



**European Network of Councils for the Judiciary (ENCJ)**

**ENCJ Working Group on Quality Management**  
**Register of Quality Activities (Appendix to the Final Report)**  
**Budapest, May 2008**

## **Register of Quality Activities**

**Appendix to the Report ENCJ Working Group Quality Management**

## Table of Contents

- 1. MISSION, VISION AND STRATEGY ..... 4
- 2. TOTAL QUALITY SYSTEM ..... 5
- 3. LEADERSHIP AND MANAGEMENT ..... 7
- 4. COMPLAINTS PROCEDURE ..... 8
- 5. PEER REVIEW ..... 10
- 6. PROCESSING TIMES AND WORKING PROCEDURES ..... 11
- 7. TRAINING ..... 13
- 8. QUALITY ASSESSMENT AND JUDICIAL QUALITY ..... 15
- 9. STAFF EVALUATION ..... 18
- 10. CLIENT EVALUATION ..... 19
- 11. MANAGEMENT INFORMATION, AUDITING AND REPORTING ..... 21
- 12. EXTERNAL COMMUNICATION ..... 24
- 13. OTHER ACTIVITIES ..... 26
  
- CONTACT PERSONS ON QUALITY ACTIVITIES ..... 28

## **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. 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 organisation. 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. For more information, see paragraph 4.1 of the report.

### **3. 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).

### **4. Mission, vision and strategy (Latvia)**

The mission, vision and strategy of the courts and 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 that should be implemented in the medium-term. Quality measurement instruments are also defined and should be observed. The courts are introduced with this document so they know the development plans for the next years. The working strategy is used also for budget planning for the next years.

### **5. Mission and vision (Lithuania)**

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

### **6. 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 from 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 realising 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.

## **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 Benchmarks proposed by the Quality Project of the Courts in the Jurisdiction of the Court of Appeal of Rovaniemi, Finland, will form a basis for the quality work of 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) organisation 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. 27 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 two areas: quality in the court system, and the administration of the courts and provision of material technical base. 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 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, Rechtspraak, 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. For more information, see paragraph 4.2 of the report.

### **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 for 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. For more information, see paragraph 4.2 of the report.

#### **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 specialised 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 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. This may concern such things as compliance with the procedural norms on registering the requests, the random distribution of cases system, communication of decisions, and signalling the deficiencies and formulating proposals for eliminating them. Also, the Judicial Inspection verifies the notifications addressed to the Council with regard to the inappropriate activities of judges, the results of which are the basis for taking disciplinary action against judges.

### **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)). For more information, see paragraph 4.3 of the report.

#### **2. 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.

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, the two high courts, 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 organisation of the courts are among the issues discussed on these seminars.

For more information, see paragraph 4.3 of the report.

#### **3. 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 organisation of the court work are among issues discussed on the seminars.

#### **4. Leadership and management (Lithuania)**

The Chairman of the Court of Appeal of Lithuania organises and controls the administrative activities of the Court of Appeal of Lithuania and its judges and of regional courts and their judges. The Chairman of the Supreme Administrative Court of Lithuania organises and controls the administrative activities of the regional administrative courts and their judges. The Chairman of the regional court organises and controls the administrative activities of the regional court and its judges as well as the administrative activities of district courts and their judges within its territory. The Chairman of the district court organises and controls the administrative activities of the district court and its judges.

#### **5. 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. For more information, see paragraph 4.3 of the report.

## **4. Complaints Procedure**

### **1. ‘Ombudsmen/ombudswomen’ at the ‘Oberlandesgericht’ (Austria)**

Since 1 November 2007 there are judges working as “ombudsmen/-women” in each of the 4 High Courts of Appeal (“Oberlandesgericht”) dealing with complaints. With their installation was started a (low level) registration system of the types of complaints and of the outcome of the individual complaints procedures.

