



European Network of Councils
for the Judiciary (ENCJ)

Réseau européen des Conseils
de la Justice (RECJ)

ENCJ WORKING GROUP

Register of Quality Activities 2008-2009

Quality Management and its Relation to
Transparency
and Access to Justice



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2009 Register of Quality Activities

Appendix to the ENCJ Working Group Quality Management's Report on Quality Management and its Relation to Transparency and Access to Justice

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1. Mission, Vision and Strategy

1. Develop the Mission and Vision of the courts of first instance (Belgium)

The High Council facilitated the drawing up of a mission statement by the courts of first instance. An impulse was also provided for the development of a vision by the courts of first instance.

2. Mission, Vision and Strategy (Bulgaria)

The mission and the vision are stated in the Constitution of the Republic of Bulgaria and the Law on the Judiciary. The judiciary protects the rights and the lawful interests of individuals/physical persons, the legal entities and the state. The judiciary is independent. When performing their functions, the judges, jurors, prosecutors and investigators are subjected solely to the law. The hearings are public, except where the law requires otherwise. One of the main priorities of the Strategy for reform of the judicial system for the period 2008-2013 is to provide an equal access to justice for all individuals through ensuring and making effective legal aid available. A specialized state body of the executive power, i.e. National Bureau for Legal Aid, was founded under the Law on Legal Aid. This body ensures equal access to justice for individuals through providing free legal aid and providing mandatory legal help under the law. Making the access to legal aid popular is accomplished by preparation and distribution of information materials such as information boards for the types of legal aid, handbooks/guides for citizens, media and internet, hot line.

3. Vision and values (Denmark)

The vision and values of the Courts of Denmark are the core of quality work in the Courts of Denmark. Since the adoption of the vision and values, the Courts of Denmark has worked on implementing these in everyday life of the organization. As part of this implementation the Court Administration and individual courts develop a plan of action every year. As a starting point all plans of action use the focus areas agreed upon in a certain year by the Board of governors of the Courts of Denmark. Each court decides on its own whether the court wants to publish the action plan on the courts home page or not.

4. Mission, Vision and Strategy (Germany)

The aim of the German legal system is to solve all legal disputes as quickly as possible. High standards are followed because the acceptance and quality of justice are principally dependent on its efficiency and proximity to citizens.

5. Mission, vision and strategy (Hungary)

In the Republic of Hungary the management of the courts and the status of the members of the judiciary are regulated by laws. These laws were elaborated and adopted by the Parliament in the course of the justice reform during the second half of the 1990s. The laws can be amended only by a 2/3 majority of votes, this provision is to further strengthen the constitutional guarantees of the independence of the judiciary.

The National Council of Justice (NCJ) – the judiciary's self-governing body by law, worked out and adopted the mission and vision of the judiciary for the period of its mandate – six years. The NCJ regularly overviews its mission and vision formulated in a public decision. Similarly, the NCJ regularly discusses court management issues and issues regulatory decisions valid for all courts (except the Supreme Court).

6. Mission, vision and strategy (Latvia)

The mission, vision and strategy of the courts and the Court Administration (CA) are defined in the 'Working strategy of the Ministry of Justice for 2007-2009' and the 'Working strategy of the CA for 2008-2010'. There are defined tasks, which should be implemented in the medium term, and defined quality measuring indicators, which should be observed. The courts are introduced with this document to know the development plans for the next years. The documents mentioned above are available accordingly on the web page of the Ministry of Justice and on the web page of the CA. The working strategy is also used for budget planning for the next years.

7. Mission and vision (Lithuania)

All courts prepare their Strategic plans of activities for the term of three years and present the original plan to the Ministry of Finances and a copy to the National Courts Administration.

8. Mission and vision (The Netherlands)

Every Strategic Agenda comprises a mission, a vision and a number of targets. The judiciary's mission is the same for every Agenda, details of the vision can vary, and the targets can differ for each Agenda. When the Council starts formulating a new Agenda, it evaluates to which extent the targets of the previous Agenda have been achieved and those that have not. Those that have not will find their way onto the new Agenda. In order to flesh out the targets, each target has been converted into a number of specific results which must be achieved. The results also state who has primary responsibility for realizing them: the Council itself, the national meetings of sector heads or the court boards. This makes it possible to give direction to the implementation of the Agenda. In their annual plans, both the Council and the courts indicate what they intend to do to achieve the targets, and their achievements are recorded in the annual reports.

Mission and vision are part of the Agenda and are therefore public information. The Agenda is distributed to the courts by the Council for the Judiciary every four years and is also available on the public website (rechtspraak.nl). The Mission and vision are guidelines for the courts, but are also available to other parties.

2. Total Quality System

1. Introduction of the CAF model (Denmark)

To enable comparisons between different court systems and to assess their performances properly, the Courts of Denmark have recently introduced the CAF model ("EFQM" for the public sector). The model is initially implemented on a small scale, the main objective being to raise the level of knowledge about the model amongst court leaders and staff. To do this, the model has been described in the printed quarterly newsletter of the Courts of Denmark, which every employee receives. In addition, the presidents of the courts together with the management group of the Court Administration have carried out a self-assessment.

2. Evaluation of the Quality of Adjudication in Courts of Law (Finland)

The Quality principles and Benchmarks proposed by the Quality Project of the Courts in the Jurisdiction of the Court of Appeal of Rovaniemi will form a basis for the quality work of for future years, as well as for the monitoring and developments in quality. The Quality Benchmarks consist of six fields of assessment, which comprise a total of 40 quality criteria, as follows: 1. procedure (9 criteria); 2. judgement (7 criteria); 3) treatment of the parties and other participants in the proceedings (6 criteria); 4. promptness of the proceedings (4 criteria); 5) professional skill and competence of the judge (6 criteria); and 6) organization and management of adjudication (8 criteria). The Benchmarks are published in English, Finnish, French and Swedish (English version Evaluation of the Quality of Adjudication in Courts of Law, March 2006, ISBN 951-53-2874-8). For further information, please see paragraph 4.2 of the report and/or contact the Chief Judge of the District Court of Oulu Harri Mäkinen or Judge Antti Savela (see contact details on p. 40 of the Register).

3. Regulations formulated by the NCJ (Hungary)

The NCJ has been active in formulating the judiciary's quality management system. Regulations on different aspects of the judiciary's functioning govern the courts' activities. Presidents of county courts and appellate courts have to regularly report about the implementation of the NCJ's decisions.

4. Quality indicators (Latvia)

In Latvia, quality indicators have been established for the following areas: quality in the court system, and the administration of the courts and provision of material technical basis. Indicators for the quality of the court system include such things as the number of decisions made by a Land Registry judge, the length of proceedings (specified according to court level and per sector), and the number of first instance court decisions postponed or annulled in appeal. In the area of administration of the courts, indicators include the number of adjudicated offence cases (per sector), the number of working places for court staff, the number of judges per 100.000 inhabitants, and the number of methodical activities such as seminars and trainings.

5. Quality regulations (Netherlands)

At the core of the Dutch quality system for the judiciary, RechtspraakQ, are the quality regulations for the courts and the different court sectors. The quality regulations bring together managerial aspects and those pertaining to the functioning of the judiciary. The regulations form a quality checklist that includes all the aspects that the courts and the Council consider to be of importance for the quality of the judiciary and the justified requirements of the stakeholders. While it describes

what should be done, it does not prescribe how this should be done: this is a matter for the courts themselves.

General information about the quality regulations is published on the public website and in a special report. The quality regulations belong to the courts as an internal instrument to improve the quality of the courts. The progress of the implementation of these regulations is not published outside the court.

Complete information about all the quality regulations is only for the courts. However, there are six quality regulations, which courts have to implement by 2010. Information about the progress on these regulations is accessible to the (Council for the) Judiciary. Three quality regulations (processing times, complaints procedure and in the future permanent education) are part of the annual report of indicators, which is available to the public.

6. Quality measuring system for the judiciary (Netherlands)

With this system the court boards can continuously measure the quality of the functioning of the judiciary in their court and the respective court sectors. The results are used to further improvement where needed. There are five measuring areas: impartiality and integrity of judges, expertise of judges, personal interaction with litigants, unity of law, and speed and proceeding on time. For each area indicators, norms and measuring instruments have been developed.

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Complete information about all the quality regulations is only for the courts. However, there are six quality regulations, which courts have to implement by 2010. Information about the progress on these regulations is available to the Council for the Judiciary. Three quality regulations (processing times, complaints procedure and in the future permanent education) are part of the annual report of indicators, which is available to the public.

7. Quality measuring system for the judiciary (Romania)

The quality measuring system of the judiciary has two components: periodic individual evaluations of judges and prosecutors, and regular inspections into the functioning of the courts' and prosecutors' offices and the functioning of individual judges.

Periodic individual evaluation takes place every three years, and consists of five aspects: efficiency, quality of undertaken activities, integrity, the obligation to pursue continuous professional training and specialized courses and the fulfilment of managerial functions only for judges and prosecutors in leading positions. For each criterion, norms and measuring instruments have been developed. The evaluation procedure is not public.

The Judicial Inspection of the Superior Council of Magistracy regularly inspects the functioning of the courts and prosecutor's offices, and the functioning of individual judges. The verifications concern: compliance with the procedural norms on registering the requests, the random distribution of cases system and the communication of decisions. The reports issued by the Judicial Inspection are made public, by posting on the website of the Superior Council of Magistracy or by press releases.

3. Leadership and Management

1. Seminars in Management (Austria)

The presidents of the Higher Courts of Appeals ('Oberlandesgericht') hold long-term seminars (several workshops of some days in an all-time-period of 18 months) for judges in order to train them in the field of management and administration. Background: the administration of courts is mainly undertaken by judges (the presidents of the courts, judges assigned to presidents and senates (consisting of judges)).

2. Leadership and management (Bulgaria)

The chairpersons of the courts (district, regional, administrative, appealing, supreme) carry out overall organizational and administrative management. They are also responsible for the activities of the respective court and represent it: they summon and lead the general assembly of the court; organize the publishing of the acts that have entered in force on the website of the court; publish the annual report on the activities of the court on the website of the respective court within one month of its submitting to the chairperson of the higher instance court; appoint and dismiss the court employees/judicial servants and organize the work of the particular services. The instructions of the chairperson concerning the court work organization are mandatory for all judges and employees in it. At the end of each six-month's period, the chairpersons of the courts draw up and submit to the Inspectorate within the SJC summarized information on the formation, progress and completion of the cases of the judges, as well as the finally repealed acts by the higher instance courts.

