THE TRAINING NEEDS OF COURT STAFF ON EU LAW IN THE EU – TECHNICAL ANNEXES

		from courts and prosecutor's office, data protection, human resources, EU law for non-lawyers.						
Head of Unit Type 2 Functions 1/4	None	Voluntary, but necessary to fulfil certain duties. 55 hours face-to-face, plus 12 hours per annum from EIPA. EU cross-border judicial procedures and instruments, data protection.	National Institute of Justice (NIJ) (cross-border procedures data protection; courts and prosecutor office (data protection))	Judges on cross-border matters, court staff ditto plus data protection, and experts.	Ditto	Ditto	In Bulgaria, there is insufficient training for heads of units on cross-border judicial procedures and instruments. There are about twice as many applicants for a single face-to-face training event on this topic as there are places available.	Ditto
Expert Type 2 Functions 1/2/3/4	None	Voluntary, but recommended in cases where fulfilling certain specific duties. 150 hours face-to-face, plus 30 days e-Learning and 12 hours from courts and prosecutor's Offices.	National Institute of Justice (NIJ) (data protection, human resources, public procurement); courts and prosecutor office -data protection; EIPA.	Magistrates, court staff, experts in the field of data protection and human resources, scholars.	Ditto	Ditto	In Bulgaria there is insufficient training for various types of experts on general EU law, EU law for non-lawyers, data protection – EU practices, as well as in the area of anti-	Ditto

STUDY ON THE TRAINING NEEDS OF COURT STAFF ON EU LAW IN THE EU – TECHNICAL ANNEXES

		<p><u>Content:</u> <u>For experts in the Specialised Administration:</u> data protection, general training on EU law and EU law for non-lawyers. <u>For experts in the General Administration (including system administrators):</u> Data protection, GDPR training, human resources, ECHR practices, domestic violence, EU law on asylum and migration, consumer protection practices in the EU, public procurement instruments and procedures, general training on EU law and EU law for non-lawyers.</p>					<p>discrimination. Increasing knowledge in these fields would lead to a different attitude and interpretation of emerging cases at the workplace with respect to EU law.</p>	
<p>Court Clerk Type 2 Functions 1/2/4</p>	None	<p>Voluntary. But recommended to fulfil certain duties.</p>	<p>National Institute of Justice (NIJ) and EIPA.</p>	<p>Judges, court staff, experts in the field of data protection.</p>	Ditto	Ditto	<p>In Bulgaria, there is insufficient training for court</p>	Ditto

STUDY ON THE TRAINING NEEDS OF COURT STAFF ON EU LAW IN THE EU – TECHNICAL ANNEXES

		36 hours face-to-face, plus 7 days e-Learning and 12 hours from EIPA. EU cross-border judicial procedures and instruments, data protection, free movement of people.					clerks on cross-border judicial procedures and instruments. There are about twice as many applicants for a single face-to-face training event on this topic as there are places available.	
Court Secretary Type 2 Functions 1	None	Voluntary. But recommended to fulfil certain duties. 72 hours face-to-face, plus 14 days e-Learning and 24 hours from EIPA. EU cross-border judicial procedures and instruments, data protection, free movement of people, EU law for non-lawyers.	Ditto	Ditto	Ditto	Ditto	In Bulgaria, there is insufficient training for court secretaries on cross-border judicial procedures and instruments. There are about twice as many applicants for a single face-to-face training event on this topic as there are places available.	Ditto
Judicial Assistant Type 1 Functions 2/4	None, but a Master Degree in Law is a compulsory qualification and this includes 180 hours of EU Law	Voluntary. But recommended to fulfil certain duties involving EU law. 140 hours face-to-face, plus 130	Master Degree in Law is offered at nine Bulgarian Universities. Continuation training providers	Ditto	Ditto	Ditto	In Bulgaria, there is insufficient training for judicial assistants in all areas of EU law.	

STUDY ON THE TRAINING NEEDS OF COURT STAFF ON EU LAW IN THE EU – TECHNICAL ANNEXES

	study including theory, civil, commercial and criminal cooperation and data protection.	days e-Learning, 24 hours from courts and private companies and 24 hours from EIPA, EJTN, ERA, MOJ. Covers all the key relevant areas of EU law and procedure.	include NIJ, courts, and private organisations such as law publishing companies and the Bulgarian Association for European Law.					
Prosecutorial Assistant Type 1 Functions 2/4	Ditto	Voluntary. But recommended to fulfil certain duties involving EU law such as cross-border instruments on criminal matters. 36 hours face-to-face, plus 5 days e-Learning, 36 hours from courts and private companies and 24 hours from EIPA, EJTN, ERA, MOJ. Covers all the key relevant areas of EU law and procedure relevant to a prosecution service.	Same as for <u>judicial assistants</u> .	Ditto	Ditto	Ditto	In Bulgaria, there is insufficient training for judicial assistants in all areas of EU law.	Ditto

CROATIA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Advisers/Senior Advisers/Senior Advisers – Specialists (at the offices of municipal and county state attorneys and at the Office of the State Attorney General of the Republic of Croatia) Type 1 Functions 2/3/4	0 hours offered. Compulsory ONLY when part of a study curriculum at the State School for Judicial Officials or for preparation for the bar exam (training of judicial trainees). Basic EU law.	200. hours ca. Approx. 130 hours dedicated to: Regulation 861/2007, regulation 2015/848, Regulation 805/2004, Regulation 1896/2006, Regulation 655/2014, Regulation 650/2012, Council Regulation 4/2009, Regulation 2016/679, Regulation 1215/2012, Charter of the	Judicial Academy, Office of the State Attorney General, ERA and EJTN.	Judges, state attorneys, law professors, lawyers.	Yes, by the Judicial Academy.	Both face-to-face and e-learning are used. Methods for face-to-face training: theory and practice, case studies, group work, presentations and written parts, workshops E-learning: Q and A with trainers, the final exam, presentations and group discussions, online courses.	Not specified.	Yes, the training is provided in conjunction with judges' and state attorneys' training.

		Fundamental Rights, European civil law, environmental law, company law, consumer protection law, antitrust.				Post-training evaluation is conducted online and asks for the relevance, quality and effectiveness of trainings		
Court Advisers/Senior Court Advisers/Senior Court Advisers – Specialists - Specialists in Civil Proceedings in all courts in Croatia Type 1 Functions 2/3/4	0 hours offered. Compulsory ONLY when part of a study curriculum at the State School for Judicial Officials or for preparation for the bar exam (training of judicial trainees). Basics of EU law.	200. hours ca. The President of the Court decides topics and who attends training. Topics include: Regulation 861/2007, regulation 2015/848, Regulation 805/2004, Regulation 1896/2006, Regulation 655/2014, Regulation 650/2012, Council Regulation 4/2009, Regulation 2016/679, Regulation 1215/2012, Charter of the Fundamental	Judicial Academy, Courts, ERA and EJTN.	Judges, state attorneys, law professors, lawyers.	Yes, by the Judicial Academy.	Both face-to-face and e-learning are used. Methods for face-to-face training: theory and practice, case studies, group work, presentations and written parts, workshops E-learning: Q and A with trainers, the final exam, presentations and group discussions, online courses. Post-training evaluation is conducted online and asks for the relevance,	Not specified.	Yes, the training is provided in conjunction with judges' and state attorneys' training.

		Rights, European civil law, environmental law, company law, consumer protection law, antitrust.				quality and effectiveness of training		
Court Advisers/Senior Court Advisers/Senior Court Advisers – Specialists – Criminal law Type 1 Functions 2/3/4	Compulsory ONLY when part of a study curriculum at the State School for Judicial Officials or for preparation for the bar exam (training of judicial trainees). Topics include the basics of EU law.	200 hours ca. The President of the Court decides topics and who attends training. The president of the court decides on the need for continuation training. Around 70 hours per annum are dedicated to the criminal law field for all the advisers in the field. Topics include European Arrest Warrant, Directive 2014/41, Directive 2011/99, Regulation	Judicial Academy, Courts, ERA and EJTN.	Judges, state attorneys, law professors, lawyers.	Yes, by the Judicial Academy.	Both face-to-face and e-learning are used. Methods for face-to-face training: theory and practice, case studies, group work, presentations and written parts, workshops E-learning: Q and A with trainers, the final exam, presentations and group discussions, online courses. Post-training evaluation is conducted online and asks for the relevance, quality and	Not specified.	Yes, the training is provided in conjunction with judges' and state attorneys' training.

		2018/1805, Council Decision 2005/214/JHA, Directive 2013/48, Directive 2012/13, aspects of EU criminal law.				effectiveness of training		
Court Administration Manager (for any court with over 15 judges) Type 1 Functions 1	<p>0 hours offered (one exception: when training is offered as part of the study for the qualification for the post)</p> <p>Compulsory only when part of the study.</p> <p>General aspects of EU law.</p>	<p>10 hours per year.</p> <p>The president of the court decides on topics and on who attends the training.</p> <p>Topics include data protection and public procurement.</p>	<p>Specialised training companies. The number of Court Administration Managers remain small, meaning that their training is not provided by the Judicial Academy yet.</p>	Practitioners in a particular field.	N/A	<p>Both face-to-face and e-learning are used. Methods for face-to-face training: theory and practice, case studies, group work, presentations and written parts.</p> <p>E-learning: Q and A with trainers, the final exam, presentations and group discussions.</p> <p>No information on post-training evaluation</p>	Not identified.	Not identified.

CYPRUS

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Court Bailiff Type 1 Functions 3	No training provided.							
Legal Officer Type 1 Functions 2/3/4	None is provided directly, but legal officers may attend training events provided for the judiciary by the Cyprus School for Judicial Training (CSJT) A total of 9 hours (2019) and 15 hours (2020) have been offered to legal officers by this method, together with 15 hours tutor based on-line learning. Topics		See previous column	Trainers from abroad: Judges or retired Judges, or prosecutors whose expertise lies in the relevant area of law; Experts from EU bodies; Experts from other training institutions such as ERA or the EJTN. Trainers from Cyprus: Trained judges; Academics/Schoolars who are	In-house trainers are trained by the Judicial College Team from the Judicial College London. A range of methodologies are taught including blended learning. The School uses a fairly sophisticated evaluation tool, used to inform the planning for future training events.		There are a number of areas of EU law that could be the subject of a training seminar for Legal Officers, in particular EU Public Procurement, References for a Preliminary Ruling, EU Migration Law, European Arrest Warrant.	When the CSJT organises training for the judiciary, seats are reserved for some Legal Officers who also conduct legal research for their judges. Some events are also offered to Prosecutors and Registrars

	<p>included GDPR, Insolvency Law, Environmental Law and Human Trafficking. Legal officers may also attend training events organised externally both in Cyprus and abroad.</p>			<p>experts in the given area of law. Experts from relevant Ministries.</p>				
<p>Registrar Type 1 Functions 2/4</p>	<p>Until recently there was no induction training specifically and exclusively on EU law provided to Registrars as part of their induction. However, in 2019, a 2-day induction workshop was organised for all the newly appointed Registrars in relation to Civil and Criminal Procedures, Succession and Estimation of Costs, as well as Communication Skills and</p>		<p>Cyprus School for Judicial Training (CSJT), based in the Supreme Court</p>	<p>Trainers from abroad: Judges or retired Judges, or prosecutors whose expertise lie in the relevant area of law; Trainers from Cyprus are academic experts, professional coaches, or senior/retired Registrars.</p>	<p>The trainers are mostly academics who are trained deliver seminars as well as expert Judges who are experienced trainers. Senior and retired Registrars receive support in the preparation of their material but do not receive any formal training as trainers. A range of training methodologies are used though only face-to-face. Evaluation is based upon feedback forms completed by</p>		<p>The main areas of EU law that are currently absent or insufficient and considered a priority are the following: General Application of relevant EU Regulations in the Registries, References for Preliminary Ruling, Guidance on how to complete and submit forms contained in EU legislation (small claims forms, European certificate of succession).</p>	<p>Ditto</p>

	<p>Professional Etiquette. In the context of this workshop, reference was made to some relevant areas of European Law. In particular, the European Enforcement Order, European Small Claims Procedures, European Payment Orders, European Certificates of Succession. The total number of hours of this workshop was 13, out of which a total of 2 hours was dedicated to the European section. This training event was compulsory. This was a one-off training and it is not on a continuous basis. Ad hoc continuing training events are offered to registrars on a need to know</p>				<p>course participants.</p>			
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	basis e.g. Insolvency Law.							
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CZECHIA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Assistant to judge at Lower Courts, Assistant to Prosecutor Type 1 Functions 2/3	Voluntary 15 hours on judicial cooperation in criminal, civil and commercial matters. The number of training hours can vary per annum depending on the results of needs analysis carried out annually.	Voluntary 42 hours continuation of induction themes plus GDPR. Number of training hours can vary per annum depending on the results of needs analysis carried out annually.	Judicial Academy of the Czech Republic.	90% of trainers are judges or prosecutors. The other trainers are a mix of University professors, MOJ experts and professional trainers.	See below.	See below.	There are plans are in place to revise the entire training curricula in this respect.	See below.
Higher Court Clerk, Higher Clerk of Prosecutor's Office, Court Secretary Type 2 Functions 2/3/4	Compulsory 24 hours The EU and EU law; The Council of Europe and the ECHR; the Law on International	Voluntary 46 hours International Judicial Cooperation (in criminal matters and in Civil and Commercial	Judicial Academy of the Czech Republic.	Judges, prosecutors Experts from the MOJ, university professors.	All trainers can participate in the training for trainers sessions organised by the Czech Judicial Academy (e.g. courses of	Majority of training is face-to-face training. Experienced practitioners provide participants with both theoretical	Proposed is the increase of training in the field of EU family law or the structure of EU organs and functioning of	