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

The goal of this project is to put in place a system for the smooth handling of complaints within the judicial system and to make it possible for the High Council to follow up complaint handling easily, 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. For more information, see paragraph 4.4 of the report.

### **3. 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.

### **4. 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.

### **5. Complaints procedure (Lithuania)**

The Judicial Council and the Chairman of the court where a judge is employed or the Chairman of any court of a higher level has the right to consider complaints concerning the judges’ activities/conduct in the Republic of Lithuania. After the consideration of the complaint the party may propose the institution of a disciplinary action by submitting a reasoned motion for instituting a disciplinary action 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 a decision. A decision of the Judicial Court of Honour may, within ten days after its adoption, be appealed to the Supreme Court. For more information, see paragraph 4.4 of the report.

### **6. 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 organisation of the court and its service to the public.



**7. Complaints Procedure (Romania)**

There is no uniform registry of complaints. However, complaints about the treatment 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. They must inform the plaintiff about the measures taken. Complaints may be sent to the Superior Council of Magistracy, in which case the Judicial Inspection will make the necessary verifications.

## **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.

### **2. 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.

### **3. Peer review (Romania)**

Peer review is not a specific instrument used in the Romanian judicial system, but indirectly results from the fact that all courts must hold discussions on issues of non-unitary judicial practice. In this way within every section, judges analyse decisions pronounced by themselves or other judges which rendered different solutions on the same factual circumstance and law. Issues of non-unitary judicial practice must be solved at the level of courts of appeal, after the discussions and the meetings held with judges. If this is not possible, the Prosecutors' Office attached to the High Court of Cassation and Justice will be notified in order to promote a second appeal in the interest of law.

## **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 (cf. the pre-information for the Hague-meeting “The Quality of the Judiciary – Attempts in Austria – Duration of Proceedings”; 071025 Quality Management Austria.pdf).

### **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 on 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. For more information, see paragraph 4.6 of the report.

### **3. Joint committee on working procedures (Denmark)**

In 2006, a joint committee on working procedures in the courts was created with members representing prosecutors, the police, lawyers, judges, deputy judges, the medico-legal council and others. The joint committee sets up working groups on matters, where more parties are responsible for the momentum in a case. For 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. For more information, see paragraph 4.6 of the report. For more information, see paragraph 4.6 of the report.

### **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. 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. The one best practice consultant employed at the moment is employed full time by the Court Administration, but has her office in a district court in another part of Denmark. Before becoming a best practice consultant she worked as a junior judge and prior to this as a lawyer. As a best practice consultant she has been offered training as a process consultant and as lean manager. For more information, see paragraph 4.6 of the report.

### **5. 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. For more information, see paragraph 4.6 of the report.

### **6. Processing times and working procedures (Lithuania)**

A list of cases of which the hearing lasted longer than 1 year are 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.

#### **7. Indicators (The Netherlands)**

Every year, the Council for the Judiciary publishes a number of indicators per court specifying the quality of the judgements, productivity, finance, organisation 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.

#### **8. 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 rounded off 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.

#### **9. Collection of statistical data (Romania)**

Through the Statistical Office, the Superior Council of Magistracy (SCM) 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 prosecutor's offices and length of the proceedings. On the basis of the statistical data, reports are issued and presented to the Plenum of the SCM which may decide to send the information to other concerned institutions such as the Ministry of Justice or the Prosecutor's Office attached to the High Court of Cassation and Justice. The statistical data may serve as a means to reconsider personnel schemes at courts and prosecutor's offices, to reorganise certain courts or to fundament delegation and transfer decisions.

## 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. *[similar to the information from DK]*

### 2. 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.

### 3. E-learning (Hungary)

The establishment of the Judicial Information Knowledge-Based System is realised in the form of training projects, and system- and informatics developments. The main aim of the advancement is to improve the theoretical and practical knowledge of the judges, and their language skills, to have better communication with each other and to ensure their direct access to information sources.