There is no special training on leadership and management for the chairpersons and deputy-chairpersons of the courts.

3. Leadership and management (Denmark)

A leadership and management module is part of the mandatory training programme for young deputy judges. Later in their career, deputy judges are in addition offered an extensive training programme focused on leadership and personal development.

Members of the clerical staff showing an interest in leadership and management are also offered an extensive training programme focused on leadership and management. Participation in this programme is a requirement for appointment in certain positions.

A brief description of the training and education offered to employees of The Courts of Denmark is available on the homepage of Courts of Denmark.

Regarding the appointment of presidents in the district courts a test assessing the leadership and management skills of a candidate has since 2006 been part of the basis for decision of the Judicial Appointments Council.

The presidents of the district courts, high court and The Supreme Court and the director general of the Court Administration meet for seminars on leadership and management four times a year. Self assessment, case processing time, the use of management information, personnel management and the organization of the courts are among the issues discussed at these seminars.

4. Leadership and Management (Germany)

The leadership and management of the courts require special structures and must be carried out by people who are familiar with the judiciary system. They cannot be from outside the court system. There is no special training in leadership and management for the presidents and vice-presidents of the courts, but every judge who is a director, president or vice-president or hopes to move into one of these positions, has the opportunity to participate in leadership and management courses at the Academy of Judges (Deutsche Richterakademie) or similar institutions in the individual federal states.

The structure and the leadership of every court and prosecution office are published on the website and are available freely to every citizen (data transparency).

5. Seminar on management issues (Latvia)

The chief judges of district courts and regional courts meet twice a year for a seminar on management issues. The strategic development in the court system, court statistics, numbers of received complaints regarding each court, human resource management and organization of the court work are among issues discussed during these seminars.

6. Leadership and management (Lithuania)

According to article 103 of the Law on Courts, the Chairman, the Deputy Chairman and the Chairman of a division of the court are the officers who direct the organizational work of the court. The Chairman of the court assigns the judges to the divisions of the court, establishes the specialization of the judges for hearing cases of appropriate categories, appoints them to perform the functions of a mortgage judge, approves the structure of the court, organizes and supervises administration at the court, controls compliance with the requirements of the Code of Judicial Ethics, reviews complaints of persons in respect of the non-procedural actions unrelated to the administration of justice, also in respect of the acts of the court staff, and reports to the interested parties the results of the review, eliminates the established shortcomings of the court, etc.

The supervision of administrative activities is exercised as follows: 1) supervision of the district courts - by the Chairman of the relevant regional court; 2) supervision of the regional administrative courts - by the Chairman of the Supreme Administrative Court; and 3) supervision of the regional courts - by the Chairman of the Court of Appeal.

7. Management Development for (future) court managers in the Netherlands

The Netherlands Council for the Judiciary has developed a so-called Management Development (MD) training programme aimed at court managers, i.e. presidents, sector chairmen and operational directors. Candidates who complete the MD-programme are admitted to the MD-pool for future chairmen.

The Management Development training programme is explained on the internal website of the Dutch Judiciary. The Council of the Judiciary is continuously seeking new managers for the courts and therefore distributes information about the programme to the courts. The complete programme is outlined for potential court managers, presidents and sector chairmen. There is a brochure available with criteria for following the programme. Information is part of the workflow, but can also be published on request to the courts.

8. Leadership and Management (Slovenia)

The Slovenian Judiciary has special trainings in leadership and management for the presidents and vice-presidents of the courts, and a small part of the training for inexperienced judges is dedicated to the acquirement of management skills.

4. Complaints Procedure

1. 'Ombudsmen/ombudswomen' at the 'Oberlandesgericht' (Austria)

Since the 1st of November 2007, there are judges working as 'ombudsmen/-women' in each of the four High Courts of Appeal ('Oberlandesgericht') dealing with complaints. With their installation, a (low level) registration system of the types of complaints and of the outcome of the individual complaints procedures was started.

2. Improve internal complaint handling of judicial system (Belgium)

Project goal: putting in place a system for the smooth handling of complaints within the judicial system. Make it possible for the High Council to easily follow up complaint handling, as well as to better report on the complaints, and allow it to formulate suitable recommendations for improvement of the operation of the judicial system via knowledge of the overall complaint situation.

A legislative proposal, based on an opinion of the High Council, has been introduced in the house of representatives. A database has been developed that will contain all complaints regarding the judicial system. The database was developed in such a way that it can be used by the courts and public prosecutor's offices for first line complaint handling from the moment that the law is passed and comes into force. This does not prevent the interested entities of the judicial system from using the database on a voluntarily basis. The database is ready and the High Council is registering the complaints it receives.

3. Complaints procedure (Bulgaria)

In case of notifications and complaints of citizens and state authorities concerning corruption activities, in case of publications in the media and in other cases, the Commission 'Fight against Corruption and Professional Ethics' within the SJC warns the competent authorities and informs the Supreme Judicial Council about the results of the relevant inspection. For the purpose of receiving corruption warnings, the Commission has set up an electronic address on the website of the Supreme Judicial Council. It carries out inspections and analyzes the circumstances that facilitated the disciplinary violation, which are subject of disciplinary trials under the Law on the Judiciary. The Commission notifies the Inspectorate within the Supreme Judicial Council of the necessary inspections.

4. Complaints Procedure (Denmark)

A complaints procedure has been part of the Administration of Justice Act since 1939 when the Special Court of Indictment and Revisions was founded. Among other issues, the court deals with cases concerning disciplinary sanctions against judges and junior judges and cases on dismissal of judges and junior judges. It is also possible to file a complaint against a judge or a junior judge with the president of the court where the judge is employed. The Special Court of Indictment and Revisions and the court presidents can not consider the legal opinions of a judge but only the judges' conduct, e.g. disrespectful behaviour or negligence regarding the progress of a case. Statistics about the number and nature of complaints are available on each court's homepage at the court's discretion.

5. Complaints Procedure (Germany)

In Germany, there is a special law for cases that cannot be appealed (Anhörungsrügensgesetz, part of the civil procedure rules, Zivilprozessordnung). If the parties or one party feel that their side of the case has not been fully heard by the court, they can have a special trial due to too little consultation.

This is the only circumstance under which the higher court can return a verdict in these small claims. This is the only situation in which a verdict can be annulled and the higher court has the right to instruct the judge on how to handle the trial. The procedure alone is criticised, not the actual decision.

6. Complaints procedure (Hungary)

NCJ Regulation governs the complaints procedure to be followed by all parties in the dispute. A complaint can be submitted by the plaintiff to the president of the county court supervising the functioning of the court or judge.

7. Complaints procedure (Lithuania)

Every person has the right to submit a complaint in respect of the non-procedural actions unrelated to the administration of justice to the Judicial Council, Chairman of the Court and the Judicial Ethics and Discipline Commission.

The Judicial Council, the Judicial Ethics and Discipline Commission, the Chairman of the court where a judge is employed or the Chairman of any court of a higher level or other persons knowledgeable of the action provided for in part 2 of Article 83 of the Law on Courts, has the right to make a motion for instituting a disciplinary action. The petition for bringing a disciplinary action against the judge has to be submitted to the Judicial Ethics and Discipline Commission. In case the Judicial Ethics and Discipline Commission accepts to institute a disciplinary action against the judge, the instituted disciplinary action shall be transferred to the Judicial Court of Honour, which makes the final decision. It must be noted that a decision of the Judicial Court of Honor can be appealed to the Supreme Court.

8. Complaints Procedure (Netherlands)

The procedure is uniform for all courts and designed to handle and register complaints about how judges, support staff and the court as a whole operate. Complaints may be about the treatment by court officials, alleged procedural errors or delayed court hearings. The uniform registry of complaints makes it possible to identify and find solutions to structural problems, and work at improvement of the organization of the court and its service to the public.

The courts have a standard complaints procedure. Information about the procedure is distributed to the public through a brochure, the website of each court and personally via the court staff. The Council for the Judiciary is creating a digital complaints form that is designed as a tree diagram in which clients can discover which complaints are dismissed and which ones are allowed. If the complaint is valid, it can be filled out on the website. Information about the number of complaints and the percentage of valid complaints of each court is part of the annual report of indicators. Clients and lawyers who want to complain receive the necessary information. The annual report of indicators is available to politics and society. Information is part of the work flow, but information about the procedure can be published on request.

9. Complaints Procedure (Romania)

Complaints about treatment of litigants by court officials, delayed court hearings or the attitude of judges and prosecutors may be addressed to the presidents of the courts and the head prosecutors of the prosecutors' offices or may be sent to the Superior Council of Magistracy, in which case the Judicial Inspection will make the necessary verifications. Petitions registered at the courts and prosecutors' offices are to be solved in due time by the Public Relations and Information Office, which was introduced at every judicial institution. The Public Relations and Information Office is obliged to inform the plaintiff about the measures taken.

10. Complaints Procedure (Slovenia)

Beside the remedies against the court decisions, a party who believes that a court is taking too much time in resolving a case can address an appeal to the president of the court in which the case is being heard. An appeal can also be filed at the Ombudsman and the Ombudsman can propose the supervision to the President of the competent Court. The President performs an Official Supervision of the Judge's Work and he has the right to order the judge that he/she should solve the party's case on priority basis, of course only if it was ascertained in the supervisory appeal proceedings that the party's right to a decision-making without undue delay was endangered or violated.

5. Peer Review

1. Peer review (Denmark)

In 2004, the district court of Copenhagen carried out a pilot project on the quality of legal opinions and the conduct of court proceedings. A working group defined several quality indicators and then conducted a survey measuring at what level the quality indicators drawn out by the working group were present in both legal opinions and during court proceedings. The survey was carried out by judges from the district court of Copenhagen itself. The judges of the court set up quality groups and a representative from one group then reviewed the legal opinions and attended the court hearings of judges from another group.

A report describing the project is available on the homepage of The Courts of Denmark.

2. Peer Review (Germany)

There is no peer review by a higher court or ministry of the work of a lower court. Due to judges' independence, their work and the courts are not controlled or supervised. Only the appeals are heard at the higher court. This means they have a practical view but not a regulated formal view of the work of a lower court. The president of the highest court in each federal state is responsible for the organization of the courts and therefore has the right to access all the information about the court in order to give him material as required. If a specific judicial problem is current, the higher courts will often ask the other courts for their empirical experiences on this topic. Normally the courts answer these questions. The peer review mentioned in the report is not available to the public. It is for internal use only (no transparency).