	<p>judicial cooperation (both criminal and civil); Cross-border judicial cooperation European Payment Order. The number of training hours can vary per annum depending on the results of needs analysis carried out annually.</p>	<p>Matters); EAW; European electronic databases; European Enforcement Order. The number of training hours can vary per annum depending on the results of needs analysis carried out annually.</p>			<p>professional training skills, lecturing skills, presentation skills, communication skills) or by the European Judicial Training Network (EJTN).</p>	<p>background information and practical examples from their daily work. Taking a practical approach and using real life examples, the training includes interactive sessions, using standard PowerPoint presentations, video recordings and other materials which are designed to give participants the greatest possible insight into their practice. There is also an e-Learning platform in the Judicial Academy which also allows for blended learning and other forms of interactive training. A sophisticated evaluation programme is executed by the Judicial Academy based</p>	<p>legal tools of the EU or steps in proceedings brought to the European Courts (Court of Justice of the EU and European Court of Human Rights). Also, training in the field of EU family law or inheritance procedures is required.</p> <p>Appreciated would be short professional exchanges with counterparts from abroad.</p>	
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						upon criteria of relevance, efficiency, impact, sustainability, and a needs analysis.		
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DENMARK

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
<i>Court Administration</i>								
Court Clerk Type 1 Functions 1/2/3/4	No fixed number of hours Mostly voluntary, but can under certain circumstances be compulsory General aspects of EU law Topics needed to perform the tasks of the employee, e.g. in the bailiff's court	No fixed number of hours Mostly voluntary, but can under certain circumstances be compulsory Topics needed to perform the tasks of the employee, e.g. in the bailiff's court	The Danish Court Administration Occasionally other private or public institutions	Experienced court clerk, deputy judge or judge	Seminars, mentoring and support for court clerks, deputy judges and judges acting as trainers are offered by the Danish Court Administration.	Face-to-face e-learning Blended learning Peer training Questionnaires and dialogue in committees with representatives of the courts	Depending on the individual needs of the court and the employee EU topics will be incorporated in the training when relevant	Court clerk F1/F2/F3/ (Type 1) F4

<p>Court Clerk in Training Type 2 Functions 1/2/3/4</p>	<p>Court clerk trainees are offered 2 years off induction training consisting of 1) 15 weeks of classroom training spread out over the 2 years, 2) apprentice-/internship in a court. EU law is not a specific subject or topic but will be taught when relevant.</p>	<p>No fixed number of hours Mostly voluntary, but can be under certain circumstances be compulsory Topics may be needed to perform the tasks of the employee, e.g. in the bailiff's court</p>	<p>1) Classroom training is offered by business colleges all over the country. The training is general and offered to all clerk trainees in the public sector. 2) Apprentice-/internships are offered by all courts in Denmark</p>	<p>At the business college it will be teachers with experience in different fields. In court it will be an experienced court clerk, deputy judge or judge</p>	<p>The teachers at the business colleges are full time teachers. In-house seminars, mentoring and support for court clerks, deputy judges and judges acting as trainers are offered by the Danish Court Administration.</p>	<p>Decided by the business college Face-to-face e-learning Blended learning Peer training Each court has an employee in charge of the education of the trainees. This employee will evaluate the training offered in court. General issues on the training of trainees will be discussed with representatives of the courts in the different committees in charge of training and education of court staff.</p>	<p>Depending on the individual needs of the court and the employee EU topics will be incorporated in the training when relevant</p>	<p>Court clerk in training F1/F2/F3/ F4 (Type 1)</p>
<i>Prosecution Service</i>								
<p>Public Prosecution Service Clerk Type 2</p>	<p>No fixed number of hours</p>	<p>No fixed number of hours</p>	<p>The Director of Public Prosecutions</p>	<p>Experienced clerks, prosecutors or psychologists</p>	<p>The Director of Public Prosecutions</p>	<p>Face-to-face Peer education E-learning</p>	<p>Depending on the needs of the offices of the prosecution</p>	<p>If relevant other professions, e.g. psychologist, prison officers or</p>

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<p>Functions 1/2</p>	<p>Mostly voluntary, but can under certain circumstances be compulsory</p> <p>The training is planned on an individual basis taking into account the needs of the local office and the employee.</p>	<p>Mostly voluntary, but can under certain circumstances be compulsory</p> <p>The training is planned on an individual basis taking into account the needs of the local office and the employee</p>			<p>offers 'Train the trainer' classes</p> <p>Clerks who are 'mentors', must attend a mentor program.</p>	<p>Online questionnaires</p> <p>Reviews of the evaluation by the Director of Public Prosecutions</p>	<p>service EU topics will be incorporated in the training when relevant</p>	<p>rhetoricians will intervene</p>
<p>Police Service Clerk Trainee Type 2 Functions 1/2</p>	<p>1) 15 weeks of training at a business college in 3 years, 2) apprentice-/internship in a police station – of which 6 months is at the local prosecution service. EU law is not a specific subject or topic but will be taught when relevant e.g. GDPR.</p>	<p>No fixed number of hours</p> <p>Mostly voluntary, but can under certain circumstances be compulsory</p> <p>The training is planned on an individual basis taking into account the needs of the local office and the employee</p>	<p>1) Business colleges 2) Local offices of the prosecution service</p>	<p>1) Decided by the business college 2) Experienced clerks and prosecutors</p>	<p>1) Decided by the business college 2) The Director of Public Prosecutions offers 'Train the trainer' classes.</p>	<p>1) Decided by the business college 2) Each police district has an employee in charge of the education of the trainees. This employee will plan and evaluate the training offered.</p>	<p>1) Decided by the business college 2) Depending on the needs of the offices of the prosecution service EU topics will be incorporated in the training when relevant</p>	<p>Yes – Business colleges</p>

ESTONIA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
<i>Courts</i>								
Assistant Judge Type 1 Functions 3	Not offered	Not offered	None	Not applicable	Not applicable	Self-learning (by reading EU publications)	General areas of EU law	No
Judicial Clerk, Senior Judicial Clerk Type 1 Functions 2/4 Supreme Court Staff: Analyst, Legal Specialist, Legal Training Specialist, Head of the Legal Information and Training	Not offered	Voluntary. The number of hours is flexible, depending on needs. Content varies and it includes: - EU private law - European Arrest Warrant - European Investigation Order	Externals	- Judges - State prosecutors - Professional trainers - Scholars - Sworn attorneys	Optional. Trainers can attend the 'Train the Trainer course' offered internally	1) Primarily face-to-face, also online. 2) Face-to-face: traditional lectures, seminars, case studies, moot courts. 2) Online: fully online and webinars.	N/A	No

Department, Secretaries, Head of General Department, Law Clerk, Consultant		- Recognition and enforcement of decisions on the confiscation of property - EU environmental law - EU asylum law - EU VAT legislation				3) Evaluation of effectiveness conducted by the Legal Information and Judicial Training Department: anonymous opinion surveys and face-to-face interviews.		
<i>Office of the Prosecutor General</i>								
Consultant Type 2 Functions 2/4	Not offered	Voluntary Number of hours per annum: 16 European investigation orders; European arrest warrants; European confiscation orders	Human Resources Division of the Prosecutor's Office	A recognised expert in his/her field; Prosecutors; Judges; Lawyers; University professors	Optional. Prosecutors Office offers two-day 'Train the trainers' program for prosecutors and closest cooperation partners	Primarily face-to-face: traditional lectures, seminars, case studies Evaluation: detailed evaluation sheet, where participants must evaluate relevancy, quality, efficiency, practicality, trainer and presentation Once a year, human resources	N/A	Agreement with courts and Bar Association, that consultants can take part in trainings organised by them if there are vacancies

						division analyses the evaluation sheets and reports to the Prosecutor's Office management		
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FINLAND

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Judicial Secretary Type 1 Functions 1/2/4	Not offered.	Voluntarily . 1-4 hours pa ca. Topics include: GDPR, cross-border litigation, use of different EU tools, taking evidence.	The National Courts Administration (NCA) is the main provider of trainings. Also, courts can organise training by themselves and invite experts from the Ministry of Justice, academics or other judges.	Expert judges, more experienced secretaries and summoner, or experts in the field, for instance from the Ministry of Justice or from NCA.	Yes, once a year, training for trainers is organised. Topics include the use of technologies, different interactive methods, presentation skills. NCA supports the training of trainers.	Both face-to-face and e-learning is used. Face-to-face training concerns theory, practical examples, interactive sessions, group work. E-learning concerns pre-tasks, reading materials, videos, tests. E-learning platforms are maintained by the NCA and the Government of Finland. Post-training evaluation is conducted if the	More training is needed in all EU law areas.	In most cases, the training is provided in conjunction with other legal professionals. In case when the court organise the training by themselves, a more targeted group approach is used.

						training is organised by the NCA. The criteria include relevance, quality, effectiveness (Kirkpatrick model). If the training is organised by the Court itself, usually there is no post-training evaluation		
Summoner (Bailiff) Type 1 Functions 1/4	Not offered.	Voluntary. 1-4 hours pa ca. Topics include: GDPR, cross-border litigation, use of different EU tools, taking evidence.	The National Courts Administration (NCA) is the main provider of training. Also, courts can organise training by themselves and invite experts from the Ministry of Justice, academics or other judges.	Expert judges, more experienced secretaries and summoner, or experts in the field, for instance from the Ministry of Justice or from NCA.	Yes, once a year training for trainers is organised. Topics include the use of technologies, different interactive methods, presentation skills. NCA supports the training of trainers.	Both face-to-face and e-learning is used. Face-to-face training concerns theory, practical examples, interactive sessions, group work. E-learning concerns pre-tasks, reading materials, videos, tests. E-learning platforms are maintained by the NCA and the Government of Finland. Post-training evaluation is	More training is needed in all EU law areas.	In most cases, the training is provided in conjunction with other legal professionals. In case when the court organise the training by themselves, a more targeted group approach is used.

						conducted if the training is organised by the NCA. The criteria include relevance, quality, effectiveness (Kirkpatrick model). If the training is organised by the Court itself, usually there is no post-training evaluation		
Administrative Director Type 1 Functions 1/4	Not offered.	Voluntary. 1-4 hours pa ca. Topics include: GDPR, employment equality principles, non-discrimination principles.	The National Courts Administration (NCA) is the main provider of training. Also, courts can organise training by themselves and invite experts from the Ministry of Justice, academics or other judges.	Expert judges, or experts in the field, for instance from the Ministry of Justice or from NCA.	Yes, once a year, training for trainers is organised. Topics include the use of technologies, different interactive methods, presentation skills. NCA supports the training of trainers.	Both face-to-face and e-learning is used. Face-to-face training concerns theory, practical examples, interactive sessions, group work. E-learning concerns pre-tasks, reading materials, videos, tests. E-learning platforms are maintained by the NCA and the Government of Finland.	More training is needed in all EU law areas.	In most cases, the training is provided in conjunction with other legal professionals. In case when the court organise the training by themselves, a more targeted group approach is used.

						Post-training evaluation is conducted if the training is organised by the NCA. The criteria include relevance, quality, effectiveness (Kirkpatrick model). If the training is organised by the Court itself, usually there is no post-training evaluation		
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FRANCE

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Chief Clerk of Court Type 1 Functions 1/4	Compulsory 15 hours European and an international component, European certificate and general awareness of EU issues.	Voluntary 87 hours in service plus 96 hours by ENM. <u>In service</u> Judicial co-operation In criminal matters, cross-border procedure, enforcement of civil and family judgments Criminal records/specialised files, nationality law. ECHR, Co-operation on civil and commercial matters, international human rights standards,	ENM and ENG. Also in many instances, further training is provided by court-based regional groupings.	Clerks or chief clerks assigned to the school; clerks, chief clerks, judges, prosecutors in courts or MOJ; other international organisations.	Some receive training to be trainers, most do not. External trainers are advised by ENG as to what is expected of them.	All face-to-face. ENG conducts formal post-course evaluation based upon written feedback from all participants as to Relevance, Quality, Materials, Activities and Fulfilment of Expectations.	Need for a global overview of EU law and institutions to be made available to all court staff, many of whom are not fully aware of how the EU actually works. e-Learning could be the best tool for such dissemination of knowledge.	Some sharing of training events with judges at ENM.