The Office of the National Council of Justice Hungarian Judicial Academy is responsible for the national education and training of the Hungarian judges, candidate judges, judges with little practice and justice personnel (librarians, IT referents). The information supply of colleagues and specialists employed in the judicial institutions is becoming more and more important, besides the training renewed in its methods and based on practical bases.

Corvina Judicial Integrated Library System is developed with the help of own resources. The importance of this development is to join into one unified system the geographically separated 27 court libraries and 114 depository libraries. By means of this improvement the whole judicial document collection can be retrieved and become available. The integrated system also provides access beyond the printed materials to electronic documents.

The Transition Facility project makes it possible to use modern adult education and life-long learning methods. They have been achieved by means of specialists' advice throughout Twinning co-operation and the developing E-learning system within this framework. Course materials for fourteen e-learning courses will be prepared simultaneously by the introduction of the e-learning framework system. The IT supply component of the project provides modern computer librarian workstations for each of the 27 court libraries. From further tender application funds the acquisition of library users' workstations will be carried out, so that the libraries can become "a learning island" having access to the whole information network.

The development of the communication system includes the realisation of fora and newsletters contributed by the national trainer judges and the co-operating judicial and library institutions. These new services are hopefully going to work from 2009.

### 4. Training programme (Hungary)

In Hungary, training for judges is centralised within the Office of the National Council of Justice. Since 1 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. 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.

### **5. Training (Latvia)**

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

### **6. Training (Lithuania)**

The Ministry of Justice is responsible for the organisation of training of judges. It also develops programmes and methodological materials, but the programmes for training of judges, regulations on training tests, curricular and schedules, types of training, its scope and financing and other teaching-related documents are approved by the Judicial Council.

### **7. 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.

### **8. 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 standard is set at 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.

### **9. Professional training of judges and prosecutors (Romania)**

Upon the proposal of the National Institute of Magistracy (NIM), the SCM annually approves the programme for the initial training of the auditors of justice (students at the NIM who follow a two-year theoretical and practical training, finalised with a final graduation exam at the NIM. Afterwards the graduates are appointed by the SCM at the courts and prosecutors' offices as trainee judges and prosecutors for one year) and the program 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.). At least once every 3 years, magistrates are obliged to follow professional training courses, the fulfilment of this obligation being a criterion for the individual evaluation of judges and prosecutors. Continuous professional training mainly regards magistrates and is organised, at central level, by the NIM and in the territory, by the courts of appeal, under the coordination of the NIM.

## **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. For more information, see paragraph 4.8 of the report.

### **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 in this regard were exchanged between magistrates and interested parties (including lawyers and civil society) per region. All ideas will be bundled in a report that will be presented and discussed at a colloquium in May 2008.

### **3. Evaluation of the Quality of Adjudication in Courts of Law (Finland)**

The Benchmarks proposed by the Quality Project of the Courts in the Jurisdiction of the Court of Appeal of Rovaniemi, Finland, will form a basis for the quality work of 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, namely: 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) organisation 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, see paragraph 4.8 of the report and/or contact Chief Judge of the District Court of Oulu Harri Mäkinen or Judge Antti Savela (see contact details on p. 27 of the register).

### **4. 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 (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 for 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 in the Working Groups for Quality. The selection of the annual development themes is finalised 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 harmonisation of the court practices. The reports of the Working Groups for Quality are presented at the Quality Conference.

### **5. Judicial Quality (Hungary)**

For more information, see paragraph 4.8 of the report.

### **6. External supervision (Hungary)**

On the occasion of its 10<sup>th</sup> 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)**

A periodical work evaluation of district court judges, chairmen, deputy chairmen of district, regional, regional administrative courts and of the Court of Appeal of Lithuania is being carried out.

Uncommon evaluation of judges of district, regional and regional administrative courts, of the Court of Appeal of Lithuania, the Supreme Administrative Court and of the Supreme Court can be carried out on the initiative of the administration of the respective court or on the concerned person's own initiative.