3. Peer review (Netherlands)

Peer review primarily aims to improve the functioning of individual judges, and focuses on behavioural aspects rather than judicial aspects. It contributes to a more open culture within the profession, in which individual performance in the court room can be discussed and improved upon. Peer review can take place in different ways, one being the camera method where the court hearing is recorded and discussed with the judge afterwards. For more information, see paragraph 4.5 of the report.

General information is published on the internal website of the Judiciary. Information about the way courts deal with peer review is not available to the public but is part of the annual report of a court. Courts are responsible for implementing peer review and they can require the information they need. Courts exchange experiences with other courts. The annual report of a court is distributed to the Council for the Judiciary.

6. Processing Times and Working Procedures

1. Duration of proceedings (Austria)

There is a databased information system about the duration of proceedings (civil and criminal). Background: the workload and the main steps of the proceedings of the courts are recorded via IT.

2. Objectives for case processing time (Denmark)

Representatives of the district courts and the court administration lay down common objectives for case processing time at the district courts. The actual case processing time is later announced in the annual report of each district court. This report also shows the productivity of the court and the productivity of judges, deputy judges and clerical staff respectively. Productivity is calculated by comparing the number of decided cases with the number of full-time equivalents at the court. The statistics department of the Court Administration is responsible for the gathering of the necessary information from the courts and the making of the annual reports. The Supreme Court and the high courts set their own objectives. The annual report, case processing time and related matters are often discussed during the seminar for court presidents mentioned below.

From 2009, the annual report will be published on each court's homepage. The Danish Court Administration publishes statistics for all courts collectively concerning the objectives, the number of cases received and processed etc. every six months.

3. Joint committee on working procedures (Denmark)

In 2006 a joint committee on working procedures in the courts with members representing prosecutors, the police, lawyers, judges, deputy judges, the medico-legal council and others was created. The joint committee sets up working groups on matters, where more parties are responsible for the momentum in a case. As an example, a group is currently working on a thorough description of the workflow in a specific type of criminal cases. The purpose of this is to eliminate unnecessary working procedures in order to shorten case processing time.

A description of the joint committee and its work is available on the homepage of The Courts of Denmark where information about specific initiatives taken by the committee is also available.

4. Best practice consultants (Denmark)

A best practice team consisting of employees working both as process consultants and as ordinary court employees has been created. The task of the best practice team is to observe working procedures, propose new ways to work, gather information, and secure knowledge sharing. Information about working procedures and the work of the best practice team is available on the intranet of The Courts of Denmark. Due to the workload connected with the implementing of the court reform, only one best practice consultant is functioning at the moment, but an additional number of consultants will start working in the spring of 2009. Best practice consultants are employed by the Court Administration, but have their offices in different district courts around Denmark. Best practice consultants are offered training in different areas, e.g. as process consultants and lean managers.

5. Processing Times and Working Procedures (Germany)

Each year every Ministry of Justice in all federal states publishes an annual report on the number of fair trials, the lengths of trials and any special points. It does not provide the details of every court and judge individually. The report is a summary. Every citizen is entitled to read this report, but doesn't get information on the work of individual courts or judges. Data information systems, including data about working procedures, are not available. Due to his/her independence, each

judge has the right to find his/her own procedure, staying within the parameters of the processing procedures.

6. Processing times and Working Procedures (Hungary)

Legal provision requires that judges process court cases within a reasonable period of time. In case of non-compliance, parties in the procedure may lodge a complaint. Court presidents have to regularly report to the NCJ on the number and nature of cases open for more than two years. The number of overdue cases has significantly decreased all over the country in recent years.

7. Processing times and working procedures (Lithuania)

A list of cases in which the hearing lasted longer than one year, is sent to the higher administrative control body and the National Courts Administration, and at the request of the Judicial Council – to the Judicial Council. Upon the direction of the Judicial Council, the National Courts Administration generalises the reasons why the investigation of the cases took longer than 1 year and submits the conclusions to the Judicial Council.

8. Indicators (the Netherlands)

Every year, the Council for the Judiciary publishes a number of indicators per court specifying the quality of the judgments, productivity, finance, organization and latest developments. These indicators come with an analysis per court and comparisons with other courts. It is one of the resources which the Council gives politicians and society to provide insight into the function and functioning of the judiciary system. These indicators can also be used for discussion purposes and as basis for agreements in the consultations between the Council and individual courts.

The Council for the Judiciary publishes an annual report with a set of indicators about the courts and also the progress within the courts in relation to the indicators. This is public information. The information is destined for the courts, but also for politicians and society. Information is part of the workflow.

9. Processing times (The Netherlands)

For society as a whole, the time needed to complete legal proceedings is seen as an essential aspect of the performance of the judicial system, and the Council for the Judiciary therefore publishes the average duration of 33 types of judicial proceedings in a range of various courts. The duration of 27 proceedings are published as indicator per court.

As of 2009, publications (over 2008) will indicate which percentage of the cases has been completed within a certain standard period. The Council has made separate agreements with the individual courts on the scope for improvement and for achieving that standard time.

The courts have to report about all the processing times to the Council. The processing times of each court are part of the indicators and therefore a summary of the progress of the processing times is mentioned in the annual report about the indicators. The progress on all processing times is available to the Council; a summary is available to the public.

10. Processing times (Romania)

Through an IT-system called ECRIS, developed by the Ministry of Justice and the Courts, that has an interface on the courts' portal (placed on the website of the Ministry of Justice: <http://portal.just.ro/>), the status of all cases (first instance, appeal, second appeal, number and dates of court sessions, minutes of court sessions, final verdict) from all the courts in Romania (except the High Court of Cassation and Justice) can be verified by the litigants in the case and by other interested persons, such as court presidents, inspection bodies, etc., by searching the number of a certain case or by viewing the list of cases for a certain judge. Thus it is possible to see how long it took a judge (first instance) or a panel of judges (appeal and second appeal) to solve a case: from the date of case registration to a certain court until the date of the final verdict.

11. Collection of statistical data (Romania)

Through the Statistical Office, the Superior Council of Magistracy regularly collects data on various aspects related to the activity of the judiciary, such as the number of cases dealt with by the courts and prosecutors' offices, the personnel schemes and vacancies at courts and prosecutors' offices and the effective workload per judge/prosecutor compared to the average workload per judge/prosecutor. Judicial statistics are used as an instrument to assess the activity of the courts and prosecutors' offices and length of the proceedings. Statistical data is used to fundament the reports on justice elaborated annually by the Superior Council of Magistracy on quantitative and qualitative aspects such as the number of cases registered at the courts, efficiency of the courts/prosecutors' offices from all levels of jurisdiction, workload of each judge/prosecutor from all levels or jurisdiction, statistics on evolution of criminality, number of appealed decisions (number of first instance decisions against the number of appealed decisions) according to the jurisdiction levels, percentages of totally quashed/partially quashed decisions, appreciations of the courts and prosecutors' offices on the causes for quashing first instance decisions in appeal or second appeal, length of proceedings, etc.

12. Processing Times and Working Procedures (Slovenia)

Slovenia has a data-based information system including the data about the processing times and working procedures. The problem of judicial backlogs is probably the biggest problem that the Slovenian judiciary faces. Following the requirements of the judgments by the ECHR, a specific law regulating a system of efficient legal remedies for providing the right to trial without undue delay and the right to compensation due to the violation of the right to trial without undue delay has been adopted ('Act on the protection of the right to trial without undue delay').

7. Training

1. Training of judges and other employees (Austria)

Networking between employees with similar tasks is actively supported by the arrangement of regular seminars, meetings, etc. It differs at which level the networking takes place. Some seminars are arranged by the Court Administration, while others are arranged at a local level or even by the Judges' Association.

2. Training (Bulgaria)

Within the Superior Judicial Council there is established the National Institute of Justice (NIJ). The NIJ is a public institution for training the personnel of the judiciary. The primary goal of the NIJ is the improvement of the qualification of magistrates and judicial employees/servants, as well as the collection, processing and distribution of information needed for the training and for performing the functions of the European Documentary centre. The National Institute of Justice carries out:

a) the obligatory initial training;

b) the maintaining and improvement of the qualifications of judges, prosecutors and investigators, state enforcement judges, judges for registration, judicial employees, inspectors within the Inspectorate with the Minister of Justice and other employees of the Ministry of Justice.

There is a training information centre at the NIJ. This centre organizes distance training and performs a research and an examination of the judicial practice, needed for the training.

Immediately after entering on their duties the junior judges, junior prosecutors and junior investigators attend an obligatory initial training course in the NIJ. The training course lasts six months. At the end of the training the junior judges, junior prosecutors and junior investigators take an examination. The participation of the judicial employees in the relevant qualification courses of the NIJ is considered for their promotion.

The Supreme Judicial Council can decide for certain courses to be obligatory for judges, prosecutors, investigators and judicial employees in cases of: 1. promotion; 2. appointment as administrative manager; 3. specialization.

3. Networking (Denmark)

Networking between employees with similar tasks is actively supported by the arrangement of regular seminars, meetings, etc. It differs at which level the networking takes place. Some seminars are arranged by the Court Administration while others are arranged at a local level or even by the unions.

4. Training (Germany)

All the federal German states jointly founded the German Academy of Judges (Deutsche Richterakademie) with two academies, one in Trier and one in Wustrau. The judges and prosecutors have the right and the opportunity to participate in courses there. There are similar academies for judges and prosecutors in each federal state. These courses are not mandatory at present but are nonetheless very popular.

5. Training programme (Hungary)

In Hungary, training for judges is centralized within the Office of the National Council of Justice. Since the 1st of September 2006, the Hungarian Judicial Academy (HJA), which is governed by the NCJ, has been established for the purposes of providing judicial training. Relying on the Academy's institutional potential, its main objective is to support the efficient functioning of the courts with a scientific and educational centre of the highest European standards. The Academy's curriculum includes the initial training of court secretaries and continuous training of judges, as well as training

of court personnel. The HJA also serves as an information and documentation centre as well. It develops and coordinates theoretical and practical training programmes (3-5 days in length). It provides continuous training for experienced judges in the form of standard programmes, conferences, seminars generally focusing on new legislation (including EU law), as well as training in judicial, interpretative and managerial skills for court presidents and vice-presidents.

6. Training (Latvia)

An annual training programme for judges and court staff is developed. Initial training for judges is being provided who are starting to perform their tasks of judge. Regular training is provided for all judges depending on the length of service as well as the occasional training that is related to some specific issues. The trainings are provided by the Latvian Judicial Training centre, who gives the feedback to the Court Administration. First steps to e-learning are being developed by the project financed by European Refugee Fund. There will be developed electronic training materials for court interpreters for helping them to study the Russian language. This will be an important tool for improving the e-learning in general.