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		international litigation, plus some extra courses jointly provided by ENM and ENG (greffiers).						
Court Clerk Type 1 Functions 1/2/3	Compulsory 6 hours of International notification in civil matters, introduction to judicial co-operation in criminal matters.	Voluntary 138 hours in service plus 96 hours by ENM. Same content as for chief clerk.	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
Civil Secretary Type 3 (also occasionally carry out designated Type 2 activities) Functions vary according to tasks	Occasionally provided with special training when required to carry out Type 2 tasks on an ad hoc basis.							
Civil Assistant Type 3 (also occasionally carry out designated Type 2 activities) Functions vary according to tasks	Ditto							

GERMANY

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Bailiff (NRW) Type 1 Functions 3	Compulsory 16 hours (see Factsheet for detailed comment).	None	Judicial Training Centre	Senior bailiffs, rechtspfleger sometimes judges	No	Face-to-face with post-course evaluation sheets analysed by the training centre	Urgent need for more training in new EU Regulations.	No
Bailiff (Berlin) Type 1 Functions 2/3/4	As above ⁷⁷	As above	As above	As above	As above	As above	As above	As above
Bailiff (other Land – 15) Type 1 Functions 2/3/4	As above	As above	As above	As above	As above	As above	As above	As above

⁷⁷ Germany is a federal state where the training of the judicial professions falls into the competence of the 16 states. Therefore, the situation between the states may differ slightly; however, the overall situation is comparable nationwide. Findings in this Questionnaire are based on data delivered by the *Training Centre for the Judiciary North Rhine-Westphalia* (an entity that provides training for the states of Hamburg, Hesse, North Rhine-Westphalia, Rhineland-Palatinate, Saarland, and Brandenburg), by the State of Berlin, and by the *German Association of Bailiffs (Deutscher Gerichtsvollzieherbund)*. They are exemplifying the situation and are indicative for the whole country.

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<p>An official of the Public Prosecution Office Type 2 Functions 1/4</p>	<p>A compulsory half-day session on Driving Licence Law</p>	<p>None</p>	<p>University of Applied Sciences</p>	<p>Senior Public Prosecutor</p>	<p>No</p>	<p>Face-to-face with evaluation based on feedback forms analysed by the training institution</p>	<p>No response</p>	<p>No</p>
<p>Senior Judicial Officer⁷⁸ (Rechtspfleger) Type 1 Functions 1/2/3/4 NB. Rechtspfleger work in c. 650 local courts in Germany largely independently. This row provides a generic overview of the training provision for Rechtspfleger in Germany. <u>The subsequent rows provide details of further differentiation of the training provision in individual Lander</u></p>	<p>Compulsory. Between 20 and 90 LVS (1 LVS = 45 minutes) over a three-year period. Regulation 650/2012 (EuErbVO) Regulation 1103/2016 (EuGüVO) Regulation 593/2008 (Rom-I VO) Regulation 2201/2003 Also: Regulation 1215/2012 (Brüssel Ia) Regulation 805/2004 Regulation 1111/2019 Regulation 1191/2016 (EU ApostVO) Regulation VO 1206/2001EUBeweisVO)</p>	<p>Small, which varies between Lander, amounts of voluntary training is offered but it is always on a voluntary basis. <u>Examples of recent voluntary courses offered in various German Lander are set out below under each Land.</u></p>	<p>University of Applied Sciences. Some in-house training is also provided in some areas.</p>	<p>Judges and Rechtspfleger.</p>	<p>Not normally.</p>	<p>Face-to-face with evaluation based on feedback forms analysed by the training institution. More recently (linked to Covid-19) some blended learning has been added to induction training.</p>	<p>In all identified areas plus in commercial law for the commercial registry in reference to cross-border cases.</p>	<p>Only in North Rhine-Westfalia).</p>

⁷⁸ Induction and continuation training are totally distinct for Rechtspfleger:

- Induction training takes place in the Universities for applied science (Fachhochschule). It is a dual curriculum with academic and practical elements and leads to an academic degree 'Diplom-Rechtspfleger (FH)'. There are 8 such universities which pool their resources for the whole country.
- Continuation training takes place in the Academies for Justice and in a decentralised manner in the courts. This division is the same nationwide. Not all states have their own Academies for Justice. Some states pool the resource with other states, whilst others rely only on the decentralised court training.

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	Regulation 1104/2016 (EUPartVO).							
Senior Judicial Officer (Rechtspfleger) – Berlin/Brandenburg/Saxony Type 1 Functions 1/2/3/4	As above	Basics of European law (24 participants, 2 days): Basics of private international law (14 participants, 2 days): – Private International Law symposium - focus on land register law, 30 participants, 1 day; EU succession law: EU Regulation 650/2012 and European Certificate of Succession (24 participants, 1 day).	Uni. Of Applied Sciences	As above	As above	As above	As above	As above
Senior Judicial Officer (Rechtspfleger) – North Rhine-Westphalia Type 1 Functions 1/2/3/4	As above	European Enforcement Order and others (1 day); Civil Law - International Inheritance Law (1,5 days, number of participants:13;	Academy of Justice (JAK) plus courts	As above	As above	As above	As above	Yes, with judges (inheritance law; Regulation 650/2012), because they both work in that field there are a lot of intersections. This training is usually delivered

		Inheritance cases with foreign involvement in consideration of the European Inheritance Law Regulation (3 days);(Bailiffs: service and enforcement of European titles and office organisation (2 days); EU Regulation 2016/679 (data protection 1 day).						by (former) judges that worked in that field (and sometimes is also a former Rechtspfleger).
Senior Judicial Officer (Rechtspfleger) – Bremen/Hamburg/Lower Saxony Type 1 Functions 1/2/3/4	As above	Bremen (2016) Service staff of the civil courts: Service of documents with foreign contact (1 hour, 2016); Hamburg (2020): International law of succession (2 x 1day); Lower Saxony: International inheritance law (estate with foreign connection; legal assistance with foreign countries	Uni. of Applied Sciences	As above	As above	As above	As above	As above

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		in civil matters; legal assistance with foreign countries in criminal matters).						
Senior Judicial Officer (Rechtspfleger) – Baden Württemberg/Rhineland-Palatinate Type 1 Functions 1/2/3/4	As above	BW: European Certificate of Succession (2 days) and International Inheritance Law (2 days); Cross-border cases in civil and enforcement matters (2 days; enforcement according to Brussels Ia-VO and EU Regulation 805/2004; service of documents in civil matters abroad/from abroad; European order for payment procedure); EU Regulation 2016/1103&1104: Matrimonial Property Regulation (1 day).	As above	As above	As above	As above	As above	As above

		<p>R-P: EU Service of Documents Regulation (2 days), EU-Reg 1393/2007</p> <p>International jurisdiction according to the EU Regulation 650/2012 and European Certificate of Succession (part of an inheritance law module of 2 days;</p> <p>probate cases with a focus on IPR (2 days);</p> <p>Intermediate Service: Service abroad in civil and family matters (2 days);</p> <p>Legal assistance abroad in criminal matters (1 day);</p> <p>EU Regulation 850/2004 (European Enforcement Order for uncontested claims);</p> <p>EU Regulation 1215/2012 (jurisdiction and the recognition and enforcement of judgments in</p>						
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		civil and commercial matters); EU Regulation 1896/2006 (creating a European order for payment procedure).						
Senior Judicial Officer (Rechtspfleger) – Bavaria Type 1 Functions 1/2/3/4	As above	EU Succession law (Regulation 650/2012; part of a module on Inheritance Law over 2 days); European Certificate of Succession (part of a module on Inheritance Law over 4 days, participants 6 hours unknown).	As above	As above	As above	As above	As above	As above
Senior Judicial Officer (Rechtspfleger) – Saxony-Anhalt Type 1 Functions 1/2/3/4	As above	European Inheritance Regulation: Jurisdiction of the EUGH, local jurisdiction, European certificate of inheritance, inheritance beating under the EuErbVO regime (part of an inheritance	As above	As above	As above	As above	As above	As above

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		law module of 3 days)						
Senior Judicial Officer (Rechtspfleger) – Mecklenburg-Vorpommern Type 1 Functions 1/2/3/4	As above	Same as Brandenburg.	As above	As above	As above	As above	As above	As above
Senior Judicial Officer (Rechtspfleger) – Hesse/Thuringia Type 1 Functions 1/2/3/4	As above	Hesse: The European Certificate of Succession (part of an estate law module of 2 days); Private International Law with reference to Land Register Procedural Law (part of a Land Register Law module of 2 days). Thuringia: The European Certificate of Succession; Effects of EU Directive 2019 on the Law of Goods (EU Regulation 2016/1103&110	As above	As above	As above	As above	As above	As above

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		4) in probate proceedings International Private law (IPR) in the field of estate planning (5 days); envisaged also IPR in the estate (European Certificate of Succession, EU Regulation on the Law of Goods); - IPR in the land register (foreign property law, foreign companies, inheritance law procedures with international reference. duration unknown).						
Senior Judicial Officer (Rechtspfleger) – Bundesamt für Justiz Type 1 Functions 1/2/3/4	As above		As above	As above	As above	As above	As above	As above
Justice Clerk/Secretary	No training is provided							

of Justice (Berlin) Type 2 Functions 1/2/4								
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GREECE

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Judicial Clerks (PPO) Type 1/2 Functions 1/2/3/4	Type 1, 2	Not offered	The number of hours varies (according to the position) Compulsory Covers: - European Arrest Warrant - European Investigation Order - European Protection Order - Recognition and enforcement of decisions on the confiscation of property - Recognition and enforcement of decisions on	Public Prosecutor's Office	Expert prosecutors and judicial clerks with at least 5 years of experience	Only judges and prosecutors receive training in the National School of the Judiciary.	Exclusively face-to-face. No evaluation methods.	They consider that EU law topics are well covered.

			<p>financial penalties</p> <ul style="list-style-type: none"> - Recognition and enforcement of judgments by which a prison sentence has been pronounced or any measure which includes the deprivation of liberty. - Judicial cooperation in criminal cases 					
<p>Judicial Clerks (Administrative Court Officers) Type 1/2 Functions 1/2/3/4</p>	Type 1, 2	Not offered	<p>Number of hours varies (depending on position)</p> <p>Compulsory</p> <p>Covers:</p> <ul style="list-style-type: none"> - EU Asylum Law - European Treaty for Human Rights - EU Asylum Procedure 	Administrative Court House	Experienced administrative judges and judicial clerks with at least 5 years of experience	Only judges and prosecutors receive training in the National School of the Judiciary.	<p>“ ‘Exclusively face-to-face. No evaluation methods.’</p>	<p>“ They consider that EU law topics are well covered. “</p>
<p>Judicial Clerks (Court Officers) Type 1/2 Functions 1/2/3/4</p>	Type 1, 2	Not offered	<p>The number of hours varies</p> <p>Compulsory.</p> <p>Covers:</p>	Court House	Experienced judges, prosecutors and judicial clerks with at least 5 years of experience	<p>“ ‘Only judges and prosecutors receive training in the National School of the Judiciary.’</p>	<p>“ “ ‘Exclusively face-to-face. No evaluation methods.’</p>	<p>“ “ They consider that EU law topics are well covered.</p>

			<ul style="list-style-type: none">- General aspects of EU law- Enforcement of judgment in civil and commercial matters in the EU law- Small Claims Procedures according to EU law- European Order for Payment (civil and commercial cases)- Recognition and enforcement of decisions on the confiscation of property- European certificate of succession- Judicial cooperation in civil and commercial cases- The preliminary ruling procedure					
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HUNGARY

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Specialised Court Clerk (Adviser) Type 1 Functions 2	The adviser does not obtain any training in EU law in but it is obligatory to have a university degree in law and experience in EU law before taking up a position.							
Specialised Court Clerk (Administrator) Type 2 Functions 3	The court administrator does not obtain any training in EU law and it is not obligatory before taking up a position.							
Specialised Court Clerk (Administrator)	The administrator of enforcement							

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of Enforcement) Type 2 Functions 3	does not obtain any training in EU law and it is not obligatory before taking up a position.							
Clerical Worker Type 2 Functions 1	The Clerical Worker does not obtain any training in EU law and it is not obligatory before taking up a position.							
Assistant Judge Type 1 Functions 2/3		compulsory training - preparation for the judicial work 4 weeks altogether	Hungarian Academy of Justice, European Law Advisers Network, in-house training	experts from courts (judges, etc.), Prosecutors Lawyers, Public notaries, Bailiffs, professional trainers, state secretaries	'train the trainers' activities organised by the Hungarian Academy of Justice	theoretical background information and practical examples, case studies, simulations, role play, e-learning		
Trainee Judge Type 1 Functions 2/3		compulsory preparatory courses for the legal bar exam, 3 weeks altogether	Hungarian Academy of Justice and in-house training	experts from courts (judges)	'train the trainers' activities	workshops, interactive training with practical examples, e-learning	a preparatory course that follows the topics of the bar exam	

