

<b>Official name in original language</b>	<b>Conseil Supérieur de la Magistrature</b>
<b>Official name in English</b>	High Council for the Judiciary
<b>Address</b>	21, boulevard Haussmann, 75009 Paris
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<b>Brief history</b>	The Council was established as an autonomous constitutional body by the French Constitution of October 27 <sup>th</sup> , 1946, marking the intention to found an independent justice system. Different laws reformed the institution, its composition and powers. Budgetary autonomy was granted by the law of July 22 <sup>nd</sup> , 2010.
<b>Constitutional or legal status/basis</b>	Autonomous constitutional body, assisting the president of the republic in its mission to guaranty the independence of the judicial power (article 64 of the Constitution).
<b>Legal acts regulating the Status</b>	Article 64 of the Constitution of the French Republic of October 4 <sup>th</sup> , 1958 modified by the constitutional law of July 27 <sup>th</sup> , 1993. The Councils composition is defined by article 65. The constitutional law nr2008-274 of July 23 <sup>th</sup> , 2008 on the modernization of the institutions of the 5 <sup>th</sup> Republic and the constitutional bylaw nr2010-830 of July 22 <sup>nd</sup> , 2010 reformed profoundly the Council regarding its composition and operating procedures, the appointments of members of the judiciary and complaints of citizens.
<b>Composition:</b>	
Total number of members	22 members
Term of office	4 years
Is there a possibility to be renewed as a member?	Yes, but not consecutively
Do the members have a full-time position or not?	Not full-time
Make up	Consists of judges, prosecutors and lay members: <ul style="list-style-type: none"> <li>- <b>6 elected judges</b> (5 are member of the formation with jurisdiction over sitting judges and 1 is a member of the formation with jurisdiction over public prosecutors);</li> <li>- <b>6 elected prosecutors</b> (5 are member of the formation with jurisdiction over public prosecutors and 1 is a member of the formation with jurisdiction over sitting judges);</li> <li>- <b>President of the Cour de Cassation;</b></li> <li>- <b>General Prosecutor of the Cour de Cassation;</b></li> <li>- <b>8 prominent figures from outside the judiciary:</b> 1 member of the</li> </ul>

	<p>Conseild'Etat elected by the general assembly of the Conseild'Etat, 1 lawyer nominated by the president of the national Council of bars and 6 prominent figures nominated respectively by the President of the Republic, the president of the National Assembly and the president of the Senate.</p>
Is there a majority of Judges?	<p>No, the members of the judiciary form a minority in the formations with jurisdiction regarding nominations of members of the judiciary and are in a position of parity in matters of discipline</p>
Presidency	<p>President of the plenary formation and President of the formation with jurisdiction over sitting judges: President of the Cour de Cassation. Substitute President of the plenary formation and President of the formation with jurisdiction over public prosecutors: General Prosecutor of the Cour de Cassation.</p>
<b>Main Competences:</b>	
Career of judges and / or prosecutors	<p>The formation of the Council with jurisdiction over sitting judges is empowered to propose appointments for judicial positions at the Cour de Cassation (first president, division president, trial judges, special judges, auxiliary judges and junior officers), first presidents of Court of Appeal and presidents of Tribunaux de Grande Instance. The formation of the Council with jurisdiction over sitting judges issues an opinion on the proposed appointment of other sitting judges by the Minister of Justice, who is bound by this opinion. The formation of the Council with jurisdiction over public prosecutors has the task to issue a simple "favourable" or unfavourable" opinion on proposed appointments by the Minister of Justice who is not bound by this opinion.</p>
Judicial training	<p>No competence</p>
Discipline	<p>The Council receives cases referred to by the Minister of Justice, the first presidents of courts of appeal or presidents of higher appeal courts, or by principal prosecutors at courts of appeal or prosecutors at higher appeal courts and finally by litigants. The formation having jurisdiction over sitting judges delivers the sanction. The formation of the Council with jurisdiction over prosecutors issues a simple opinion as only the Minister of Justice is granted power to impose a sanction. Each formation of the Conseil supérieur de la magistrature may charge one or more of its members to conduct fact-finding missions at the Cour de Cassation, the courts of appeal, the tribunals and the National Judiciary School</p>
Ethics	<p>Formulates and publishes a repository of ethical obligations for magistrates. The plenary formation rules upon matters related to the professional ethics of magistrates as well as matters relating to the functioning of the justice system referred to it by the Minister of Justice.</p>
Opinions on legislation / other opinions	<p>Requests for opinions are formulated by the President of the Republic to the Council meeting in plenary formation presided over by the first president of the Cour de Cassation.</p>

<b>Status of decisions</b>	The disciplinary sanctions delivered by the formation having jurisdiction over sitting judges are jurisdictional decisions
<b>Review</b>	The disciplinary sanction delivered by the formation having jurisdiction over sitting judges can be appealed before the Conseil d'Etat on a point of law.
<b>Budget</b>	<p>The Council's budget is autonomous in relation to the budget of the judiciary services. The President of the Cour de Cassation manages the budget and negotiates the budget with the Minister of economy and finances.</p> <p>The budget allocated to the Council is to cover the expenses related to its functioning in the exercise of its competences.</p>