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7. Training (Lithuania)

The Ministry of Justice and the Judicial Council are responsible for the organization of training of judges, the development of training programmes and methodological materials. Programmes for training of judges, regulations on training tests, schedules, types of training, its scope and financing and other teaching-related documents are approved by the Minister of Justice subject to the approval of the Judicial Council. The Judicial Council approves the regulations of organizing the training of judges, the training programmes, the annual plans for improving the qualifications and qualification requirements to the lecturers.

8. Judicial Training Centre (The Netherlands)

The SSR (Dutch Training and Study Centre for the Judiciary) provides initial training for future judges and public prosecutors. The SSR also plays a major role in the continuous education of judges or public prosecutors. In addition, it provides training and continuous education for legal and support staff, including secretaries, at the courts and public prosecutors offices. The SSR offers an extensive range of courses covering judicial matters, but it also offers courses to train management and other professional skills.

The courses of the Judicial Training Centre are mentioned on the website of this organization. Information is also spread to the courts by presentations, meetings and book reports. The information is for the courts. They want to see what kind of courses the judges can follow or how they can fulfil the quality standard of permanent education. The training centre publishes its information through various ways, but also responds on request when a court wants a specific training.

9. Permanent education (The Netherlands)

Promoting a professional approach is an important subject for the judicial system. Besides substantive legal quality (i.e. knowledge) this theme includes skills, attitudes and experiences of judges and legal support staff. To ensure the expertise of judges and legal support staff, a national

standard for continuing education has been fixed. This is 30 hours a year for a judge and legal support worker and applies from 1 January 2009.

Permanent education means education for the purpose of maintaining and increasing knowledge and skills needed for the present position. The 30-hour standard can be achieved by attending both legal knowledge courses and skills training workshops. Permanent education does not include management training courses or the initial education designed to equip a person to become a judge or legal support worker. Compliance with the standard is recorded annually and evaluated in an interview with the department head of the person concerned.

General information about this quality standard (thirty hours education for each judge and each judicial employee) is listed on the external website (rechtspraak.nl) and more extensively in a specific report. Each year, courts have to report to the Council for the Judiciary about the progress of implementing this quality standard. The Council helps and informs the courts on how to implement this standard. Information on the progress of implementing this quality standard will be part of the next annual report of indicators. In this way the information is available to the public.

10. Professional training of judges and prosecutors (Romania)

Upon the proposal of the National Institute of Magistracy (NIM), the Superior Council of Magistracy approves, annually, the programme for the initial training of the auditors of justice (students at the NIM who follow a two-year theoretical and practical training) and the programme for the continuous professional training of magistrates (the program contains data on the calendar of the seminars, the themes of the seminars, location, number of participants etc.).

Continuous professional training is organized, at central level, by the NIM and, at a local level, by the courts of appeal, under the coordination of the NIM.

In order to improve the access of magistrates to continuous professional training, the approved training programmes are published on the NIM website on a permanent basis (www.inm-lex.ro/index.php?MenuID=4). The initial training, the curricula, the training plan, training materials, the list of trainers, etc. are posted on the NIM website (www.inm-lex.ro/index.php?MenuID=3). The NIM also advertises through its website possibilities for internships abroad for magistrates, EJTN programmes, etc. Training information brochures will be distributed to all judges and prosecutors of Romania, to impart knowledge about the NIM training programmes, including decentralized training.

11. Training (Slovenia)

The Minister competent for justice founded the Centre for Education in the Judiciary (CEJ) that provides the regular professional training for the judges and training for the work in the judiciary. The CEJ also conducts the training of judicial trainees, organises and arranges the conduct of the lawyers' state exam and publishes professional publications.

8. Quality Assessment and Judicial Quality

1. Assuring quality by monitoring or auditing: the Internal Revision (Austria)

In Austria, courts undergo 'Innere Revision' – internal revision – every five to seven years. This internal revision is realised by judges (and not by external experts) and concerns the court as a whole entity.

2. Introduce corporate values (also called positive deontology) (Belgium)

The point of departure is the idea that the judicial system is a service provider to citizens and society. A presentation memo was drawn up and sent to all magistrates, presidents of the Bar Council and members of the High Council with the request to communicate their possible reactions to the memo. In the autumn of 2007, ideas were exchanged in this regard per region between magistrates and interested parties (including lawyers and civil society). All ideas will be bundled in a report that will be presented and discussed at a colloquium in May 2008.

3. Quality Assessment (Bulgaria)

The common criteria for evaluation of judges, prosecutors or investigators are: number, type, complexity and workload of the cases; respect of terms; number of confirmed and repealed court acts and the reasons for that; comprehensible and well-founded grounds of the court acts; results from the check-up of the Inspectorate within the SJC; incentives and sanctions during the period for which the evaluation is done; respect of the regulations for the professional ethics of judges, prosecutors and investigators.

In the evaluation procedure, the overall workload of the specific judicial district and body, as well as the workload for the person being evaluated in comparison to others in the same judicial body it is taken into consideration are taken into consideration. The specific criteria for evaluation of judges are: keeping the schedule for court hearings; skills for leading court hearings and preparing minutes. The specific criteria for evaluation of prosecutors are: skills for planning and structuring of the pre-trial and trial judiciary proceedings; fulfilment of the written guidelines and orders of the superior prosecutor; ability to organize work and lead the investigative bodies and teams that participate in the pre-trial judiciary proceedings. There are criteria to evaluate the management positions, which are: team work ability and allocation of tasks to team members; ability for decision-making; representability. Indicators for measuring representability are: behaviour that enhances the authority/prestige of the judicial power; skills for communication with other state bodies, citizens and legal persons.

4. Evaluation of the Quality of Adjudication in Courts of Law (Finland)

The Quality principles and Benchmarks proposed by the Quality Project of the Courts in the Jurisdiction of the Court of Appeal of Rovaniemi will form a basis for the quality work of for future years, as well as for the monitoring and developments in quality. The Quality Benchmarks consist of six fields of assessment, which comprise a total of 40 quality criteria, as follows: 1. procedure (9 criteria); 2. judgment (7 criteria); 3) treatment of the parties and other participants in the proceedings (6 criteria); 4. promptness of the proceedings (4 criteria); 5) professional skill and competence of the judge (6 criteria); and 6) organization and management of adjudication (8 criteria). The Benchmarks are published in English, Finnish, French and Swedish (English version Evaluation of the Quality of Adjudication in Courts of Law, March 2006, ISBN 951-53-2874-8). For further information, contact Chief Judge of the District Court of Oulu Harri Mäkinen or Judge Antti Savela (see contact details on p. 40 of the Register).

5. The Quality Projects of the Courts in the Jurisdictions of the Court of Appeal of Rovaniemi and the Court of Appeal of Helsinki and the Quality Project of the District Courts of Central Finland

The objective of these quality projects is to develop the functioning of the courts so that the proceedings meet the strictest criteria of fairness, that the decisions are well reasoned and justified, and so that the services provided by the court are affordable to the individual customers. The main working method consists of systematic discussion among the judges and between the judges and the stakeholders. Working Groups for Quality are set up for each year; the membership consists of judges from each of the District Courts, members of the Court of Appeal, and referendaries of the Court of Appeal. Also prosecutors, advocates and public legal aid attorneys may participate to the Working Groups for Quality. The selection of the annual development themes is finalized during the annual Quality Conference, attended by the judges in the jurisdiction. Each Working Group for Quality maps out the problems relevant to the theme, looks into practices adopted in the different District Courts, defines a procedure that can be mutually accepted, and makes a proposal for the harmonization of the court practices. The reports of the Working Groups for Quality are presented at the Quality Conference.

6. External supervision (Hungary)

On the occasion of its 10th anniversary, the National Council of Justice (NCJ) has asked three leading universities to carry out an external supervision analysis on the functioning of the court system. The findings in the three reports are to be discussed by the NCJ and the Parliament's constitutional affairs committee. Legislation provides for the freedom of research for scientific purposes. The NCJ regularly authorises research by members of academia. Findings are published and debated in professional journals and fora.

7. Analysis of jurisprudence (Hungary)

In order to ensure uniform application of law, presidents of upper courts analyse randomly selected case files. Findings are discussed under the coordination of the Supreme Court and published with the aim of orienting the judges in their work.

8. Evaluation of judges (Lithuania)

The Permanent Commission for the Assessment of Judges' Activities performs the periodical and extraordinary assessment of judges' activities, taking into account the principle of the judicial independence.

The first periodical assessment of the judge's activities shall be held after a lapse of three years following his appointment to judicial office and after that every five years after the first assessment. The extraordinary assessment of the judge's activities shall be carried out when deciding on the promotion of the judge or on his appointment for a new term of office, on the request of the judge himself or when the judge's weaknesses have been determined more than twice under the control procedure of the administrative activities. The extraordinary assessment of the judge's activities (except on the request of the judge himself or when the judge's weaknesses have been determined more than twice) shall be held when more than three years have passed after his assessment.

9. Visitation (Netherlands)

Approximately every four years a visitation takes place, the first one having taken place in 2006. The objective of the visitation is to assess the quality of all the courts individually and as a whole in seven different areas: impartiality and integrity of judges, expertise of judges, personal interaction with litigants, unity of law, speed and proceeding on time, external orientation and the development of the quality system itself. It consists of a self-assessment by the courts, the filling out of a questionnaire and a consultation by the visitation committee. The results of the visitation are

communicated in the form of a public overall report and confidential management letters to the individual courts.

A visitation is held every four years. Its primary goal is internal improvement and external communication to society about the quality of the courts. It results in a confidential report for each court and a general report for the media/ the public. Information about the visitation process is available to everyone. General information, such as common results about the functioning of the courts, is published in the media. Specific information about the courts is only for the courts. Information is part of the workflow.

10. Improving the substantiation of criminal judgements (Netherlands)

The Dutch judiciary has started working with a new model for the substantiation of criminal judgements. With this model, criminal judgements are worked out in such a way that those involved in the case, as well as society, have more insight into the reasoning behind that judgement. Judgements become more understandable to the public, leading to increased confidence in the judiciary.

The substantiation of criminal judgement is improved for those involved in the case. In this way, litigants have more insight into the reasoning behind the judgements. The results of implementing Promis are published each year to the Council of judiciary. The progress of Promis is available to the Council. The information is part of the work flow.

11. Professional evaluation (Romania)

The Council is actively involved in the evaluation procedure for judges and prosecutors, which takes place every 3 years. The Council adopted the Regulation on the evaluation of the professional activity of judges and prosecutors and the corresponding Guide, appoints the members of the evaluation commissions and may also revoke them (for not fulfilling their legal attributions). The complaints against the qualifications awarded by the evaluation commissions are handled by the judges or the prosecutors' section of the Superior Council of Magistracy (SCM), whose decisions can be disputed at the Plenum of the SCM, whose judgement is final.