IRELAND

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Circuit Court Registrar Type 1 Functions 1/4	None	No formal training					EU Service of documents and the Recognition of EU maintenance functions have been centralized and officers in those functions have built up some expertise on the job. This could be improved with a formal programme.	
Combined Office Manager Type 1 Functions 1/4	None	No formal training						

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<p>County Registrar Type 1 Functions 3</p>	<p>None, however, to be appointed to this post a candidate must have practised for at least 8 years as a solicitor or barrister which would have involved the study of EU law</p>	<p>None but see note under induction.</p>						
<p>District Court Clerk Type 1 Functions 1/4</p>	<p>None</p>	<p>Only on-the-job acquisition of knowledge from colleagues.</p>						
<p>High Court Registrar Type 1 Functions 1/4</p>	<p>None</p>	<p>Only on-the-job training as and when required for example on Hague/ Luxembourg Convention law, rules on service of documents across EU, EAW.</p>	<p>Other High Court Registrars in-house.</p>		<p>Some may have been trained as trainers. No formal evaluation of any training takes place.</p>		<p>All areas of training in EU law could be improved through a formalized programme.</p>	<p>None</p>
<p>Master of the High Court Type 1 Functions 3</p>	<p>None however to be appointed to this post a candidate must have practised for at least 10 years as a solicitor or barrister which would have</p>							

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	involved the study of EU law							
Judicial Researcher Type 1 Functions 2	Compulsory 16 hours which includes a range of EU law aspects	Voluntary with a range of online and classroom-based EU law sessions available.	Legal Research and Library Service and Learning and Development Department of the Courts Service.	Courts service staff, judges, lawyers and external trainers.	Some attend train the trainers sessions from external providers.	Face-to-face using real-life examples, presentations and video recordings. Also use e-Learning and blended learning via an internal platform. In-house evaluation of all courses.	More specialist information sessions on EU law are required for judicial researchers.	CHECK
Judicial Assistants Type 1 Functions 1/2	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	

ITALY

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Bailiff Type 2 Functions 3	None	Voluntary 84 hours offered in 2018 increased to 156 hours in 2019 covering a wide range of topics that vary from year to year.	Scuola Nazionale D'Amministrazione SNA	Senior experts with at least 10 years of experience, magistrates, university professors, managers in the public admin.	Yes	Most common is face-to-face, plus use of the MOJ e-Learning Platform which involves blended learning. Also use workshops, focus groups, and case solving via simulation activities and training on the job. The MOJ carries out a comprehensive evaluation of each programme	Introduction To EU law, institutions and their duties; EU law and the justice system; rights of the individual under EU law; judicial co-operation.	No
Director Type 1 Functions 1/4	None	Voluntary 8 hours offered.	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto

		covering a wide range of topics that vary from year to year.						
Expert Court Registrar Type 1 Functions 2	All entries the same as for Director.							
Judiciary Assistant Type 1 Functions 2	All entries the same as for Director.							
Judicial Officer Type 1 Functions 1	All entries the same as for Director. Judicial Officers receive a different training from the one provided to Technical Officers. Judicial Officers' training is based primarily on juridical matters and is comparable to the training received by Directors and by Bailiffs.							
Technical Officer/Assistant Type 2	All entries the same as for Director.							

Functions 1	Technical Officers receive different training to that provided to Judicial Officers. Topics of training provided to Technical Officers are: focus training on workplace safety, building maintenance, structures/systems, legislation on procurement and anti-corruption measures							
Linguistic Assistant Type 2 Functions 1	None	Voluntary Hours: 156 Topics Introduction To EU law, institutions and their duties; EU law and the justice system; rights of the individual under EU law; judicial co-operation	the Italian Ministry of Justice – Department of judicial organisation, personnel and services – Directorate-general for personnel and training. SNA	Senior experts (10 years' experience minimum is required) Magistrates (belonging to Italian ordinary, administrative or accounting jurisdiction bodies) University professors Managers in public	Yes	Face-to-face e-learning blended learning (most used) workshops, focus groups, other practice-based methods and simulation activities – case solving. Commonly used in training activities is the 'training on the job' method, which allows the trainee to gain	Introduction to EU law: institutions and their duties EU law and the justice system Rights of the individual in EU law Judicial cooperation	Italian, English

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				administrative bodies		<p>knowledge, skills and proficiency through work shadowing with senior Court staff.</p> <p>Evaluation: The Ministry of Justice - Directorate-general for personnel and training (see answer at 3, above) attends to the following topics on evaluation:</p> <ul style="list-style-type: none"> - Monitoring to check the completion of planned training activities - Satisfaction survey <p>Evaluation of the effectiveness of learning</p>		
Linguistic Officer Type 2 Functions 1	None	Same as above	Same as above	Same as above	Same as above	Same as above	Same as above	Same as above

LATVIA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
<i>Courts</i>								
Adviser (Secretariat of the Council for the Judiciary) Type 1 Functions 2 Supreme Court	None	Voluntary. No set hours. Training offered in topical EU case-law (VAT, customs, crime and criminal procedure, human rights).	LJTC, LSPA, University of Latvia, Court Admin, various private Companies	Varied.	Many trainers have attended LJTC training the trainer programmes	Face-to-face, mainly lectures. The relevant manager evaluates the quality and usefulness of courses.	Human rights, EPPO, public international law, EU legislative process, the role of EU Commission in national proceedings, internal market, environmental law and agricultural law.	None
Assistant to the Chair of the Department Type 1	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto

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Functions 2 Supreme Court								
Legal Research Counsel Type 1 Functions 2 Supreme Court	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
Assistant to Supreme Court Senator Type 1 Functions 2/3 Supreme Court	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
Scientific Adviser Type 1 Functions 2 Supreme Court	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
Consultant Type 1 Functions 2/3 Supreme Court	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
Court Recorder Type 2 Functions 1/2/3	Voluntary 12 hours, only within the ESF project, not part of an annual training	Changing curriculum, including general overview of EU	LJTC, EJTN, ERA and HELP, plus courts' Admin.	Mostly judges, plus lawyers, prosecutors linguists, mediators, and others.	LJTC provides training the trainer sessions.	Face-to-face plus some e-Learning and materials Available	GDPR. Cross-border service of documents, right to information in criminal	Ditto

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Courts (1 st and 2 nd Instance Courts)	programme. Small groups. Not enough for everybody.	principles, GDPR, and international cooperation in civil and commercial.				On-line through in-house Learning Man/ System (LMS) Evaluation carried out by LJTC using Kirkpatrick Levels 1-3.	proceedings.	
Assistant to a Chief Judge Type 1 Functions 1/2 Courts (1 st and 2 nd Instance Courts)	None	Voluntary 18-30 hours increasing in 2021. Int. cooperation in civil, commercial and criminal matters, Brussels I Regulation, Order for Payment Procedures, ECJ/ECHR Caselaw.	Same as for Court Recorders.	Same as for Court Recorders.	Same as for Court Recorders.	Same as for Court Recorders.	Extensive list supplied via Q2 Factsheet .	Same as for Court Recorders.
Court Secretary Type 2 Functions 1 Courts (1 st and 2 nd Instance Courts)	None	Voluntary self-paced e-Learning covering international cooperation in civil and commercial cases (service of documents).	Latvian Court Administration is responsible for providing training for judges and court staff now delegated to the Latvian Judicial Training Centre.	Most trainers are judges supported by other judicial and non-judicial professional trainers – lawyers, prosecutors, linguists, mediators,	LJTC provides training the trainer sessions.	Mostly face to face, plus self-paced e-learning courses. Methods include group Discussion, case studies and group work.	Extensive list supplied via Q2 Factsheet . In 2020 LJTC planned to publish a new e-learning course on international cooperation in	

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				psychologists, etc.		Zoom webinars are very popular since the beginning of the pandemic. In-house LMS also contains course materials, plus videos and audio recordings of training. Same evaluation as for Court Recorders.	criminal matters.	
Head of the Chancellery Type 2 Functions 1/3 Courts (1 st and 2 nd Instance Courts)	None	Voluntary Self-paced e-learning course on international Cooperation In civil and commercial cases (service of documents).	Same as for Court Recorders.	Same as for Court Recorders.	Same as for Court Recorders.	Same as for Court Recorders.	Reg (EU) 2016/679 (processing of Personal data), Reg (EU) 1393/2007 (service of documents), Reg (EU) 1215/2012 (recognition and Enforcement of judgments).	Same as for Court Recorders.
Deputy Head of the Chancellery Type 2 Functions 1/3/4	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto

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Courts (1 st and 2 nd Instance Courts)								
Court Consultant Type 1 Functions 1 Courts (1 st and 2 nd Instance Courts)	Ditto	Voluntary 9 hours, limited to a few consultants on land registry work, plus Voluntary Self-paced e-Learning course on international Cooperation In civil and commercial cases (service of documents).	Ditto	Ditto	Ditto	Ditto	Extensive list supplied via Q2 Factsheet .	
Court Interpreter Type 2 Functions 2 Courts (1 st and 2 nd Instance Courts)	Same as for Head of Chancellery	Same as for Head of Chancellery	Same as for Head of Chancellery	Same as for Head of Chancellery	Same as for Head of Chancellery	Same as for Head of Chancellery	Same as for Head of Chancellery	Ditto
Judicial Assistant Type 1 Functions 2 Courts (1 st and 2 nd Instance Courts)	Same as for Assistant to Chief Judge	Same as for Assistant to Chief Judge	Same as for Assistant to Chief Judge	Same as for Assistant to Chief Judge	Same as for Assistant to Chief Judge	Same as for Assistant to Chief Judge	Same as for Assistant to Chief Judge	Same as for Assistant to Chief Judge

Office of the Prosecutor General

Data Protection Officer Type 1 Functions 1	None	None	None	None	None	None	Personal data Processing law, Labour law, General EU law.	None
Legal Assistant to a European Prosecutor Type 1 Functions 2/3	None	None	None	None	None	None	General EU law in particular with relation to cooperation in criminal matters	None
Project Coordinator Type 1 Functions 1/4	None	None	None	None	None	None	General EU law in particular with relation to cooperation in criminal, civil and administrative matters.	None
Project Leader Type 1 Functions 1/4	None	None	None	None	None	None	General EU law in particular with relation to cooperation in criminal, civil and administrative matters.	None

LITHUANIA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
<i>Courts</i>								
Assistant to Judge, Senior Assistant to Judge Type 1 Functions 2	None	Voluntary 1 hour, mixed menu of topics.	National Courts Administration (NCA). EJTN and ERA European Academy of Law also provide some training.	Experts from Courts specialising in a related field, including the following: - Judges and Prosecutors - Professional trainers – Scholars.	No	Primarily face-to-face training including theoretical background information and practical examples from the trainers' daily work. Blended learning is also used for some courses. The evaluation is performed by the NCA, ERA and EJTN.	Since NCA is implementing court staff training only since 1 January 2020 there is a strong need for any kind of training on EU law-related topics for court staff	No
Senior Specialist/Chief	None	None						

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f Specialist in the Chancellor's Office Type 1 Functions 1/4								
Advisers to Chairs plus Consultant Type 2 Functions 2/3/4	None Currently Provided	None Currently Provided						
Case-Law Dept Director Type 1 Functions 1/2	Ditto	Ditto						
Head of Legal Research Group/Unit Type 1 Functions 1/2	Ditto	Ditto						
Legal Assistance Division Manager Type 1 Functions 1/2	Ditto	Ditto						
Court Chancellor Type 2 Functions 1	Ditto	Ditto						

Office of the Public Prosecutor

Prosecutors Assistant Type 2 Functions 1/2	Compulsory Prosecutor's Assistants receive their initial training during their studies in BA and/or MA.	Voluntary up to 8 hours, on different topics according to current needs.	Training Division	Active Prosecutors, sharing work experience plus some outside providers,	Limited provision.	Mostly face-to-face. Annual TNA following feedback from trainees on courses.	Yes as it is almost completely absent at present	
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LUXEMBOURG

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Clerks and employees (courts) and Secretaries and employees (for prosecution) Type 2 Functions 3/4	None	Voluntary. Training that is available is fee-based and take up depends on a range of criteria. Topics may include European values, EU Decision-making process, the economic and monetary union, immigration and asylum law, EU institutional law.	INAP or other national and international institutions.			Mostly face-to-face with increasing use of e-Learning. Evaluation done by the training bodies, nothing internally.	Insufficient training in EU law provided at present. There are plans to offer for 2021/2022 a range of in-house training sessions related to EU law to all the relevant court staff which will be aimed at practical use of knowledge acquired (e.g. cross-border civil procedures, enforcement of judicial decisions, etc.).	Staff can attend training events run by practising lawyers.
Law Clerks Type 2	None as law clerks normally	Voluntary. Training that is	ditto	ditto	ditto	ditto	Insufficient training in EU	

<p>Functions 3/4</p>	<p>have a master's in law which includes the study of EU law</p>	<p>available is fee-based and take up depends on a range of criteria.</p>					<p>law provided at present although law clerks do not normally apply EU law in their daily work as they do mainly research work for magistrates. There are plans to offer for 2021/2022 a range of in-house training sessions related to EU law to all the relevant court staff including law clerks.</p>	
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MALTA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Assistant Registrar Type 1 Functions 1/4	Not applicable. Assistant Registrars are speakers in the induction training.	The continuation training is informal but compulsory. The number of hours has not been identified. Topics regarding EU law training include: European Arrest Warrant, European Investigation Order, European Protection Order, Regulation 44/2001, Regulation 1215/2012, Regulation 861/2007, Regulation 1896/2006,	The training is provided in-house, at the Court.	Registrars, Assistant Registrars and senior Deputy Registrars working at the Court.	Not identified.	The training is conducted through research tasks and informal training. There is no post-training evaluation.	It is suggested to transform the current informal training with already mentioned topics into a formal training programme.	No.