The work evaluation of judges of district courts, who are appointed for 5 years, is carried out twice. The first evaluation is carried out after two years from the date they started their work. The aim of this evaluation is to determine the organisation of work, legal knowledge and the level of professional ethics of a person who started to work as a district court judge. The second evaluation is held no later than 3 months before the end of the 5 year period. The aim of this evaluation is to define whether a person performed his/her work properly and whether he (she) is suitable for the work as a judge. The next evaluation of judges is carried out 10 years after the last evaluation in case there are no circumstances due to which the work of judges can be evaluated earlier.

When the shortcomings of the work of a judge have been established during the uncommon evaluation and the evaluation commission has produced proposals on the elimination of these shortcomings and on the enhancement of qualification, another evaluation has to be carried out in order to assess whether the defined shortcomings have been eliminated after 2 years from such evaluation.

#### **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. The visitation consists of a self-assessment by the courts, the filling out of a questionnaire and a consultation by the visitation committee. The results are communicated in the form of a public overall report and confidential management letters to the individual courts.

#### **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 public confidence in the judiciary. For more information, see paragraph 4.8 of the report.

#### **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 solved 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. As far as judicial ethics is concerned, the working group on "Deontology and Accountability of Magistrates" has been established and has been working



with a university team composed of psychologists and philosophers to improve the Deontological Code adopted by the Council in 2005. A report has been issued by the university team, which is currently visiting all the courts of appeal to get feedback on the report.

#### **12. Recruitment and promotion of magistrates (Romania)**

The Council is deeply involved in 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 solving the complaints, etc.). Furthermore, as a result of the coordinated efforts of the working group on “Deontology and professional training “and of the “Appreciative Investigation Group” (composed of 19 magistrates from all levels of jurisdiction, with different professional status and ages) and the experts’ groups (who took part in the seminars on this subject, held within May – September 2005), the Council was able to adopt the “Profile of Judges and Prosecutors” in 2005, which is used for the admission to magistracy and for the promotion of magistrates.

#### **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 Guide on the evaluation of the professional activity of judges and prosecutors, the Practical Guide for clerks on the procedural acts used by the courts and prosecutors’ offices, four Guides on the activity of the Judicial Inspection - Guide establishing the criteria for carrying on inspections at the courts and prosecutors’ offices, Guide establishing the criteria for the preliminary investigations on judges and prosecutors, Information Guide for the persons interested to notify the Judicial Inspection, Information Guide for the persons interested to notify the disciplinary commissions - , Guide of 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.

#### **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 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 report.

## 9. Staff Evaluation

### 1. Staff evaluation (Denmark)

A staff evaluation study is carried out on a regular basis. The next one will take place 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 or if the employee should try another position within the courts or perhaps even outside the courts.

### 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 obliged 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 this, 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. For more information, see paragraph 4.9 of the report.

### 3. Staff evaluation (Lithuania)

The internal audit evaluates the operation and effectiveness of the internal system of courts (except the Court of Appeal of Lithuania, the Supreme Court of Lithuania and the Supreme Administrative Court) and the National Courts Administration. During the evaluation of the internal control system, internal auditors look into the quality of the economical-financial activities, human resources, IT safety policy and the evaluation of strategic activities and they identify these risks and recommend how to lower the risks. The following procedures are applied in the process of internal audit: questionnaires and forms for the personnel of the courts.

### 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 organisation.

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. For more information, see paragraph 4.9 of the report.

## **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 organisations is being developed. In a first phase, round-table discussions are being regularly held with the organisations dealing with victim assistance and alternative punishment. Workshops/colloquia will be held later on the ideas that were put forward. For more information, see paragraph 4.10 of the report.

### **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 2008.

### **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 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. For more information, see paragraph 4.10 of the report.

### **8. 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 solved rapidly and efficiently and whether the courts are endowed with adequate space and clean facilities.