For the use of the evaluators and for reasons of transparency, the regulations presented above on the evaluation procedure are posted on the website of the SCM:

<http://www.csm1909.ro/index.php?cmd+0702>

After all the evaluation reports have been submitted to the SCM (deadline is 15th of March 2009), the results of the evaluation will be announced to the media.

12. Recruitment and promotion of magistrates (Romania)

The Council is responsible for the recruitment and career advancement (access to higher courts) of magistrates. The Plenum of the Superior Council of Magistracy (SCM) approves the regulations for the exams of admission to magistracy, for the promotion of judges and prosecutors (access to higher courts and prosecutors offices) to executive functions and leading positions, the exam bibliography, the calendar of the exams and appoints the members of the examination commissions (organizing commissions, the commission on drafting the tests, the commission for handling the complaints, etc.).

The procedures for the recruitment and promotion of magistrates are transparent and public: announcements are made public on the websites of the SCM and the National Institute of Magistracy (NIM) (if admission is done through the NIM examination), at least one national circulation newspaper. The bibliography and calendar for examinations are announced, as well as the number of positions and the eligibility criteria. For this purpose, the SCM has elaborated Regulations for the organization of the exams, which are handed to applicants when submitting their candidacies and are also available on the website of the SCM at the Legislation section. As far as admission to the NIM is concerned, the website of the NIM (www.inm-lex.ro) displays the tests

and correct answers to them given in previous years.

13. Secondary legislation (Romania)

On a permanent basis, the Council elaborates procedures in various domains under its competency, through regulations (such as the Regulation on the Interior Order of the Courts, encompassing the rules on the efficient activities of the courts) and guides. So far, eight Guides have been elaborated and adopted, in the following areas: the evaluation of the professional activity of judges and prosecutors, the procedural acts used by the courts and prosecutors' offices, four Guides on the activity of the Judicial Inspection, good practices for the cooperation between courts, prosecutors' offices and the media, and information guides for litigants. The application of secondary legislation is monitored permanently and the deficiencies appeared in practice are eliminated by subsequent amendments to the regulations and guides. The secondary legislation thus elaborated, besides being published in the Official Monitor, if of interest to persons outside the Council is also made available on the website of the SCM at the Legislation section: www.csm1909.ro/csm/index.php?cmd=0702.

14. Quality of judicial decisions (Romania)

In Romania, the quality of judicial decisions is an important indicator for measuring the quality of the activity of judges within the professional evaluation procedure of magistrates. The evaluators will select ten decisions per year for every judge on the basis of the judge's activity in every month of the year. For more information, see paragraph 4.8 of the 2008 report.

Through an IT-system called ECRIS, the orders of the courts (final verdict and session minutes) are available on the website of every court, in a special section called Case Records. Any interested person who knows the number of the case may thus read the minutes of all sessions and final verdict of the court (in short).

15. Quality Assessment and Judicial Quality (Slovenia)

The evaluation and monitoring of the court system is mainly based on the evaluation of judges' work and linked to career and salary progression. Rules and criteria used to evaluate individual judges' productivity and quality are also applied to monitor the court work as a whole. Courts are required to prepare activity reports for each quarter of the year, in which they evaluate the compliance with the operational programmes, set by the presidents of courts right after the adoption of the Lukenda Project (programme of measures for the elimination of backlogs till 2010).

A court of higher instance may request from a court of lower instance in its territory the data related to the application of statutes, data on problems arising during adjudication, and other data necessary to examine particular issues, which occur during its work. A court of higher instance may review the work of a court of lower instance in its territory.

The president of the court and the immediately superior court can conduct official supervision of judges' work. Official supervision shall comprise all the measures necessary for determining the fulfilment of judicial duties pursuant to law and the court rules and for eliminating the causes of inappropriate volume, quality and expertise of work and backlogs in work. Within the framework of official supervision the files of all cases assigned to the judge and all cases in which a final ruling has already been issued shall be inspected, information on the judge's work shall be obtained and analysed, and an interview with the judge shall be held.

9. Staff Evaluation

1. Staff evaluation (Denmark)

A staff evaluation study is carried out on a regular basis next time in 2008.

As a part of the HR-policy of The Courts of Denmark, all employees except judges are offered a development dialogue with his or her immediate superior every year. It is recommended to book 1-2 hours for the meeting between the employee and his or her superior. The purpose of the development dialogue is not only to evaluate the year passed, but also to look forward and discuss the future, for example how the employee might improve his or her performance, what kind of training the employee needs, if the employee should try another position within the courts or perhaps even outside the courts. A staff evaluation study is carried out on a regular basis next time in 2008. The result of the evaluation will be published on the intranet of The Courts of Denmark.

2. Evaluation of the court employees at the courts in Hungary

The employer – from the president of the county court to the president of the Supreme Court – is under the obligation to continuously evaluate the work of the court employees. The court employee must be evaluated in written form after three years from his/her appointment and after his first evaluation every six years. Besides, an extraordinary evaluation takes place before the appointment of a trainee judge to a court secretary, at the application for a judge position of a court secretary and before the appointment of a court leader for indefinite time.

3. Staff evaluation (Lithuania)

The Law on public service defines the procedure of evaluation of public servants. The purpose of the evaluation is to annually evaluate qualification and abilities of a public servant to fulfil the functions established in the description of the position. The activities of the public servants are evaluated annually if a public servant fulfils the duties in the institution longer than 6 months per year. The direct superior of the public servant evaluates the performance of public servants. In case the direct superior evaluates the performance of a public servant as outstanding, satisfactory or unsatisfactory, the performance of the public servant will be evaluated by the evaluation commission. The uncommon evaluation is also foreseen by the Law on public service.

4. Staff evaluation study (Netherlands)

Once every four years, a staff evaluation study is held in the courts, in which the satisfaction of the court staff is measured. Subjects on which these surveys have often focussed in past years are leadership style, developing skills, pressure of work, developing expertise and the quality of the output. The courts use this survey to obtain systematic feedback from employees on the most important subjects affecting their organization.

A report with the aggregated results and an analysis thereof is drafted once every two years and for example discusses the trend in the figures, i.e. indicates the development in the employee evaluations. The Council then uses these aggregated results to formulate the Strategic Agenda.

The general report, which focuses on evaluation studies of the last three years, is sent to the courts, spread at meetings of the judiciary. The evaluation study is held once every four years at a court, the general report is published once every three years. The general reports are available to the courts. The specific reports are only for the courts where the study was held. The general and specific reports are published by Prisma – the external office for quality of the Judiciary and part of their workflow.

10. Client Evaluation

1. Client evaluation (Austria)

From time to time there are public opinion polls and “exit polls” (questioning of persons leaving court buildings).

2. Promoting the dialogue between the judiciary and civil society (Belgium)

Project goal: promoting mutual learning by reinforcing the dialogue between the judiciary and society. A database of community-based organizations is being developed. In a first phase, round-table discussions are regularly being held with the organizations dealing with victim assistance and alternative punishment. Workshops/colloquia will be held later on, about the ideas that were put forward.

3. Systematically conduct the Justice Barometer (Belgium)

Project goal: to systematically conduct this public opinion survey and improve the quality and the use of such measuring instruments.

The 2007 results were compared to those from 2003, published and discussed at a workshop (21 September 2007).

4. Client evaluation (Denmark)

Citizens, lawyers, prosecutors and other key stakeholders are also asked for their opinion on the Courts of Denmark on a regular basis. This is done by a survey carried out by a rating-agency. The survey is carried out during a specific one or two week period where citizens appearing in court are asked to fill out a questionnaire either in writing or electronically. The last survey was carried out in 2005. It showed that 91% of the participants were either satisfied or very satisfied with the courts in general. The next survey is planned for spring 2009. In addition to a questionnaire, this survey will also include interviews with a number of focus groups. The results of the client evaluation as well as information about which measures will be taken to meet the issues raised by the focus groups are published on the homepage of The Courts of Denmark.

5. Client evaluation (Hungary)

A poll ordered by the National Council of Justice (NCJ) is held among litigants, lawyers and judges. Also, satisfaction with the courts in society is important.

6. Behaviour of judges in the court rooms (Hungary)

The curriculum of basic training for trainee judges and court secretaries, and the initial training for the newly appointed judges include courses on psychological, behavioural and hearing management issues. Subjects include dissemination of knowledge on how to fight corruption attempts during hearings.

7. Client evaluation (Lithuania)

In order to improve the activities of the Supreme Administrative Court of Lithuania, an anonymous questionnaire was introduced, which persons are able to fill in via the internet or download via the site www.lvat.lt and send by post.

8. Client evaluation study (Netherlands)

Once every four years, a client evaluation study is held in the courts, in which the satisfaction of the different stakeholders is measured. Stakeholders include professionals, such as lawyers, and litigants. They are asked about their satisfaction regarding such things as the way in which they were treated by the judge, the clarity of the judgement and the waiting room facilities. The results of

the evaluation study sometimes lead to the setting up of a client panel in order to get a clearer view of a problem and its possible solutions. In a client panel, various clients of the court take part and provide advice on a specific issue that came up in the client evaluation study.

A summary of the client evaluation study is part of the annual report about the indicators. The general report, which focuses on evaluation studies of the last three years, is sent to the courts, spread at meetings for the judiciary and published on the Judiciary's external website. The evaluation study is held once every four years at a court, the general report is published once every three years. Several courts organise discussion groups with civil society and for example talk with them about the results of the client evaluation. The general reports are available to everyone. The specific reports are only for the courts where the study was held. Some courts decide to make a press release about the evaluation study. The general and specific reports are published by Prisma – the external office for quality of the Judiciary and part of the workflow.

9. Client evaluation study (Romania)

A client evaluation study was done in 2006 at eight courts from all levels of jurisdiction and its results were comprised in the Jesper Wittrup report on the system of measurement and monitoring the judicial performance in Romania. Four questions were asked: whether the judges proved professional experience and knowledge of law, whether the litigants and those interviewed are generally satisfied with the activity of the courts, whether cases are handled rapidly and efficiently, and whether the courts are endowed with adequate space and clean facilities (the report is available in Romanian at: www.alexandrina-radulescu-csm.ro/docs/raport-jesper-wittrup-final.pdf).