		<p>Regulation 805/2004, Regulation 2201/2003, Regulation 4/2009, Regulation 1206/2001, Regulation 1393/2007, Regulation 655/2014, Regulation 650/2012, Regulation 606/2013, Regulation 2016/1103, Regulation 2016/1104, Regulation 679/2016, Regulation 2018/1805, Decision 2005/214/JHA, Council Decision 2008/947/JHA.</p>						
<p>Registrar Director Type 1 Functions 1/4</p>	<p>Not applicable. Registrars are speakers in the induction training.</p>	<p>The continuation training is informal but compulsory. The number of hours has not been identified. Topics regarding EU law training include: European Arrest</p>	<p>The training is provided in-house, at the Court.</p>	<p>Registrars, Assistant Registrars and senior Deputy Registrars working at the Court.</p>	<p>Not identified.</p>	<p>The training is conducted through research tasks and informal training. There is no post-training evaluation.</p>	<p>It is suggested to transform the current informal training with already mentioned topics into a formal training programme.</p>	<p>No.</p>

		<p>Warrant, European Investigation Order, European Protection Order, Regulation 44/2001, Regulation 1215/2012, Regulation 861/2007, Regulation 1896/2006, Regulation 805/2004, Regulation 2201/2003, Regulation 4/2009, Regulation 1206/2001, Regulation 1393/2007, Regulation 655/2014, Regulation 650/2012, Regulation 606/2013, Regulation 2016/1103, Regulation 2016/1104, Regulation 679/2016, Regulation 2018/1805, Decision 2005/214/JHA,</p>						
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		Council Decision 2008/947/JHA.						
System Administrator ICT Type 1 Functions 1	Induction course performed which has 6 hours contact time. The layout of the induction course is as follows: a) Overview of Civil Courts and Tribunals b) Overview of Criminal Courts and Tribunals. The course is compulsory and taken alongside colleagues in the Court Services Agency.	None available	Provided in-house by Registrars of various courts and tribunals.	See previous column.	Not identified. No formal evaluation system.	Not identified	We are suggesting that a formal training programme should be designed on the provisions of Regulation 679/2016 General Data Protection plus a general overview of the EU laws which same overview mostly focuses on a business-oriented model.	No.
ICT Officer Type 1 Functions 1	Same as for System Administrator ICT.	Same as for System Administrator ICT.	Same as for System Administrator ICT.	Same as for System Administrator ICT.	Same as for System Administrator ICT.	Same as for System Administrator ICT.	Same as for System Administrator ICT.	Same as for System Administrator ICT.
Deputy Registrar Type 1 Functions 1/4	6 hours per annum, compulsory. EU law is not part of the induction training.	The continuation training is informal but compulsory. The number of hours has not been identified. Topics regarding EU law training	The training is provided in-house, at the Court.	Registrars, Assistant Registrars and senior Deputy Registrars working at the Court.	Not identified.	The training is conducted through research tasks and informal training.	It is suggested to transform the current informal training with already mentioned topics into a formal training programme.	No.

		<p>include: European Arrest Warrant, European Investigation Order, European Protection Order, Regulation 44/2001, Regulation 1215/2012, Regulation 861/2007, Regulation 1896/2006, Regulation 805/2004, Regulation 2201/2003, Regulation 4/2009, Regulation 1206/2001, Regulation 1393/2007, Regulation 655/2014, Regulation 650/2012, Regulation 606/2013, Regulation 2016/1103, Regulation 2016/1104, Regulation 679/2016, Regulation 2018/1805, Decision</p>				<p>There is no post-training evaluation.</p>		
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		2005/214/JHA, Council Decision 2008/947/JHA.						
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NETHERLANDS

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Court Clerk (level A) Type 1 Functions 2/3/4	Compulsory (only for the level A court clerks). Variable number of hours, depending on clerk's specialisation. Number of hours for court clerk working: in the criminal law section: min 44 hours; in the family law section: min 40 hours;	Compulsory, min 30 h pa. Topics include: Introduction to the EU law, use of <i>Porta Juris</i> ⁷⁹ and all EU legislation in the field of court clerk's specialisation.	Training and Study Centre for the Judiciary - SSR (<i>Studiecentrum rechtspleging</i>)	Judges, public prosecutors, academics and non-legal professionals, such as actors and psychologists.	SSR has several Train the Trainer programmes for tutors, mentors, coaches (trainers in practice) and 'classical' trainer. The majority of the trainers on these programmes are judges and public prosecutors. Two programmes are offered, both of which focus on didactic rather	Blended learning (face-to-face training in combination with e-learning). Every participant gets their own online learning environment (My SSR). The training is focused on small groups (Max 12 participants for skills/behaviour training, 24 for transfer of knowledge), includes case	Not identified.	No, usually, the training is focused on one specific target group. However, sometimes the training is provided in conjunction with the training of judges and legal assistants.

⁷⁹ Porta Juris is a Dutch platform designed for matters related to the EU law.

	<p>in the civil law section, min 32 hours, administrative law section: min 52 hours.</p> <p>EU law is not covered in this training.</p>				<p>than legal topics. Currently voluntary (unless a trainer has been identified as being in need of further training through the post-course evaluation process), it is intended that in the future attendance at these programmes will be compulsory for all SSR trainers. In outline, the programmes cover: Basic training (one day) consisting of training on didactic skills.</p> <p>Deepening training' (one day), on further didactic skills.</p> <p>SSR is developing a third programme, an online course on 'teaching in the digital world'.</p>	<p>studies, discussion, exercises.</p> <p>Post evaluation criteria include relevance, quality, effectiveness, and sustainability (evaluated on the scale from 1 to 4).</p>		
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					SSR has also developed a 'first aid kit' for teaching in difficult situations.			
Legal Assistant Type 1 Functions 2/4	No EU law in induction training.	Compulsory, minimum 30 hours per annum. EU law is part of the training. Topics depend on the legal assistant's specialisation.	Training and Study Centre for the Judiciary – SSR (<i>Studiecentrum rechtspleging</i>)	The majority of the trainers are judges and public prosecutors. Also, academics and non-legal professionals such as actors and psychologists take part in the training.	SSR has several Train the Trainer programmes for tutors, mentors, coaches (trainers in practice) and 'classical' trainer. The majority of the trainers on these programmes are judges and public prosecutors. Two programmes are offered, both of which focus on didactic rather than legal topics. Currently voluntary (unless a trainer has been identified as being in need of further training through the post-course evaluation process), it is	Blended learning (face-to-face training in combination with e-learning). Every participant gets their own online learning environment (My SSR). The training is focused on small groups (Max 12 participants for skills/behaviour training, 24 for transfer of knowledge), includes case studies, discussion, exercises. Post evaluation criteria include relevance, quality, effectiveness, and sustainability (evaluated on a	Not identified. However, sharing best practices with other colleagues in the EU would be beneficial (lack of European dimension during the training).	The training is provided together with judges. For some trainings, legal assistants, judges, public prosecutors and juridical staff can be placed together.

					<p>intended that in the future attendance at these programmes will be compulsory for all SSR trainers. In outline, the programmes cover:</p> <p>Basic training (one day) consisting of training on didactic skills.</p> <p>Deepening training' (one day), on further didactic skills.</p> <p>SSR is developing a third programme, an online course on 'teaching in the digital world'. SSR has also developed a 'first aid kit' for teaching in difficult situations.</p>	scale from 1 to 4).		
Juridical Staff at the Prosecution Office	Compulsory, min 44 hours. EU law is not part of the	Compulsory, minimum 30 hours per annum.	Training and Study Centre for the Judiciary – SSR	The majority of the trainers are judges and public	SSR has several Train the Trainer programmes for	Blended learning (face-to-face training in	Not identified. However, sharing best	The training is provided specifically for this target

<p>Type 1 Functions 2/4</p>	<p>induction training.</p>	<p>Topics include an introduction to EU law, use of <i>Porta Juris</i> and EU criminal law legislation depending on juridical staff member's specialisation in the criminal law field.</p>	<p>(<i>Studiecentrum rechtspleging</i>)</p>	<p>prosecutors. Also, academics and non-legal professionals such as actors and psychologists take part in the training.</p>	<p>tutors, mentors, coaches (trainers in practice) and 'classical' trainer. The majority of the trainers on these programmes are judges and public prosecutors. Two programmes are offered, both of which focus on didactic rather than legal topics. Currently voluntary (unless a trainer has been identified as being in need of further training through the post course evaluation process), it is intended that in the future attendance at these programmes will be compulsory for all SSR trainers. In outline, the programmes cover:</p>	<p>combination with e-learning). Every participant gets their own online learning environment (My SSR). The training is focused on small groups (Max 12 participants for skills/behaviour training, 24 for transfer of knowledge), includes case studies, discussion, exercises. Post evaluation criteria include relevance, quality, effectiveness, and sustainability (evaluated on a scale from 1 to 4).</p>	<p>practices with other colleagues in the EU would be beneficial (lack of European dimension during the training).</p>	<p>group. However, sometimes the training is joined by Public prosecutors. Some courses are open judges, judicial staff and legal assistants.</p>
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					<p>Basic training (one day) consisting of training on didactic skills.</p>			
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					<p>Deepening training' (one day), on further didactic skills.</p>			
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					<p>SSR is developing a third programme, an online course on 'teaching in the digital world'. SSR has also developed a 'first aid kit' for teaching in difficult situations.</p>			
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POLAND

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
<i>Courts</i>								
Court Referendary Type 1 Functions 1/2/4	Non-existent	Voluntary. Flexible number of hours. Content includes: - Procedural guarantees for the protection of human rights - European Business law - International Insolvency proceedings - Capital markets in Poland and Europe (Stock exchange)	The National School of Judiciary and Public Prosecution	- judges - prosecutors - courts and public prosecutors' office staff - academics (N° of years of experience not specified)	No	1) Primarily face-to-face. Interactive sessions (Pwp and video recordings). Include theoretical sessions and case studies, role plays, moot courts, workshops, and language courses. 2) e-Learning: 31 sessions on soft-training, specialised training and	- International cooperation in civil matters - International cooperation in land and mortgage register matters	No

	<ul style="list-style-type: none"> - EU family law - CFR - EPPO and judicial cooperation - European Arrest Warrant - Schengen Information System - European Investigation Order - Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 - Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 - European Intellectual Property law - EU law on data protection and privacy rights - European cross-border civil procedures - EU Competition law - Application of European cross-border 				<p>training on English, German and French law.</p> <p>3) Mandatory online evaluation questionnaires (satisfaction with the programme and assessment of each lecturer). The evaluation compilations are checked by the Continuing Training Department.</p>		
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		<p>procedures: legal and language training</p> <ul style="list-style-type: none"> - European Order for Payment - Foreign trade in enforcement cases <p>*Here I excluded content they mentioned like German language and English legal terminology</p>						
<p>Court Secretaries (4 subcategories)</p> <p>a) Court Secretary</p> <p>b) Senior Court Secretary</p> <p>c) Recording Clerk</p> <p>d) Senior Recording Clerk</p> <p>Type 1 Functions 1/4</p> <p>Court Specialist (4 subcategories)</p>	Non-existent	<p>Voluntary</p> <p>Flexible number of hours.</p> <p>Content includes:</p> <ul style="list-style-type: none"> - Procedural guarantees for the protection of human rights - European Business law - International Insolvency proceedings - Capital markets in Poland and 	The National School of Judiciary and Public Prosecution	<ul style="list-style-type: none"> - judges - prosecutors - courts and public prosecutors' office staff - academics <p>(N° of years of experience not specified)</p>	No	<p>1) Primarily face-to-face. Interactive sessions (Pwp and video recordings). Include theoretical sessions and case studies, role plays, moot courts, workshops, and language courses.</p> <p>2) e-Learning: 31 sessions on soft-training, specialised</p>	<p>International cooperation in civil matters:</p> <ul style="list-style-type: none"> - Enforcement of maintenance orders Activities of Police and Public Prosecution Service - Enforcement of State Treasury receivables - Establishing addresses abroad (different approaches, 	No