## **11. Management Information, Auditing and Reporting**

### **1. Visitation (Austria)**

Every four to seven years a visitation (also called “audit”, “internal revision”; in German: “Visitation” or “Innere Revision”) takes place in every court, starting from the 1990s. 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. For more information, see paragraph 4.11 of the report.

### **3. Strengthening the judiciary’s internal control system (Belgium)**

From the point of view of achieving the objectives by the judicial system, determining how management can be supported to itself take the initiative to improve risk management in the execution of the management and operational activities within the judicial system. For more information, see paragraph 4.11 of the report.

### **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 organisation in order to manage the processes. In addition, to help the judicial system uniformly and transparently report externally to society concerning its activity and objectives. For more information, see paragraph 4.11 of the report.

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

The objective of this project is to 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 “Development of internal auditing for the judicial system” and “Strengthening the judiciary’s internal control system”. For more information, see paragraph 4.11 of the report.

### **6. 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 gathered information 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 gathered information is only for use 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.

#### **7. 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' office, 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.

#### **8. 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](http://www.birosag.hu). Results are analysed every six months by the NCJ.

#### **9. 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.

#### **10. Audit of data of court proceedings (Latvia)**

Since 1998, there is a Court Information System, 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.

#### **11. Data warehouse (Latvia)**

In 2008, the Court Administration will set up a data warehouse information system. It will be used to gather data from the Court Information System and the financial information system to calculate actual expenses of court proceedings and expenses of every single procedure of court proceeding.

#### **12. Management of information, auditing and reporting (Lithuania)**

The National Courts Administration carries out internal audits on district, regional, regional administrative courts and also National Courts Administration.

By direction of the Judicial Council, the National Courts Administration gathers information about the administrative activities and the organisational 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. For more information, see paragraph 4.11 of the report.

#### **13. 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.

#### **14. 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 organisation 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 organisation, development, and general.

### **15. Improving access to information (The Netherlands)**

Information is currently provided via the organisational 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.

### **16. Collection of statistical data (Romania)**

Besides the verifications carried out by the Judicial Inspection of the Superior Council of Management (SCM), the collection of statistical data is also used as an instrument for measuring the performance of the judiciary. The Human Resources and Organisation Department within the SCM regularly collects data on the speed of the judicial proceedings on various categories of cases and according to the level of jurisdiction (first instance, appeal or second appeal). For more information, see paragraph 4.11 of the report.

### **17. Internal audit (Lithuania)**

Upon direction of the Council of Courts, the National Courts Administration gathers information about the administrative activities and the organisational 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;
- measures guaranteeing high professional ethics of the officials and ensuring the effectiveness of the activities of judges and the staff of courts;
- work of the records office of the 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 (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](http://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](http://www.domstol.dk) and the individual homepages of the courts.

The courts have no appointed special press spokesmen. In some cases the presiding judge will 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.

For more information, see paragraph 4.12 of the report.

### **3. Publicity (Hungary)**

The presidents of the Supreme Court, the courts of appeal and the county courts nominate spokespersons from among the judges. In reasonable cases press secretaries (judges or courts employees) work at the courts as well. 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.

### **4. Importance of written texts (Hungary)**

An important tool of the acceptance of court decisions is the compilation of judgements and the quality of their 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 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.

### **5. Communication (Hungary)**

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

### **6. External Communication (The 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. For more information, see paragraph 4.12 of the report.

#### **7. Communication policies (Romania)**

The Superior Council of Magistracy takes measures regarding external communication, as a means to better the image of the Council and of the courts towards the public, the litigants and the media. Thus, the SCM adopted the Guide of good practices for the cooperation between courts, prosecutors' offices and the media, while on the websites of the Council and of the courts (mainly the courts of appeal), information guides for litigants are published, containing models of actions and complaints in 31 areas of law. Also, in order to disseminate information on the activity of the Judicial Inspection, the SCM webpage refers to 4 guides containing relevant data on the activity and competencies of the Judicial Inspection and on the procedure for notifying the Judicial Inspection and the discipline commissions by interested persons. For more information, see paragraph 4.12 of the report.