10. Study on the perception of independence (Romania)

Annually, a study is carried out by Transparency International Romania with regard to the magistrates' perception on the independence of the judiciary. The themes of the study are divided into five categories: independence of justice, sources of influences on the independence, situations that negatively affect independence, vulnerabilities of the judiciary and perception on the guarantees for the independence of magistrates while exercising their attributions. The questions are addressed to magistrates. The results of the study are made public through press releases and are also comprised in a distinct chapter of the annual justice report issued by the Council.

11. Management Information, Auditing and Reporting

1. Visitation (Austria)

As from the 1990s, a visitation (also called 'audit', 'internal revision'; in German: 'Visitation' or 'Innere Revision') takes place every four to seven years in every court. The objective of the visitation is stated in a 'handbook' ('Handbuch der Visitation') containing a rather elaborate checklist dealing eg. with 'judiciary', 'duration', 'building', 'files', 'management' and 'training'. These 'visitations' are done by senior judges from other (neighbouring) courts.

2. Develop internal auditing for the judicial system (Belgium)

In this project, a methodology is being developed for internal auditing (that essentially comes down to a methodology that makes it possible to identify the risks in the management of the processes with a view toward the objectives that the court or the public prosecutor's office wishes to achieve). Management within the judicial system is strengthened by developing such a methodology and due to the fact that the results (recommendations) are intended for the audited party itself. This methodology could be implemented over time in the field by, for example, establishing an internal audit department for the judicial system.

3. Strengthening the judiciary's internal control system (Belgium)

From the point of view of achieving the objectives by the judicial system: to determine how management can be supported to itself, and to take the initiative to improve risk management in the execution of the management and operational activities within the judicial system.

4. Improve the judicial system's internal and external reporting (Belgium)

With respect to internal reporting: to support the judicial system in providing result-oriented information to the right person/team at the appropriate moment within the organization in order to manage the processes, and to help the judicial system uniformly and to transparently report externally to society concerning its activity and objectives.

5. Establishment of an audit department within the High Council of Justice (Belgium)

Objective: install the basis for developing a professional audit system for the judicial system. An audit team was formed in the spring of 2006. This project is affiliated with the projects 'Develop internal auditing for judicial system' and 'Strengthening the judiciary's internal control system'.

6. Management information (Bulgaria)

According to the Law on the Judiciary, the acts of the courts are published on the website of the relevant court in observation of the Law on Personal Data Protection and the Law on Classified Information Protection. The acts on cases that concern the civil and health status of persons are published without the grounds for the act. Statistical data are collected and published by the Supreme Judicial Council on the internet site of the Supreme Judicial Council: tables of summarized statistical data on various indicators (workload, complaints for delays, civil, criminal, etc.) for the courts' activities; information on the set-up and progress of the cases in the prosecutor office.

7. Management information system (Denmark)

Each district court has access to standardised and updated management information on case processing time, number of cases, number of employees, absenteeism etc. The template for presenting the management information is made available by the statistics department of the Court

Administration. The statistic department also offers support on how to use the template and the information gathered. Each court is responsible for the gathering of information concerning the court itself. Some of the information gathered is eventually reported to the court administration in order to make it possible for the Court Administration to make nationwide statistics, other parts of the information gathered is for use only in the court itself and can be used at the discretion of the president. How the courts use the information varies. The Court Administration does not impose a specific way of using management information but offers advice and makes sure that the use of management information is discussed on seminars etc.

8. Management Information, Auditing and Reporting (Germany)

There is no specific management information.

There is a computer-based case register information system in every German court, which contains the following information: number of incoming cases, what kind of cases they are and how long the proceeding took. This information is collected in a monthly report on the number of incoming cases (Pebbşy) but is not published regularly. It is mainly used by the Ministry so it can monitor the number of staff required in each court. It is not used to monitor the work of the court and judges. Each judge has online access to his/her cases where he/she can check how many open cases he/she has and how old they are. This register is also available to court management. Each judge in each court is kept informed about the number of incoming cases, what kind of cases they are and the time of proceeding in the court he/she works in. This means that each judge knows what all the other judges are doing, i.e. the court is very transparent for its employees, but not for the public. Each Supreme Court in Germany publishes an annual report including statistical data on the amount and the kind of cases they deal with and the length of processing.

The named information is internal and not published. However, if a citizen has a special interest, he/she can obtain this information by applying to the court where the evaluation took place (Informationsfreiheitsgesetz) (restricted transparency).

9. Collection and publication of statistical data (Hungary)

Statistical data is collected and publicised by the Office of the National Council of Justice (NCJ) and via the journal and website of the NCJ, www.birosag.hu. Results are analysed every six months by the NCJ.

10. Annual reports (Hungary)

The NCJ discusses the annual reports of court presidents (county courts and regional courts). The NCJ's decision is binding for the court to implement the findings.

11. Audit of data of court proceedings (Latvia)

There is a Court Information System in use since 1998, in which data of all proceedings are collected and analysed for all the courts of Latvia. Special software was produced to enable an audit of data of court proceedings.

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12. Data warehouse (Latvia)

The Court Administration is setting up a data warehouse information system, which will be used to gather data from the Court Information System and the financial information system to calculate actual expenses of every court procedure.

13. Management of information, auditing and reporting (Lithuania)

Upon direction of the Judicial Council, the National Courts Administration gathers information about the administrative activities and the organizational work of judges of the courts, with the exception of the Supreme Court of Lithuania, the Court of Appeal of Lithuania and the Supreme Administrative Court of Lithuania. The supervision of the administrative activity covers: measures ensuring the transparency and reasonable time of the hearing as well as measures guaranteeing high professional ethics of the officials and ensuring the effectiveness of the activities of judges and the court staff, work of the records office of the court. The National Courts Administration is responsible for the internal audit in all courts and in the National Courts Administration.

14. Audit (Netherlands)

Quality audits are used in the courts to determine what the score is for several elements of the measuring for the judiciary, and are thus a useful instrument in the plan-do-check-act cycle. The audit may for example be used to check whether there is a procedure for the allocation of cases, or to what extent instruments are used to promote unity of law.

The audit is an internal instrument for improving the quality of the court. Information that results from the audit is confidential. The information brought out by the audit is only for the court itself. The information is part of the workflow within the court.

15. Key indicators (Netherlands)

One important new development in policy evaluation and performance measurement is the use of key indicators. Key indicators are designed to provide reliable insight into the performance of an organization with the aid of a limited set of data. The Dutch Parliament requested the development of such key indicators to improve the accountability of the judicial system. The judiciary made the further demand that these key indicators needed to be suitable for strategic management as well as for accountability purposes, which meant that the key indicators had to meet additional requirements. The development of key indicators is basically an attempt to arrange the huge amount of available information in an orderly manner and to make it accessible for users. The current set of key indicators in the Netherlands breaks down into five focal areas: quality, production and finance, people and organization, development, and general.

16. Improving access to information (Netherlands)

Information is currently provided via the organizational structure (per court, per sector) and is especially geared to what the judiciary itself wishes to share. That approach is being discarded in favour of a more question-oriented information system which provides the principal target groups with more tailor-made information. The object is to demonstrably improve the supply of information in due course, using the results of the regular user satisfaction surveys. In 2008, a number of courts will start to reformulate the standard correspondence with litigants to make it more easily comprehensible, and judges and justices are being encouraged to write their judgements in less formal terms. In addition, litigants and interested parties have expressed the desire for more practical information, for example on procedures for obtaining access to the courts, the rules and customs in the court buildings and the course of the proceedings. This information will be made available via the website and in folders.

In 2008, the Rechtspraak.nl website will be made better accessible for the various target groups such as professional users, litigants and the general public. The site will play a more active role in informing users by picking up on latest developments and posting more information on specific themes.

The object is to demonstrably improve the supply of information in due course, using the results of the regular user satisfaction surveys. In 2008, a lot of courts started to reformulate the standard correspondence with litigants to make it more easily comprehensible, and judges and justices are being encouraged to write their judgements in less formal terms.

In 2009, the public website (Rechtspraak.nl) will be made more accessible for the various target groups such as professional users, litigants and the general public. The site will play a more active role in informing users by picking up on latest developments and posting more information on specific themes.

Information is currently predominantly supply-driven. That approach is being discarded in favour of a more demand-driven information system providing the principal target groups with more tailor-made information.

17. Internal Audit (Romania)

Through the Judicial Inspection, the Superior Council of Magistracy (SCM) regularly verifies aspects related to the management of the courts and prosecutors' offices such as: compliance with the procedural norms on registering requests; the random distribution of cases; planning of the court sessions; pronouncement of judicial decisions; communication of decisions; the managerial efficiency and the accomplishment of the obligations deriving from law and regulations in order to ensure the well running of the court and the adequate quality of the judicial service. The Judicial Inspection signals the deficiencies and formulates proposals for eliminating them to the Plenum of the SCM, which may take binding decisions for courts and prosecutors' offices. The verifications' reports issued by the Judicial Inspection are made public through publication on the website of the SCM and press releases and are also comprised in the annual reports issued by the Council: the report on the annual activity of the Council and the report on justice, which are communicated to the general public by press releases and by posting on the web page of the Council.

18. Case management information (Romania)

An integrated IT system - the ECRIS system - was developed by the Ministry of Justice and the courts to make the decisions of the courts available to the public. Thus, through externally funded programs, a publicly available portal to every court in Romania from all levels of jurisdiction (except the High Court of Cassation and Justice which has its own website) is created on the website of the Ministry of Justice. The portal is an interface of all the courts in Romania.

On the internet page of every court, there is a section for *Cases' Records* through which online access is granted to a certain case. Searching a case by its number on the *Cases' Records* of the website will reveal the name and quality of the parties, date of registration, object of the case (divorce), subject matter of the case (family and minors case) procedural stage (first instance, appeal, second appeal, etc.), progress of the case - number and dates of courts sessions, minutes of each court session, verdict of the court - as well as more general information on the calendar of court sessions, the list of cases for a certain session and relevant jurisprudence of the courts of appeal on various types of cases.

Further developments of the system will create the possibility to gather statistical data more easily - automatically - by the Ministry of Justice and the Superior Council of Magistracy, in order to monitor the activity of the courts, in terms of efficiency - period of time necessary for solving a case, delays in solving cases -, workload, etc. The most important impact the system has had, was on the random distribution of cases. Judges and court employees have access to more functions of ECRIS.

19. Management Information, Auditing and Reporting (Slovenia)

Slovenia has a computer-based information system of case-registers. All judges have online access to all the cases they deal with, to a database of laws, all final decisions of the Supreme Court, important final decisions of the Higher Courts and important articles. The Supreme Court publishes the annual report including statistical data on the homepage. The Ministry of Justice publishes a quarterly statistical report on the work of all the courts on the homepage. Courts are required to prepare activity reports for each quarter of the year, in which they evaluate the compliance with the

operational programmes, set by the presidents of courts right after the adoption of the Lukenda Project (programme of measures for the elimination of backlogs till 2010).