<p>a) Specialist for legal international cooperation b) Senior Specialist for legal international cooperation c) Inspector d) Senior Inspector for legal international cooperation Type 1 Functions 1/4</p>		<p>Europe (Stock exchange) - EU family law - CFR - EPPO and judicial cooperation - European Arrest Warrant - Schengen Information System - European Investigation Order - Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 - Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 - European Intellectual Property law - EU law on data protection and privacy rights - European cross-border civil procedures - EU Competition law</p>				<p>training and training on English, German and French law.</p> <p>3) Mandatory online evaluation questionnaires (satisfaction with the programme and assessment of each lecturer). The evaluation compilations are checked by the Continuing Training Department.</p>	<p>regulations in different countries) - Service of judicial documents</p> <p>International cooperation in criminal matters: - European Arrest Warrant - Mutual recognition of financial penalties - SIS applications</p>	
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		<ul style="list-style-type: none"> - Application of European cross-border procedures: legal and language training - European Order for Payment - Foreign trade in enforcement cases <p>*Here I excluded content they mentioned like German language and English legal terminology</p>						
<p>Judge's assistant Type 1 Functions 1/2/4</p>	Non-existent	<p>Voluntary</p> <p>Flexible number of hours</p> <p>Content includes:</p> <ul style="list-style-type: none"> - International cooperation in civil proceedings - Procedural guarantees for the protection of HHRR - Parental abduction in 	The National School of Judiciary and Public Prosecution	<ul style="list-style-type: none"> - judges - prosecutors - courts and public prosecutors' office staff - academics <p>(N° of years of experience not specified)</p>	No	<p>1) Primarily face-to-face. Interactive sessions (Pwp and video recordings). Include theoretical sessions and case studies, role plays, moot courts, workshops, and language courses.</p>	<p>International cooperation in criminal matters:</p> <ul style="list-style-type: none"> - Enforcement of foreign judgments - Enforcement of financial penalties <p>International cooperation in family matters:</p> <ul style="list-style-type: none"> - Brexit - Non-litigious and 	No

		<p>cross-border aspect</p> <ul style="list-style-type: none"> - Inheritance proceedings with a cross-border element - Cross-border maintenance - Fighting organised cross-border crime - European Business law - International Insolvency proceedings - Capital markets in Poland and Europe (Stock exchange) - EU family law - CFR - EPPO and judicial cooperation - European Intellectual Property law - EU law on data protection and privacy rights - European cross-border civil procedures - International judicial cooperation in criminal matters 				<p>2) e-Learning: 31 sessions on soft-training, specialised training and training on English, German and French law.</p> <p>3) Mandatory online evaluation questionnaires (satisfaction with the programme and assessment of each lecturer). The evaluation compilations are checked by the Continuing Training Department.</p>	<p>guardianship proceedings</p> <ul style="list-style-type: none"> - Enforcement proceedings - Maintenance protective measures in international cooperation cases - Cooperation with Denmark 	
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		<ul style="list-style-type: none"> - EU Competition law - Application of European cross-border procedures: legal and language training - European Order for Payment - Foreign trade in enforcement cases - European Arrest Warrant - Schengen Information System - European Investigation Order - Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 - Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 <p>*Here I excluded content they mentioned like</p>						
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		German language and English legal terminology						
<i>Public Prosecutor's Offices</i>								
<p>Legal clerk Type 1 Functions 1/4</p> <p>Prosecutor's assistant/Senior or prosecutor's assistant Type 1 Functions 1/2/4</p> <p>Public prosecutor's office (all levels) staff Type 2 Functions 1/2/4</p>	Non-existent	<p>Voluntary</p> <p>Flexible number of hours</p> <p>Content includes:</p> <ul style="list-style-type: none"> - European Investigation Order - European Business law - International Insolvency proceedings - Capital markets in Poland and Europe (Stock exchange) - EU family law - CFR - EPPO and judicial cooperation - European Intellectual Property law - EU law on data protection and privacy rights 	The National School of Judiciary and Public Prosecution	<ul style="list-style-type: none"> - judges - prosecutors - courts and public prosecutors' office staff - academics <p>(N° of years of experience not specified)</p>	No	<p>1) Primarily face-to-face. Interactive sessions (Pwp and video recordings). Include theoretical sessions and case studies, role plays, moot courts, workshops, and language courses.</p> <p>2) e-Learning: 31 sessions on soft-training, specialised training and training on English, German and French law.</p> <p>3) Mandatory online evaluation questionnaires (satisfaction with the</p>	<p>International cooperation in criminal matters:</p> <ul style="list-style-type: none"> - European Arrest Warrant - European Investigation Order 	No

		<ul style="list-style-type: none"> - European cross-border civil procedures - International judicial cooperation in criminal matters - EU Competition law - European Order for Payment - Foreign trade in enforcement cases - European Arrest Warrant - Schengen Information System - European Investigation Order - Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 - Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 				<p>programme and assessment of each lecturer). The evaluation compilations are checked by the Continuing Training Department.</p>		
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PORTUGAL

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Judicial Technical Assistant Clerk Type 1 Functions 1/4 Judicial Technical Auxiliary Clerk Type 1 Functions 1/4 Assistant Clerk Type 1 Functions 1/4 Auxiliary Clerk Type 1 Functions 1/2/4	EU law training is not part of the induction training.	Continuation training is compulsory (statutory duty) and the number of hours per annum depends on the specific needs reported by the court. The topics include: Civil matters: Regulation 1393/2007, Regulation 1206/2001, Regulation 4/2009, Regulation 861/2007, Regulation 1896/2006; E-justice portal.	The training is organised by the Training Centre and provided by the International Judicial Cooperation Unit; both are part of the Portuguese Ministry of Justice.	Caseworkers or experienced practitioners from the International Judicial Cooperation Unit (particularly for civil law-related training); trainers from the Training Centre, who are experienced Court clerks (particularly for criminal law-related training)	Inconclusive - some trainers attend European training courses for trainers.	The EU law training is conducted by face-to-face interaction. Trainers provide participants with both theoretical background information and practical examples. The training includes interactive sessions, using PowerPoint presentation. It also includes case studies. After the training an anonymous electronic evaluation form is sent to	Civil matters: Regulation (EC) No 2201/2003, Regulation (EU) No 1215/2012.	No

		<p>Criminal matters: mutual legal assistance, extradition, Schengen Agreement, European Investigation Order, European Arrest Warrant, Judicial Atlas, European Judicial Network, the legal framework for issuing and enforcing judgments.</p>				<p>trainees. The form includes questions regarding relevance, quality and effectiveness of the training and the trainer, as well as the organisation of the training itself.</p>		
<p>High Court Secretary Type 2 Functions 1/3/4</p> <p>Secretary of Justice Type 2 Functions 1/4</p>	<p>EU law training is not part of the induction training.</p>	<p>Continuation training is compulsory (statutory duty) and the number of hours per annum depends on the specific needs reported by the court.</p> <p>The topics include: Civil matters: Regulation 1393/2007, Regulation 1206/2001, Regulation 4/2009,</p>						

		Regulation 861/2007, Regulation 1896/2006; E-justice portal.						
Judicial Technical Clerk Type 2 Functions 1/4 Legal Clerk Type 2 Functions 1/4	EU law training is not part of the induction training.	<p>Continuation training is compulsory (statutory duty) and the number of hours per annum depends on the specific needs reported by the court.</p> <p>The topics include: Civil matters: Regulation 1393/2007, Regulation 1206/2001, Regulation 4/2009, Regulation 861/2007, Regulation 1896/2006; E-justice portal.</p> <p>Criminal matters: mutual legal assistance, extradition, Schengen Agreement, European Investigation</p>						

		Order, European Arrest Warrant, Judicial Atlas, European Judicial Network, legal framework of issuing and enforcing judgments.						
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ROMANIA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Clerks Type 1 Functions 1/3/4	Compulsory. 34 hours. Content includes: - General aspects of EU law - Preliminary action - Legal instruments of the European Union - Basic notions of Human Rights. Application to the European Court of Human Rights and relevant legal provisions (Art. 2, 3, 5 and 6)	Compulsory participation at least once every 5 years. Otherwise it is voluntary. 220 hours of face-to-face training minimum + unspecified n° of hours of online training. *The maximum of hours of voluntary training is not specified. Content includes: - Summoning the defendant who lives abroad	National School of Clerks	- University graduates (with a first degree in legal sciences) - Judges - Prosecutors - Clerks - Other experts * Mandatory professional experience within the required area of expertise. Experience in teaching, experience in at least one conference or seminar as speaker, and publications on the required area of expertise	Trainers can attend 'Train the trainers' activities organised by the National School of Clerks at their own expense. *They may attend other courses organised by other institutions at their own expense as well.	1) Primarily face-to-face. Interactive sessions using case studies, trial simulations, practical exercises, debates, lectures. 2) They also employ e-Learning (Webinars, video training sessions and tutorials) and blended methodologies. 3) Evaluation forms are carried out by the National School of Clerks	Absent regarding: - Regulation n. 1206/2001 (*in particular how to operate the videoconference in practice) - Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 (*concretely on execution of letters rogatory, of hearings by means of videoconference and notification of judicial acts)	Yes, with auditors of justice of the National Institute of Magistracy (future judges and prosecutors)

	<ul style="list-style-type: none"> - Judicial cooperation in civil and criminal matters. Summoning the defendant who lives abroad - International judicial assistance in criminal matters (filling in the forms) - European Arrest Warrant - Extradition - Transfer of proceedings in criminal matters - The use of the European Judicial Atlas - Service of judicial and extrajudicial documents in civil and commercial matters between EU Member States - Cross-border taking of evidence in civil matters - The recognition and enforcement of judgments in civil, commercial and family matters 	<ul style="list-style-type: none"> - International judicial assistance in criminal matters (filling in the forms) - The European Arrest Warrant - European Investigation Order - Extradition - Transfer of proceedings in criminal matters - The use of the European Judicial Atlas - Service of judicial and extrajudicial documents in civil and commercial matters between EU Member States - Cross-border taking of evidence in civil matters - The recognition and enforcement of judgments - Useful terminology regarding the cross-border cooperation proceedings 		<p>will be an asset but not compulsory.</p>		<p>in order to assess both the seminar and the trainers' performance using the following criteria:</p> <ul style="list-style-type: none"> - Usefulness; - Relevance; - Quality; and - The effectiveness of the training provided. 	<p>*There are plans to make more emphasis on EU law.</p> <p>Please note that the above information does not imply that training activities are not required in other EU law topics that are not mentioned</p>	
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	<p>- Useful terminology regarding the cross-border cooperation proceedings</p>							
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SLOVAKIA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Assistant to Judge of the Supreme Court Type 1 Functions 2/3/4	Voluntary 14 hours covering international private and public law, EU law, criminal law	Voluntary 35 hours covering arrest warrants, cross-border law, family law, Brussels I and II.	Judicial Academy of the Slovak Republic and MOJ.	Judges, prosecutors and academics.	No.	Face-to-face to include an annual training conference. Evaluation consists of Post-event evaluation sheet, completed by each participant.	None identified	No.
Court Secretary Type 1 Functions 1/3	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
Higher Court Official Type 1 Functions 2/3/4	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto

SLOVENIA

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Judicial Assistant Type 2 Functions 2/3/4	Compulsory 5 hours covering service of documents abroad; international legal aid; service of documents abroad.	Voluntary 4-5 hours Recent rulings by the CJEU and ECHR re Enforcement.	Ditto	Experts from local courts at various levels of experience.	Ditto	Induction training is provided by e-Learning Continuation training is face-to-face. Evaluation by post-course Questionnaire	None identified	None yet, but in the process of Inclusion planning for the future.
Judicial Advisers (courts) Type 2 Functions 2/3/4	Compulsory 15 hours with comprehensive coverage of all relevant EU law issues.	Voluntary 20 hours with further coverage of supplementary EU law issues.	Ditto	Large range of trainers Drawn from a variety of backgrounds.	Ditto	Ditto	None identified	Ditto
Judicial Advisers (prosecutors' offices) Type 2	None but they will have a degree in law and have passed the bar examinations	Voluntary 5 hours to include EIOs, EU Convention on Human	Ditto	Ditto	Ditto	Ditto	None identified	Ditto

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Functions 2/3/4	which include knowledge of EU law.	Rights, domestic violence, overlaps between EU law and national law.						
Court Reporters Type 2 Functions 1/4	Compulsory 2 hours Preparation of decisions, letters and enquiries to be sent abroad.	None	Ditto	Local court Presidents; Heads of Court Reporters at local courts.	Ditto	Ditto	None identified	Ditto