## **13. Other Activities**

### **1. 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. 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.

### **2. Physical security of judges (Hungary)**

Judges are psychically often overtaxed 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 psychical supervision of judges and to operate a special health care system in order to be able to prevent mental diseases.

### **3. Unity of law (Hungary)**

According to the Constitution of Hungary, the Supreme Court is responsible for the uniform application of law. This task was hindered by the fact that besides the extraordinary remedy procedure (revision) the Supreme Court acted as an appeal court on second instance. Therefore, the National Council of Justice (NCJ) supported the initiative of setting up new appeal courts, the regional courts of appeal. These courts started working in 2003 and 2005. The NCJ provided sufficient operational background for these courts.

As a result of this institutional reform, the Supreme Court can now fulfil its constitutional obligations. The Supreme Court ensures the uniform application of law via the decisions for the uniform application of law, the published principle decisions (chosen from the case-law). The heads of divisions of the Supreme Court have an informal instrument: they usually take part in the divisional meetings of lower courts. Based on the professional proposal of the Supreme Court the NCJ supports the legislative efforts to re-regulate the procedure of uniform application of law.

Furthermore, the NCJ launched last year a mid-term programme for examining certain fields of the application of law. The results of this survey will be summarized by the Supreme Court.

### **4. International courts (Hungary)**

According to the opinion of the NCJ, an important indicator of the judicial quality is international control. An important field of this control is the analysis of the Hungary-related cases of the European Court of Human Rights (ECHR) since 1992. The NCJ examines yearly the cases in which the Hungarian State was condemned. The results show that the typical reason for condemning is the protraction of cases. Therefore, the NCJ ordered a survey concerning the reasons of longer procedures and the options for intervention. The presidents of the courts are obliged to report all cases which last more than five years. This year the Hungarian Judicial Academy pays special attention to the case-law of the ECHR.

The community law training of the Hungarian judges was successful. In the framework of a project launched by the NCJ in 2000, 57 national trainer judges (community law experts) were trained. Their tasks are to provide aid to their fellow judges concerning EC-law and to train them. An indicator for the thorough knowledge of EC-law is that among the member states acceded to the EU in 2004 Hungary submits requests for preliminary ruling to the European Court of Justice most frequently.

**5. Audio records in court proceedings (Latvia)**

Audio recording in court proceedings is being implemented in three Latvian courts. One courtroom in each court is equipped with the professional audio recording equipment to record the court proceedings. The aim is to modernise judicial proceedings and to improve the quality of court proceedings, so that the processes are more effective and court staff is used efficiently.

**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 unitary. At this moment, the pilot project is implemented in the Administrative district court. There are plans to implement the project in all district courts and regional courts in 2008. 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.