In their reports, the courts monitor the following data: number of incoming cases, number of solved and unsolved cases, length of proceedings, human resources, the so-called 'moving cases', the possible involvement of retired judges on contract basis, the solving of older cases, etc. The data gathered is then analysed by the Department for Court Management of the Supreme Court.

12. External Communication

1. Getting to know the judiciary at school (Belgium)

Project goal: help students to understand the judiciary and its functioning. To have education concerning the institutions and the operation of the judiciary included in the curriculum. Contact was also made with the bars concerning school initiatives.

2. External communication (Bulgaria)

The activities of the judicial bodies on informing the society and on securing the relations with the mass media are supported by press offices. The status, rights and obligations of the press offices' servants are determined in the regulations for the administration of the bodies of the judiciary.

According to the Regulations of the organization and the activities of the Supreme Judicial Council and its administration, the Department "Public Relations" performs the following tasks: ensures transparency and publicity of the activities of the Supreme Judicial Council and its administration and organizes the officially regulated access to information; coordinates and interacts with the bodies of the judiciary while performing their informing activities and gives them methodical aid for developing and conducting their media policy; analyzes the effectiveness of the media strategy of the Supreme Judicial Council, draws up periodic reports for the members of the Supreme Judicial Council; when necessary after the end of a session it organizes a press conference (briefing) of the members of the Supreme Judicial Council and provides information on the discussed issues; organizes, summarizes, selects and provides periodic information to the media concerning the issues on the agenda and the work of the Supreme Judicial Council; ensures access for the media to information about the work of the commission and the administration of the Supreme Judicial Council according to regulations set by a decision of the Supreme Judicial Council.

The sessions of the Supreme Judicial Council are public, except for the cases where documents classified under the Law on Classified Information Protection or where suggestions for imposing a disciplinary punishment are discussed. The decisions made during a closed session are publicly announced. The agenda and the minutes from the sessions of the Supreme Judicial Council are published on the website of the Supreme Judicial Council.

There is also a Law on Access to Public Information.

3. Publicity of hearings (Bulgaria)

The terms of completion of the cases and the working procedures are regulated in the Civil Procedure Code and the Penal Procedure Code. The court considers the cases in public and closed sittings. The closed sittings are held only when the law makes provisions for such cases.

The consideration/treatment of a case or the performing of particular legal proceedings could be held in camera (behind closed doors) when it is necessary to keep a state secret or morals, as well as to shield the identity of a witness. In all cases the judgment is announced in public.

4. External communication (Denmark)

The Danish Court Administration has a communications department. This department is responsible for both internal and external communication. External communication activities include: the homepage of The Courts of Denmark, www.domstol.dk; a quarterly magazine, "Danmarks Domstole"; an annual report on the activities of The Courts of Denmark; press releases; annual meetings with representatives from the press.

In addition, each court has its own homepage. The same design and a uniform set of templates are used on both www.domstol.dk and the individual homepages of the courts.

From 2009, each court will have a special press spokesman. The spokesman is a judge who has been trained in dealing with the media, writing press releases etc. In some cases, the presiding judge

will also answer questions from the press. On verdicts of common interest the court often issues a press release on the courts website.

The Danish Court Administration facilitates the work of a communications network. An employee from every court is included in this network. The purpose of the network is to improve internal and external communication in The Courts of Denmark and to ensure coordination between the courts. Especially regarding external communication the member of the network coordinates enquiries from the press.

5. External Communications (Germany)

Almost every court has a website where the public can find information about the organization and duties of the judiciary or the court. Important forms for applications/possessory actions are published there. The Supreme Court and the district courts have press spokespersons and they inform the public about important decisions made by the Supreme Courts and the high courts and sometimes even of the first instance courts. Important verdicts from the high courts and the Supreme Courts are published on the website anonymously.

6. Publicity (Hungary)

The presidents of the Supreme Court, the courts of appeal and the county courts nominate spokespersons from among the judges. The courts have regular contacts with the press. The spokesperson is responsible for the efficient contacts with the press, the publication or accessibility of up-to-date information about the court's work. About the work of the courts in general the President of the NCJ, the Head of its Office, or an assigned member of the NCJ is entitled to give information, to hold press conferences and to publish announcements. No information can be given about the merit of an ongoing case.

7. Importance of written texts (Hungary)

An important tool of the acceptance of court decisions is the presentation of judgement and the quality of its content. Court rulings must be justified clearly, according to the facts and convincingly by the judge. This is not only information for the parties concerned but for the whole public and the press as well.

The method of compiling court rulings is an important subject of judicial training. The compilation of an e-learning material in this matter is also under way.

From 1 July 2007, the final judgements of the Supreme Court and the courts of appeal – and judgements on first (and second) instance of the lower courts in these cases – are accessible via internet for the public.

8. Communication (Hungary)

Internal and external communication by means of own journal leaflets for citizens, etc.

9. External communication (Lithuania)

The chairmen of courts are obliged to appoint public servants or other employees who are responsible for the preparation of the announcement to the public of court decisions in resonant cases, for the constant presentation of information to the mass media, for the organization and conduct of press-conferences, etc. An assistant to the chairman of the court, responsible for the relations with public was established in all regional courts and in the Vilnius regional administrative court.

The Judicial Council has adopted regulations on rendering the information on court activities to the public and mass media. There is a possibility to search for the weekly schedules of court sessions in the website of the National Courts Administration.

The websites of institutions of self-governance of courts, the courts and the National Courts Administration provide information relevant to the court system. Article 39 of the Law on Courts

has established that various decisions of courts (final acts, annual reviews of court practice of the Supreme Court, decisions of the ECHR) are to be published on the website of the National Courts Administration.

10. External Communication (Netherlands)

Every court in the Netherlands has one or more so-called "press judges", who are appointed as spokespersons to the press.

To interest young people in the judiciary and the administration of justice, the Netherlands Judiciary has developed a special campaign for them.

Every three or four years, the Dutch judiciary organises an Open Day of the courts, during which all courts in the Netherlands organise various activities for the general public.

Another important instrument in the public information programme is the website Rechtspraak.nl, which consists of - inter alia - a database of judgements.

The last months, the Netherlands Judiciary has been developing a special Internet site to prepare citizens for proceedings.

Every court in the Netherlands has one or more so-called "press judges", who are appointed as spokespersons to the press. The press judges drew up a set of guidelines for the press in 2003, which has recently been renewed. Besides the guidelines, the Council had published a manual for press judges. To educate the youth, the Netherlands Judiciary has developed special products for them, including a 'education package', with activities, a special website and a brochure in the form of a comic book about a court case.

Another important instrument in the public information programme is the website Rechtspraak.nl, which consists of - inter alia - a database of judgements. The last months, the Netherlands Judiciary has been developing a special Internet site to prepare citizens for proceedings. Information is currently predominantly supply-based. That approach is being discarded in favour of a more demand-based information system providing the principal target groups with more tailor-made information.

11. Communication policies (Romania)

The SCM communication policies are aimed at increasing transparency towards:

- Spokespersons: training the spokespersons of judicial authorities, such as Superior Council of Magistracy (SCM), courts and prosecutors' offices to issue clear and reliable messages to the public and the media (in 2008, 947 magistrates and spokespersons were trained, internships for spokespersons were organized abroad, a Guide of good practices for the cooperation between courts, prosecutors' offices and the media and Practical handbook on effective relations with the media were elaborated and posted on the website of the SCM and distributed to the courts and prosecutors' offices).
- Litigants: information guides for litigants are published the websites of the Council and of the courts (mainly the courts of appeal, containing models of actions and complaints in 33 areas of law, fifteen stand-alone, touch-screen info-desks and appropriate software were provided by the SCM to the courts of appeal). Also, in 2008, the SCM produced another five orientation guides for litigants on the rights, obligations of the litigants and rules of conduct before courts.
- The media: three mediated meetings between mass media and judicial representatives were organized in order to assess the actual state of relationships between the spokespersons and the media, Also, a Public Relations and Information Office was established in each court, which will ensure the relations between the court and the public and the media.

12. External Communications (Slovenia)

All courts have homepages, the Supreme court and the largest District Courts have press spokesmen and they inform the public about the important decisions. Nearly all final decisions of the High Courts and the Supreme Court of the Republic of Slovenia are published on the website dedicated to

the case law, which is supported by the Supreme Court (www.sodnapraksa.si). The website also contains legal opinions of the Supreme Court, as well as a special search engine, dedicated to the cases on the amounts of compensation for immaterial damage.

Courts have information desks for court visitors. Information leaflets on court proceedings are not available yet, but initiatives have been taken in this direction. In accordance with the procedural legislation as well as with the Act on the Access to Information of Public Character parties on one hand and the general public on the other have access to court cases and documents. An up-to-date list of lawyers is available on the website of the Slovene Bar Association (www.odv-zb.si). Similarly, a list of court experts and translators is available on the website of the Ministry of Justice (www.mp.gov.si).

13. Other Activities

1. Other Activities (Bulgaria)

The Supreme Judicial Council became a beneficiary under the Operative Programme "Administrative Capacity" of two projects: 'Renovated information systems for better services. Regulatory legislation for electronic justice' and 'Competent and motivated magistrates and judicial employees/servants'.

The main components of these projects are:

- The creation of specialized software for monitoring and control of the activities of expert witnesses. This software will allow for systematic and up-to-date information on the availability, qualification and activities of the expert witnesses, as well as for control over the financing (planning, reporting) of judiciary expertise procedures.
- The renovation of the systems for court cases management and creation of an internet portal for judiciary acts. A central web-based interface for publishing of court acts will be created.
- Training for applying legislative regulations (international private legislation and international civil proceeding; computer crimes); training of magistrates for improving their skills and supporting their activities outside the legal sphere (time management and work organization with regard to timely dealing with cases; training skills; coaching and mentoring at the workplace - for improving the work with trainees, as mentors for junior judges, prosecutors and investigators, as well as legal servants); training of employees in the judicial system for providing better service.
- The human resources management - creation and implementation of an Information System for Human Resources Management in the judicial system. Working out of the methodologies for human resources management and the integrated information system within the frames of the component will ensure the submission of the information system to the real management needs.