SPAIN

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Judicial Counsellor (Civil) Type 1 Functions 1/3/4 Judicial Counsellor (Criminal) Type 1 Functions 1/3/4	<p>Compulsory.</p> <p>One initial phase of 176 hours for theoretical training (from which only 10 hours are dedicated to EU law) and a second one of 320 for practical sessions.</p> <p>Content includes: - 1 hour: Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 - 3 hours: Directive</p>	<p>Voluntary.</p> <p>Maximum of two courses per year (10 hours each) for national training. Possibility of undertaking one additional course per year in the case of international training (10 hours). *Possible attendance to a fourth training session if there are free places.</p> <p>Content includes: - European Arrest Warrant</p>	<p>Centre of Legal Studies (Ministry of Justice)</p> <p>Sometimes decentralised training centres also provide training sessions</p>	<ul style="list-style-type: none"> - Judicial counsellors - Judges and Prosecutors - Academics - State Attorneys - Law enforcement officers - Coaches 	<p>Training of 50-hour module insisting on online methodologies.</p> <p>(*It has been introduced this year for the first time)</p>	<p>1) Primarily face-to-face (both theoretical and practical sessions using interactive methods like PwP, videos, simulations, case studies, study visits).</p> <p>2) e-Learning for specific courses (4 months long) on civil and criminal international cooperation.</p> <p>3) Blended learning has been introduced as a new</p>	<p>Insufficient training on the aforementioned topics from a practical perspective. More practical understanding (case-law and analysis of real cases could be beneficial).</p>	<p>Sometimes joint activities are carried out with judges and prosecutors.</p>

	<p>2014/41/EU of the European Parliament and of the Council of 3 April 2014</p> <p>- 3 hours: International Judicial Cooperation in Civil matters</p> <p>- 3 hours: International Judicial Cooperation in Criminal matters.</p>	<ul style="list-style-type: none"> - European Investigation Order - European Protection Order - Recognition and enforcement of decisions on the confiscation of property - Regulations on the payment order procedure and the small claims procedure - European account preservation order - Brussels I bis and II bis - Regulation on the service of judicial and non-judicial documentation - Regulation on the taking of evidence - Recognition and enforcement of decisions on financial penalties - Recognition and enforcement of judgments by which a prison sentence has been 				<p>method this year due to Covid-19.</p> <p>4) Evaluation is carried out by the Centre of Legal Studies using DAC criteria (relevance, efficiency, effectiveness, impact, sustainability).</p>		
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		pronounced or any measure which includes the deprivation of liberty.						
<p>Procedural Managers (Civil) Type 1 Functions 1/4</p> <p>Procedural Managers (Criminal) Type 1 Functions 1/4</p>	<p>On a general basis, it is non-existent for civil servants that passed the admission state exam.</p> <p>*However, in the case of Catalonia, it is compulsory for interim staff competing in the selection process (the results are part of the admission criteria).</p> <p>*In the case of the Basque country, it consists only of tutorials (20 hours total) for interim staff. Newly appointed procedural managers can also undertake the training voluntarily.</p>	<p>Voluntary.</p> <p>Flexible number of hours depending on the will of each civil servant. However, the maximum of hours established is 40.</p> <p>Content may include:</p> <ul style="list-style-type: none"> - Payment proceedings - Victim protection - EU Administrative law. Basic concepts. - e-Justice. Forms. - Data protection <p>*However the content varies from the courses offer of each training centre in each autonomous</p>	<p>Training department (Ministry of Justice)</p> <p>* For the rest of the autonomous communities in which the regional government has transferred the educational competences, training depends on the Department of the General Direction of Justice within the Regional Council of Justice (e.g. Catalonia).</p> <p>External centres</p>	<ul style="list-style-type: none"> - Experienced Procedural managers - Judicial Counsellors - Academics - Judges or Prosecutors . 	<p>Ministry of Justice’s trainers do not receive any training.</p> <p>Other regions offer online or blended training</p>	<p>1) Primarily online. However all methods are combined depending on the region. Face-to-face methods are also used for specific training sessions (overall on IT skills). Blended learning is also used for a very few courses. Another used methodology is self-learning (participants can access to materials directly on an online platform)</p> <p>2) Evaluation is carried out by each training centre through two questionnaires. Trainers assess the acquired</p>	<p>Definitely, training is insufficient (if not absent) on EU law on a state scale.</p>	<p>In some cases, with clerks.</p>

	Content does not include EU law topics.	region. Not all autonomous regions offer training on EU law.				<p>knowledge of participants, the methodologies, and the organisation.</p> <p>On the other hand, participants receive a satisfaction survey to assess the activity, materials and organisation.</p>		
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SWEDEN

Categories and Functions	Induction training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Continuation training (number of hours per annum, compulsory or voluntary, summary of topics covered)	Who provides training?	Typical background of trainers	Are they trained as trainers?	Outline of methodologies and any post-training evaluation	Areas where further training in EU law could be beneficial	Is any training provided in conjunction with other professionals?
Administrative Director Type 2 Functions 1	Voluntary. 16 hours per annum.	Non-existent	Enheten för lärande – a unit of The Swedish National Courts Administration. (Ministry of Justice)	Public procurement specialists (Nº of years of experience not specified)	They receive 2 classes about pedagogy (one face-to-face and one e-learning)	1) Primarily face-to-face: group discussions. 2) e-Learning: up to 1-hour sessions. Include interactive materials such as test, quizzes or games. 3) Evaluation method: satisfaction surveys (in order to assess the trainer's performance and the programme content)	None	No
Administrative Lawyer Type 2 Functions 1/2	Content: - Public procurement							
Administrator Assistant Type 2 Functions 1								

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Court clerk Type 2 Functions 1/4	Non-existent	Non-existent	None	None	No	None	None	No
Head of Court Clerk Type 2 Functions 1/4								
Reporting Clerk (Administrative Courts) Type 1 Functions 1/2/3/4 Drafting Coordinator Type 2 Functions 1/4	Voluntary. 50 hours per annum Content includes: - Migration law - Public procurement - Value-added tax - General aspects of EU law and European institutions - European Convention on Human Rights related to various tax procedures	Voluntary. 115 hours per annum Content includes: - Migration law - State aid - Public procurement - Value-added tax - International direct taxation - European Convention on Human Rights - EU Charter of Fundamental Rights	Domstolsakademin – The Judicial Training Academy, a part of The Swedish National Courts Administration. (Ministry of Justice)	- Judges - Professors or senior lecturers - Lawyers - Prosecutors - Representatives from governmental agencies (Nº of years of experience not specified)	They receive 2 classes about pedagogy (one face-to-face and one e-learning)	1) Primarily face-to-face: group discussions. 2) e-Learning: up to 1-hour sessions. Include interactive materials such as test, quizzes or games. 3) Evaluation method: satisfaction surveys (to assess the trainer's performance and the programme content)	Coordination of social security benefits (EC regulation 883/2004) *This EC Regulation is expected to be included starting late 2020. It is already included in the number of hours of induction training	No
Drafting Lawyer Type 1 Functions 1/2/3/4	Voluntary. 11 hours per annum.	Voluntary. 26 hours per annum	Domstolsakademin – The Judicial Training Academy, a part of The Swedish	- Judges - Professors or senior lecturers - Lawyers - Prosecutors	They receive 2 classes about pedagogy (one face to face and one e-learning)	1) Primarily face to face: group discussions.	Insufficient: International family law (induction training missing)	No

STUDY ON THE TRAINING NEEDS OF COURT STAFF ON EU LAW IN THE EU – TECHNICAL ANNEXES

	<p>Content includes:</p> <ul style="list-style-type: none"> - General aspects of EU law and European institutions - European arrest warrants - Jurisdictional regime (Brussels I Regulation) 	<p>Content includes:</p> <ul style="list-style-type: none"> - Environmental law (e.g. EU Water Framework Directive 2000/60/EC) - European Convention on Human Rights - EU Charter of Fundamental Rights - Brussels II regulation and international family law 	<p>National Courts Administration. (Ministry of Justice)</p>	<ul style="list-style-type: none"> - Representatives from governmental agencies <p>(Nº of years of experience not specified)</p>		<p>2) e-Learning: up to 1-hour sessions. Include interactive materials such as test, quizzes or games.</p> <p>3) Evaluation method: satisfaction surveys (to assess the trainer's performance and the programme content)</p>	<p>Absent: European arrest warrants</p> <p>* e-learning training on international criminal law (European Arrest Warrants) and international family law are expected to be included starting late 2020. However, international criminal law is included in the number of hours of induction training, but family law is not.</p>	
<p>Head of Drafting Division Type 1 Functions 2/4</p> <p>Judge Referee Type 1 Functions 1</p>	<p>Voluntary.</p> <p>51 hours per annum</p> <p>Content includes:</p> <ul style="list-style-type: none"> - Migration law - Public procurement - Value-added tax - General aspects of EU law and 	<p>Voluntary.</p> <p>104 hours per annum.</p> <p>Content includes:</p> <ul style="list-style-type: none"> - Migration law - State aid - Public procurement - Value-added tax - Environmental law (e.g. EU Water 	<p>Domstolsakademin – The Judicial Training Academy, a part of The Swedish National Courts Administration. (Ministry of Justice)</p>	<ul style="list-style-type: none"> - Judges - Professors or senior lecturers - Lawyers - Prosecutors - Representatives from governmental agencies <p>(Nº of years of experience not specified)</p>	<p>They receive 2 classes about pedagogy (one face to face and one e-learning)</p>	<p>1) Primarily face to face: group discussions.</p> <p>2) e-Learning: up to 1-hour sessions. Include interactive materials such as test, quizzes or games.</p> <p>3) Evaluation method:</p>	<p>Insufficient: international family law.</p> <p>Absent: Coordination of social security benefits (EC regulation 883/2004) and European arrest warrants.</p> <p>*Training on the coordination of social security</p>	<p>No</p>

	European institutions - European Convention on Human Rights related to various tax procedures - European arrest warrants - Jurisdictional regime (Brussels I Regulation)	Framework Directive 2000/60/EC)				satisfaction surveys (to assess the trainer's performance and the programme content)	benefits (EC regulation 883/2004), international criminal law (European arrest warrants) and international family law is expected to be included starting late 2020. However, Regulation 883/2004 and European Arrest Warrant are already included in the number of hours of induction training, but international family law is not.	
Law Clerk (Administrative Courts) Type 1 Functions 1/2/3/4	Compulsory (plus additional voluntary e-learning sessions) 27 hours per annum. Content includes: - Migration law - Value-added tax	Non-existent	Domstolsakademin – The Judicial Training Academy, a part of The Swedish National Courts Administration. (Ministry of Justice)	- Judges - Professors or senior lecturers - Lawyers - Prosecutors - Representatives from governmental agencies (Nº of years of experience not specified)	They receive 2 classes about pedagogy (one face to face and one e-learning)	1) Primarily face to face: group discussions. 2) e-Learning: up to 1-hour sessions. Include interactive materials such as test, quizzes or games.	None	No

STUDY ON THE TRAINING NEEDS OF COURT STAFF ON EU LAW IN THE EU – TECHNICAL ANNEXES

	- General aspects of EU law and European institutions					3) Evaluation method: satisfaction surveys (to assess the trainer's performance and the programme content)		
Law Clerk (General Courts) Type 1 Functions 1/2/3/4	Voluntary. 1 hour per annum Content includes: - General aspects of EU law and European institutions	Non-existent	Domstolsakademin – The Judicial Training Academy, a part of The Swedish National Courts Administration. (Ministry of Justice)	- Judges - Professors or senior lecturers - Lawyers - Prosecutors - Representatives from governmental agencies (Nº of years of experience not specified)	They receive 2 classes about pedagogy (one face to face and one e-learning)	1) Exclusively e-Learning. (up to a one-hour session. May include interactive materials such as test, quizzes or game. 3) Evaluation method: satisfaction surveys (to assess the content's quality, structure; technical issues and potential improvements)	None	No

Annexe 11 – Questionnaire 3

- 1- Please read carefully the summary of your responses to **Questionnaire Two**, prepared by our experts, and either a) confirm it as accurate; or b) amend the summary as appropriate.

- 2- Is the amount of training in EU law currently provided to your Type 1 and Type 2 court staff considered **by senior managers** to be a) sufficient, or b) insufficient?

Sufficient	
Insufficient	

- 3-
 - a. If your answer is b) (**insufficient**), please indicate in which of the following areas of EU law more training should be provided, and to which category of court staff.

In addition, at the bottom of our list, you will find a series of empty boxes. Please use these empty boxes to add any additional area of EU law in which training should be provided.