### Contact Persons on Quality Activities

	Country and Organisation	Name	Contact Details for Information on Quality Activities
1	Austria, Ministry of Justice	- Mr. Reinhard Hinger	<a href="mailto:reinhard.hinger@bmj.gv.at">reinhard.hinger@bmj.gv.at</a> T: +43 1 52152/2228
2	Belgium, Conseil Supérieur de la Justice / Hoge Raad voor de Justitie	- Mr. Geert Vervaeke, Chairman of the High Council of Justice - Mr. Jean-Marie Siscot, Administrator High Council of Justice	<a href="mailto:geert.vervaeke@hrj.be">geert.vervaeke@hrj.be</a>  <a href="mailto:jean-marie.siscot@hrj.be">jean-marie.siscot@hrj.be</a>
3	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	<a href="mailto:NielsGrubbe@Hoejesteret.dk">NielsGrubbe@Hoejesteret.dk</a> T: (+45) 33 63 27 50  <a href="mailto:gsi@domstolsstyrelsen.dk">gsi@domstolsstyrelsen.dk</a> T: (+45) 70 10 33 22  <a href="mailto:kru@domstolsstyrelsen.dk">kru@domstolsstyrelsen.dk</a> T: + 45 33 92 95 39
4	Finland, Ministry of Justice	- 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	<a href="mailto:Sakari.Laukkanen@om.fi">Sakari.Laukkanen@om.fi</a> T: +358 50 354 7169  <a href="mailto:harri.e.makinen@om.fi">harri.e.makinen@om.fi</a> District Court of Oulu PO Box 141, 90101 Oulu, Finland T: +358103649619  <a href="mailto:antti.savela@om.fi">antti.savela@om.fi</a> District Court of Oulu PO Box 141, 90101 Oulu, Finland T: +358 10 364 9500
5	Hungary, National Council of Justice (Országos Igazságszolgáltatási Tanács)	- 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	<a href="mailto:orosza@legfelsobb.birosag.hu">orosza@legfelsobb.birosag.hu</a> T: +36 1 268 46 03 F: +36 1 268 45 15  <a href="mailto:nkf@oith.birosag.hu">nkf@oith.birosag.hu</a> T: +36 1 312 74 27 F: +36 1 331 37 20
6	Latvia, Court Administration	- Ms. Agnija Karlsonē, Head of Public Relations Division - Mrs. Anda Pleiksnē, Executive Deputy Director of the Court	<a href="mailto:agnija.karlsonē@ta.gov.lv">agnija.karlsonē@ta.gov.lv</a> T: +371 7063807 F: +371 7063805

		Work Organisation Department	
7	Lithuania, National Court Administration (Nacionaline Teismų Administracija)	<ul style="list-style-type: none"> <li>- Ms. Ernesta Gruseckaite, Head of International relations division</li> <li>- Algis Norkunas, Vice Chairman of the Judicial Council, judge of the Supreme Court of Lithuania</li> </ul>	<a href="mailto:ernestag@teismai.lt">ernestag@teismai.lt</a> , T: +37 05251 4126  <a href="mailto:a.norkunas@lat.lt">a.norkunas@lat.lt</a> T: +370 5249 1200.
8	The Netherlands, Council for the Judiciary (Raad voor de rechtspraak)	<ul style="list-style-type: none"> <li>- Ms. Marja van Kuijk, Secretary-Director Netherlands Council for the Judiciary</li> <li>- Ms. Elske van Amelsfort-van der Kam, Advisor Strategy and Organisation Development</li> <li>- Ms. C.C. Flaes, Policy Officer International Cooperation</li> </ul>	<a href="mailto:m.van.kuijk@rechtspraak.nl">m.van.kuijk@rechtspraak.nl</a> T: +31 70 361 98 64  <a href="mailto:e.van.amelsfort@rechtspraak.nl">e.van.amelsfort@rechtspraak.nl</a> T: +31 70 361 9806  <a href="mailto:c.c.flaes@rechtspraak.nl">c.c.flaes@rechtspraak.nl</a> T: +31 70 361 98 84
9	Romania, Superior Council of Magistracy (Consiliul Superior al Magstraturii)	<ul style="list-style-type: none"> <li>- Ms. Alexandrina Radulescu, Judge, member of the Superior Council of Magistracy</li> <li>- Ms. Diana Minca, Legal Advisor, European Affairs, International Relations and Programs Department</li> </ul>	<a href="mailto:alexandrinaradulescu@csm1909.ro">alexandrinaradulescu@csm1909.ro</a> T: + (40) 21 319 81 89 F: + (40) 21 311 69 44  <a href="mailto:diana.minca@csm1909.ro">diana.minca@csm1909.ro</a> T: + (40) 21.319.81.89 F: + (40) 21.311.69.44  <a href="http://www.csm1909.ro">www.csm1909.ro</a> T: + (40) 21 311 69 48 F: + (40) 21 311 69 44