2. Best practice consultants (Denmark)

A best practice team consisting of employees working as both process consultants and as ordinary court employees has been created. The task of the best practice team is to observe working procedures, propose new ways to work, gather information, and secure knowledge sharing. Due to the workload connected with the implementing of the court reform, only one best practice consultant is functioning at the moment but it is the intention to recruit more consultants in 2008.

Due to the workload connected with the implementation of the court reform, only one best practice consultant is functioning at the moment, but an additional number of consultants will start working in the spring of 2009.

3. Other Activities (Germany)

Every judge and prosecutor is committed to maintaining high standards. For this reason they discuss quality standards and questions of ethics related to judges and prosecutors in their associations, for example the German Association of Judges (Deutscher Richterbund) or the New Society of Judges (Neue Richtervereinigung).

4. Physical security of judges (Hungary)

Judges are psychically often overburdened by their work, since they meet and must handle personal conflicts at the trials. No consequences of the most objective and high-standard decisions can be calculated in advance. Decisions can generate impacts which could result in verbal, written or even physical attack of the judge. Therefore it is a task of the management to minimise the possibilities of these attacks to reach the judges. The forum of defending against verbal and written attacks is the press activity of the courts and the complaint procedure. To prevent the physical attacks the NCJ

draws the attention of the government to this problem, in order to allocate funds for improving the security infrastructure of the courts, and the setting up of a personal guard system in accordance with the impartiality of the judiciary.

Furthermore there can be a need for the continuous psychological supervision of judges and to operate a special health care system in order to be able to prevent mental diseases.

5. Audio records in the court proceedings (Latvia)

Latvia has started to implement audio records in the court proceedings. This pilot project is at the moment being implemented in three Latvian courts. One court room in each court is equipped with the professional audio recording equipment to fix the court proceedings in an audio record. The aim is the modernization of judicial proceedings, to improve the quality of court proceedings, making process more effective and promoting efficient use of court staff.

6. Distribution of the summons fully automated process (Latvia)

Starting from December 2007, the centralised distribution of the court summons is implemented. The data of the court summons are gathered electronically, printed out and distributed. At this moment, the pilot project is implemented in the Administrative district court. During 2008, it was planned to implement the project in all district and regional courts. The aim is to relieve the court employees – instead of bringing the court summons to the post office they could perform more qualified tasks. Implementing the new technology will reduce the expenses of office supplies, equipment and human resources.

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7. Electronic service 'Track court proceedings' (Latvia)

Starting from November 2008, the Court Administration has launched a new electronic service called 'Track court proceedings'. It is a free of charge service that is available to the general public on the court portal for tracking any court proceeding in any court of Latvia. Information is available on the current status of any specific court proceeding – name and contact information of the court, judge assigned, court hearings scheduled, claims received, court decisions made within proceeding (without full-text exposed) and information on case proceedings throughout other court instances. Information is provided publicly without any personal data exposed.

8. Recording the court proceedings (Lithuania)

Article 38 part 3 states that from 1st July, 2010 following the procedure established by procedural law, the court proceedings shall be audio-recorded. For recording and investigating the evidence, the court may video-record, film and photograph following the procedure established by procedural law or use any other technical equipment. Until the 1st July, 2010, for recording and investigating the evidence, the court may audio-record, video-record, film and photograph the proceedings following the procedure established by procedural law or use any other technical equipment.

9. Annual reports issued by the Superior Council of Magistracy (Romania)

Annually, the Superior Council of Magistracy issues a series of reports which are made public (through publication on the website of the Council www.csm1909.ro and press releases), disclosing information on the quality of the courts' activities, namely: an annual report on the activity of the

courts, an annual report on the activity of the prosecutors' offices, an annual report on the activity of the Superior Council of Magistracy and an annual report on justice.

The annual reports on the activity of the courts and prosecutors' offices deal with information on: the number of cases registered at the courts/prosecutors' offices classified on subject matter and on levels of jurisdiction, the efficiency of the courts/prosecutors' offices from all levels of jurisdiction and the workload of each judge/prosecutor from all levels or jurisdiction. The report on justice contains a quantitative and a qualitative analysis of the judiciary by presenting data on: the random distribution of cases, the length of proceedings, the uniform application of laws, quality indicators in the activity of the courts/prosecutors' offices, the specialization of judges and prosecutors, raising free access to justice, improving the quality of courts/prosecutors' offices management and the degree of transparency of the judiciary. These reports are public, being posted on the webpage of the SCM and communicated to the general public and media by press release.

10. Publicity of court sessions in Romania

Publicity of court sessions has a constitutional basis and is now provided, in a general form, in the law on the judicial organization and in the two codes of procedure.¹

Thus, court sessions take place, as a rule, with 'open doors'. Judges can limit the access of public in the courtroom only on grounds of the size of the courtroom² and can remove people from the courtroom on discipline-keeping grounds (e.g., if one becomes noisy or in any way disturbs the activity of the court³). Non-public sessions are exceptions, provided *expressis verbis* by the law.⁴

In civil cases, court sessions can be declared non-public, when the publicity of proceedings/hearings could damage public order, good morals, or the interests of parties involved. In situations like these, only the lawyers of the parties and two persons nominated by them can accompany the parties involved in the hearings.

The verdict is always announced in public session. In situations where the rule of publicity was not observed in criminal court sessions, the result is the nullity of proceedings.

If the court session is public, in accordance with the law, media representatives, or general public are allowed to record court proceedings by audio and/or video means. The only restriction regards the maintaining of order and avoidance of disturbances - if these conditions are not met, the president of the panel may expel those who caused problems.

11. General obligation of Romanian courts to report information of public interest

According to the Law no. 544/2001 on the free access to information of public interest, every public institution, including courts and prosecutors' offices, is bound to report *ex officio* the following information of public interest:

- the legal regulations that pertain to the organization and functioning of the public authority or institution;
- the organization structure, functions of departments, functioning schedule and hearings schedule;
- names of those in the leading structure and those responsible for the dissemination of public information;
- contact coordinates of public authorities and institutions;
- financial sources, budget and the balance sheet;

¹ Criminal Procedure Code (art. 290), Civil Procedure Code (art. 121).

² Civil Procedure Code, art. 122

³ Criminal Procedure Code, art. 298

⁴ Criminal Procedure Code, art. 228 (2): criminal court proceedings cannot be attended by minors under 16 years of age. Also, court sessions can be declared secret by the court at the request of the prosecutor, of the parties involved or *ex officio*, during all proceedings or just for a certain part of a session, in situations where the public character of the court session can jeopardize certain interests, such as: *state interests* (e.g. in cases of crime against national security or against the national capacity of defence); *good morals* (e.g. in cases of sexual crimes); *dignity* or *privacy* (e.g. in cases of defamation, libel or slander or breach of privacy). art. 121 (2) of the Civil Procedure Code

- public authorities' or institutions' programmes and development strategies;
- list of documents of public interest;
- modalities of disputing public authorities' or institutions' decision, whenever a person considers that prejudices with respect to their right of access to information of public interest occurred.

Webpages of the courts display all the required information.

In order to provide access to information of public interest, courts organized specialized information and public relations departments, appointed spokespersons and organized periodical press conferences to inform about issues of public interest. Courts, as any other public authorities and institutions, are bound to grant accreditation for journalists and media representatives. The refusal to grant accreditation should be communicated in writing and should not affect the press organ's right to obtain accreditation for another journalist.

12. Other Activities (Slovenia)

The Central department for Enforcement was formed on the basis of authentic documents at the local court in Ljubljana. The department represents a new development in enforcement cases, since it is centralised – it deals with enforcement cases on the basis of authentic documents for the whole country – and is fully computerised.

Contact Persons for Quality Activities

	Country and Organization	Name
1	Austria, Ministry of Justice	- Mr. Reinhard Hinger
2	Belgium, Conseil Supérieur de la Justice / Hoge Raad voor de Justitie	- Mr. Geert Vervaeke, Vice-Chairman of the High Council of Justice - Mr. Jean-Marie Siscot, Administrator High Council of Justice - Mr. Axel Kittel, member of the Belgian High Council for Justice
3	Bulgaria, Supreme Judicial Council of Bulgaria	- Mr. Ivan Dimov, Chairperson of the Commission for International Legal Cooperation - Ms. Ana Topalova, Senior expert, Department for International Legal Cooperation
4	Denmark, Court Administration (Domstolstyrelsen)	- Mr. Niels Grubbe, Supreme court judge, chairman of the board of the Danish Court Administration - Ms. Gerd Sinding, Head of reform and Development - Mr. Klaus Rugaard, Deputy head of Finance and Development

5	Finland, Ministry of Justice	<ul style="list-style-type: none"> - Mr. Sakari Laukkanen, Head of Development, Ministry of Justice - Mr. Harri Mäkinen, Chief Judge of the District Court of Oulu - Mr. Antti Savela, Judge of the District Court of Oulu
6	Germany, German Association of Judges	<ul style="list-style-type: none"> - Carla Evers-Vosgerau, labour court judge, member of the board of the German Association of Judges; German Association of Judges
7	Hungary, National Council of Justice (Országos Igazságszolgáltatási Tanács)	<ul style="list-style-type: none"> - Mr. Arpad Orosz, judge of the Supreme Court, member of the National Council of Justice - Mr Peter Sarkozy, head of Department for International Affairs, Office of the National Council of Justice
8	Latvia, Court Administration	Ms. Agnija Karlsona, Head of Public Relations Division
9	Lithuania, Judicial Council (Teisėjų taryba)	<ul style="list-style-type: none"> - Ms. Ernesta Sakalauskiene, National Courts Administration, head of International relations division - Algis Norkunas, judge of the Supreme Court of Lithuania
10	The Netherlands (coordinator), Council for the Judiciary (Raad voor de rechtspraak)	<ul style="list-style-type: none"> - Ms. Marja van Kuijk, Secretary-Director Netherlands Council for the Judiciary - Ms. C.C. Flaes, Policy Officer International cooperation - Ms. Yinka Tempelman Quality Manager - Mr Ezra van Duuren Secretary Quality

11	Romania, Superior Council of Magistracy (Consiliul Superior al Magstraturii)	<ul style="list-style-type: none"> - Ms. Alexandrina Radulescu, Judge, member of the Superior Council of Magistracy - Ms. Diana Minca, Legal Advisor, European Affairs, International Relations and Programs Department
12	Slovenia, Judicial Council of the Republic of Slovenia	Ms. Mateja Končina Peternel, Higher Court Judge and member of the Judicial Council of the Republic of Slovenia
13	CEPEJ	<ul style="list-style-type: none"> - Mr. Pim Albers Special Adviser to the CEPEJ, Council of Europe, Directorate General Human Rights and Legal Affairs