Area of EU law	Details of relevant EU legislation, Directive, Regulation, etc. (if known)	Court Staff Category
Cross-border civil procedures		
Cross-border commercial procedures		
Cross-border criminal procedures		
International cooperation in civil matters		
International cooperation in criminal matters		

International cooperation in land and mortgage register matters		
International cooperation in family matters		
Service of judicial and extra-judicial documents		
Procedural rights in criminal procedures (such as access to interpretation & translation, access to a lawyer, access to information, etc.)		
Evidence in civil and commercial matters		
The execution of letters rogatory		
EU law aspects of enforcement of court decisions		
EU Human rights (access to justice, rights of the child, rights of the victim, etc.)		
Gender rights		
Cross-border e-justice (videoconferencing, online procedures, etc.)		
Linguistic skills		

b. (Optional)

In the case where the area of training touches upon several sub-areas of EU law, please use the box below to summarise such examples.

For example: An EU male citizen is accused of domestic violence against his wife. He then moves to a different EU country. How will the law enforcement authorities of his home country make sure that a restraining order is executed?

In this example, different areas of EU law would be relevant, including the European Protection Order, (criminal law and cross-border cooperation in criminal matters), the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (gender and equality).

Please use the box below to provide any such examples.

4- Where training in the above-identified areas of EU law is not currently provided, please indicate the reasons why not (you can indicate more than one reason):

Reason	Yes/No
Lack of or scarce budget	
Lack of or insufficient time for training, including because of workload pressure	

Trainers with relevant expertise not available	
Not considered a priority by court staff	
If you have indicated 'other reasons', please indicate which ones here below:	

5- Given the current restrictions arising from the Covid-19 pandemic, do you believe there will be demand for more online training courses?

Yes	No
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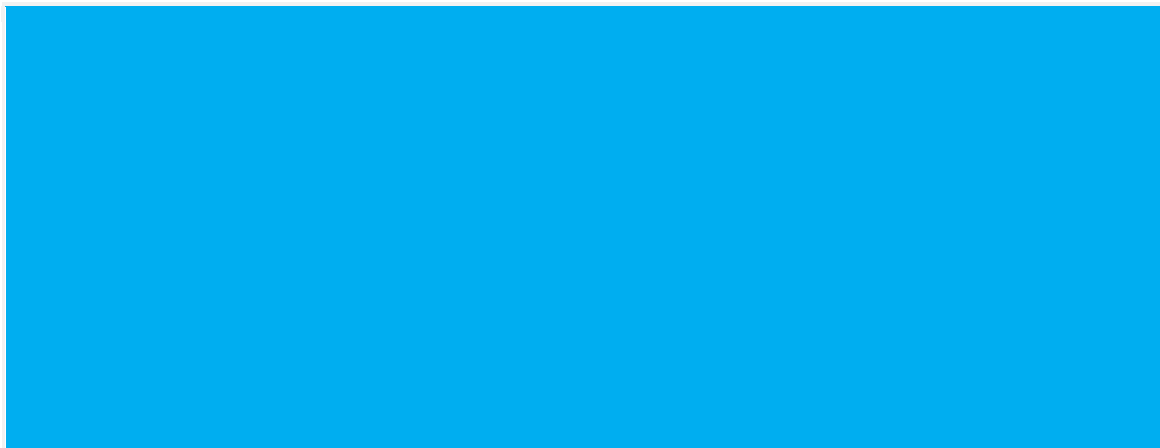
If your answer is **Yes**, please give details.

6- If more **Train the Trainer** courses were to be offered in your jurisdiction, would your trainers be likely to attend such courses, if they were provided in any of the following formats?

Face-to-face in-house	
Online	
Via Blended Learning	

7-

- a. Post-training evaluations are important to improve the quality of training delivery. How are participants' comments and evaluations taken into account by relevant departments and trainers, when designing future training?

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Would you be able to provide us with a summary of the most recurrent comments from participants on what works very well in training and what should be improved in the training delivered? Answering this question will help us make recommendations on how to design more effective training across all Member States.

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- b. Do you make use of the Kirkpatrick Model of evaluation, either the original or the New World model? For further info, see attached link:

<https://www.kirkpatrickpartners.com/Our-Philosophy/The-New-World-Kirkpatrick-Model>

Yes	No
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- 8- If entities, such as the institutions of the European Union, EJTN, etc. were to make available **online** a brief introductory **generic course** (i.e. one course available to all Member States) on either of the following topics, is it likely that your court managers would encourage their court staff to enrol on this course?

The Institutions of the European Union, their Powers and Responsibilities.	Yes or No
Relevant Issues of EU law and Procedure.	Yes or No

- 9- If you answered **Yes** to either of the above two options, would your answer differ if the course were only available in the English language?

Yes	No
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If your answer to 9 is **Yes**, please indicate what steps would need to be taken to make a course in English a practical option in your country.

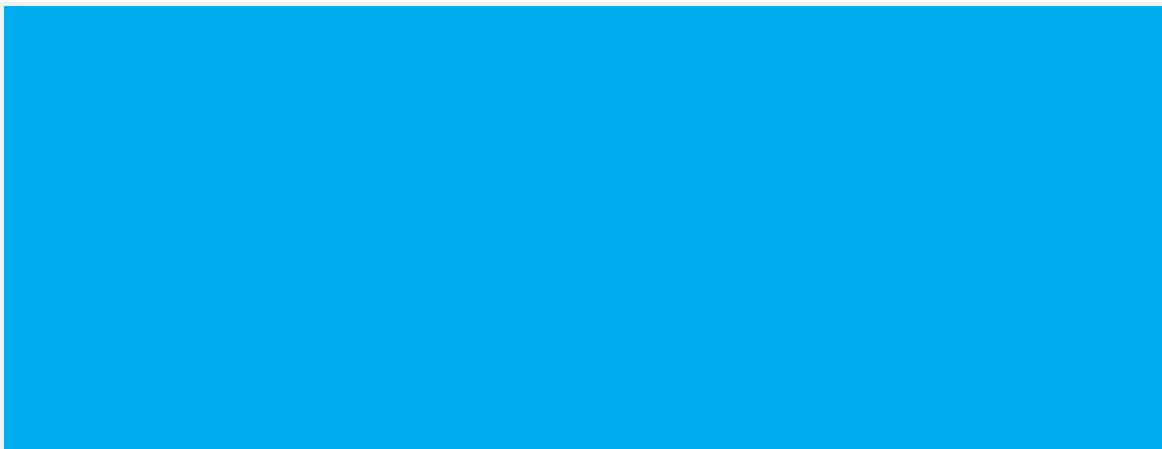
10-

- a. If the European Commission chooses to encourage greater use of **transnational training** for court staff in EU law (i.e. courses involving participants from more than one member state), is it likely that your court staff would wish to participate in such a programme?

b. Have any of your court staff already participated in transnational training?

No	
Yes (please provide details)	

11- The European Commission wishes to encourage EU Level **networking of all court staff training providers**. Do you agree that this would be a positive development, and if so, could you give us your ideas as to how this might work?



Annexe 12 – Table of the Study’s Recommendations

Paragraph in the Study ⁸⁰	Recommendations
7.2.	Member States should consider formalising the role of NCOs (either the incumbent NCO or their successor) as a permanent position within their national court staff training structure, in order to make the best use of the overarching knowledge and experience the NCOs have acquired in the course of this Project.
7.3.	Court staff managers should be encouraged to adopt the Type, Task and Function Template Classification developed for this Study as a standard Template that is regularly updated, enabling them to identify with greater accuracy staff with priority needs for training in EU law and what the precise nature of that training might be.
7.5.	The findings of the ERA/EJTN court staff training projects on training methodologies [see paragraph 5.8] should be adopted in full as providing a tried and tested methodology for the effective delivery of cross-border and transnational court staff training in areas of EU law in which there is a common interest.
7.6.	Incorporating trainers from a wide range of professional backgrounds represents a very positive approach by training providers, since it reflects the diversity of Tasks and Functions for which staff as a whole are responsible, and this should be further encouraged.
7.7.	<ul style="list-style-type: none"> - Serious consideration should be given by training managers to introducing compulsory Train the Trainers courses for all their trainers. - In addition, as the skills required of a competent trainer are both generic and universal, transnational Train the Trainers courses could be developed under the umbrella of an existing training network such as EJTN (see also Recommendation 7.13 below). Training in new areas of substantive EU law should where appropriate, be incorporated in these sessions. - Train the Trainers course providers in countries where such programmes are well developed (see above at para. 5.6 and 5.6) could set up bilateral Train the Trainers programmes under some sort of buddy arrangement.
7.8.	<ul style="list-style-type: none"> - While there is much imaginative and creative use of new methodologies across the EU Member States’ training communities, there are still a number of Member States in which the use of more innovative and productive training methodologies needs to be explored and encouraged. In deciding upon the most appropriate methodology for the delivery of a particular training programme, course planners should draw, in particular, upon the findings of the ERA/EJTN Project in this regard (see 7.5) and also ensure that they pay close attention to the views of trainees as expressed in post-course evaluations.

⁸⁰ The number indicated in this column corresponds to the part of the Study where further related information can be found.

	<ul style="list-style-type: none"> - In designing training programmes, providers should take note of the following list of comments uncovered by our survey, which represent a clear consensus across the EU court staff community: <ul style="list-style-type: none"> o There is a strong preference for training based on case studies that are practical and relevant. o More time should be allowed for interactive discussion, whether face-to-face or online. o The use of a wide range of teaching tools should be encouraged. o The skills of the trainer are a critical factor (knowledge of the subject, good interpersonal skills, etc.) o A highly theoretical and academic approach to training topics should be discouraged. o The provision of course materials in advance of, and following the course, should be encouraged. o Training events should be longer and/or the number of such events increased. - Training managers should ensure that where court staff are required to take part in online training, it must be possible for them to participate in the training from their workplaces (see 5.9.1).
7.9.	Training providers are encouraged to further explore active engagement with the Kirkpatrick Model in their future evaluation schemes, to include an assessment at all four Levels.
7.10.	<ul style="list-style-type: none"> - That court staff training managers audit their assumptions about the absence of any need for training on EU law for certain categories of Type 1 and Type 2 court staff, to satisfy themselves that these assumptions are correct and evidence-based. - That the European Commission, working in tandem with existing training networks, investigates ways in which access to information regarding current and new EU legislation (including Regulations and Directives) relevant to court staff can be disseminated and channelled through a single central source (a clearing house) that is easily accessible to court staff, court staff trainers and their managers.
7.11.	<ul style="list-style-type: none"> - The European Commission, in consultation with relevant stakeholders, should develop a standard assessment framework to evaluate the level of theoretical and practical knowledge of key areas of EU law required of court staff (Type 1 and Type 2) in Member States. - There are areas of EU law which existing training activities do not cover in some Member States.⁸¹ Where such gaps exist (as identified in this Study), training managers in individual Member States should take steps to fill these training gaps in a timely fashion and as a matter of priority, by developing appropriate additional curricula. - Initial training should cover both the basic and the latest developments, together with their practical application in different areas of EU law (see 5.3).

7.12.	<ul style="list-style-type: none"> - The European Commission should promote the development, within existing networks, of EU-wide introductory generic training courses on EU law and EU governance. - The training must be accessible, in terms of the mode in which it is delivered, as well as in terms of the language used. - The course could be offered using online, asynchronous modes of delivery and with subtitles available in different EU languages, where needed. - In order to partly overcome the issue highlighted above in 7.11., extra online materials could be included in the virtual learning environment to provide reference to relevant pieces of EU legislation. In order to further assess participants' training needs in these areas, the online learning environment could include software apps adding surveys and other useful generic data. In addition, forum boards can help court staff to network online and exchange relevant information.
7.13.	<ul style="list-style-type: none"> - The European Commission should encourage further exchanges of court staff across the European Union within the current exchange programme managed by EJTN. - The European Commission should explore mechanisms for establishing pan-European training programmes, or small bespoke bilateral programmes, to support the training of Member State court staff Types 1 and 2, and thereby facilitate further networking opportunities. This could be by triggering existing networks to develop such programmes, or trainer exchanges. - The established networks should research the logistics for a) the creation of transnational mentorship schemes, which could support the further development of court staff trainers; b) the introduction of a programme of cross-border apprenticeship schemes, which would provide work-based training for trainers that transcend national borders.
7.14.	<p>The European Commission should give consideration to the funding of a EU wide comparative study on current best, good and promising practices in the training of court staff Types 1 and 2, similar to the study published by the Commission in 2014 in connection with the training of judges and prosecutors.</p>

⁸¹ These areas are: international cyber criminality; conduct and conclusion of the procedure in other countries; protection orders; data protection in the EU (GDPR); public procurement procedures and practices in the EU; administrative judicial process (administrative law and procedure); inheritance cases regulation; inheritance law; preliminary ruling; family law; matrimonial property regimes and the law of registered partnerships in Europe; protection against violence; guardianship law; European account attachment order regulation; legal aid directive; European enforcement order; European Payment Order; notary and public deeds; international documents, legalisation and apostille (e.g. the Hague Convention); requests for service and mutual legal assistance.

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