

THE JUDICIAL SCHOOL SPANISH EXPERIENCE



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Senior Judge –Director Spanish Judicial School

The School is a part of the General Council for the Judiciary

The Spanish General Council is a **constitutional body**.

■ It has been assigned the task of **governance of the Judiciary**, (sharing it with the governance bodies of each of the different Courts)

■ Its **functions** are not jurisdictional but **organisational** having always as main principle of action the full respect and guarantee of the independence of the Judiciary which is exclusively subject to the rule of law.



The Judicial School

Functions:

- Initial training of Judges
- On-going training
- Permanent training research centre
- Authority exchange programme

International activities

Latin America:

- Training Network (RIAEJ)
- Iberoamerican Judicial
- Training cooperation (Aula Iberoamericana)

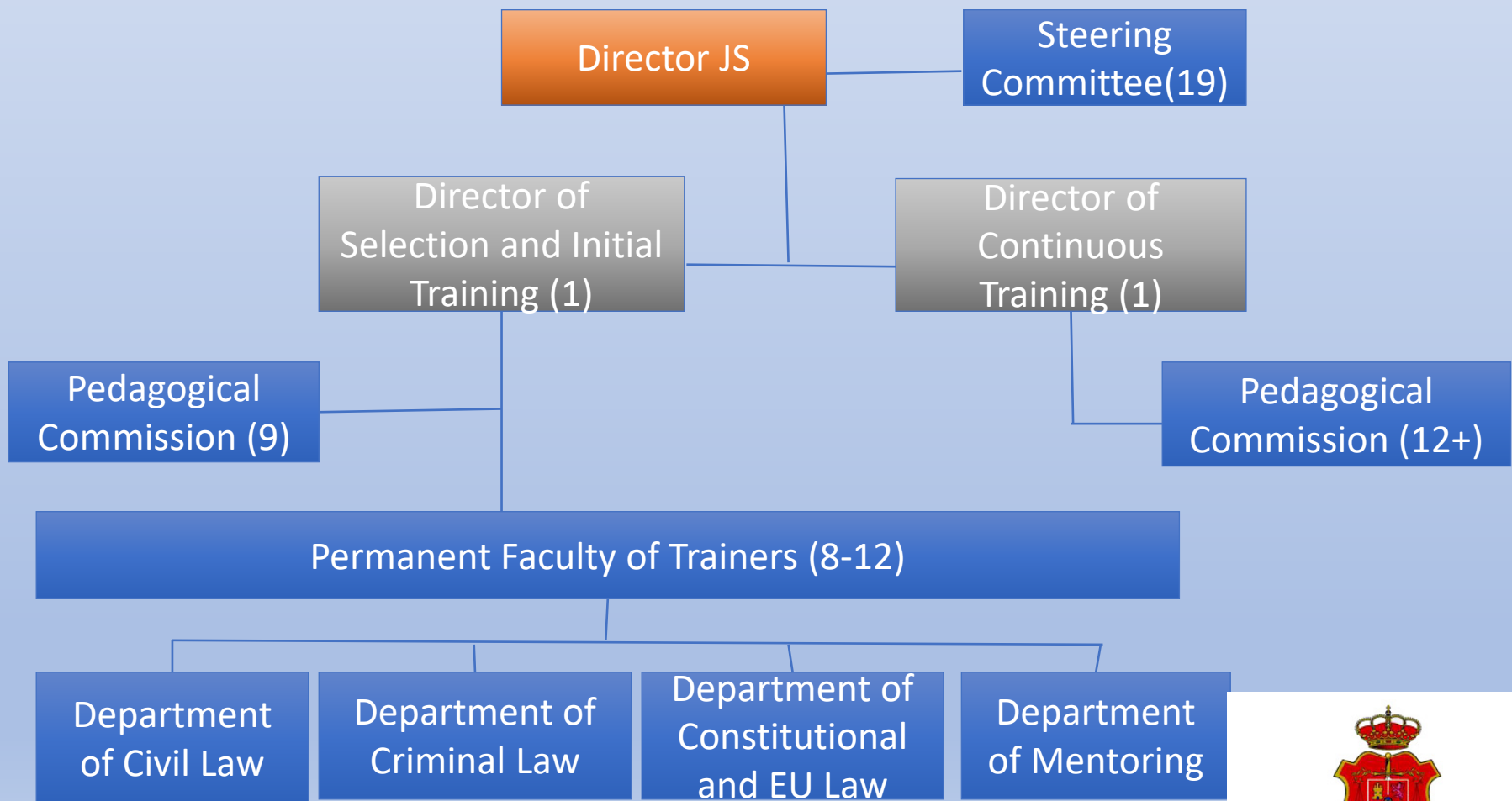
Europe:

- European Networks
- European programmes
- Euro-arabian Network



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Organization



Judicial School

Trainings

Initial Training (188+62)

Continuous Training
(5365)

Specialized Training (xx)



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Initial Training of Judges: Stages



Stay at the school: September 9th to July 31st 2020
(At least 9 months)



Stage of mentoring: September 1st 2020 - March 31st 2021
(At least 4 months)



Stage of substitution and reinforcement of courts: April 1st to
July 31st 2021 (At least 4 months)



Stage at the school

- A permanent team of trainers. (judges, university teachers and prosecutors).
 - Actually, 13 – (4-4-2-2-1).
- Outside experts: judges, policemen experts, lawyers, notaries, etc....



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What's the school curriculum?



Knowledge



Skills



Attitudes



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Stage at the school

- **A) Ordinary Training areas:**

- Civil Law and Civil Procedures
- Criminal law and Criminal Procedures
- Constitutional and EU Law

- **B) Ethics and deontology**

- **C) Simulations and Mock trials**

- **D) Stay in institutions:**
social services, police headquarters, prisons, lawyers' chambers, prosecutors office, hospitals..

- **E) Specialist seminars**

- **F) Additional courses:**
Forensics, psychology, finance, mediation, languages, data protection, communication skills



Competencies

- 1.- **KNOWLEDGE BASED COMPETENCIES**
- 2.- **FUNCTIONAL COMPETENCIES**
- 3.- **PERSONAL COMPETENCIES**



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1.- KNOWLEDGE BASED COMPETENCIES

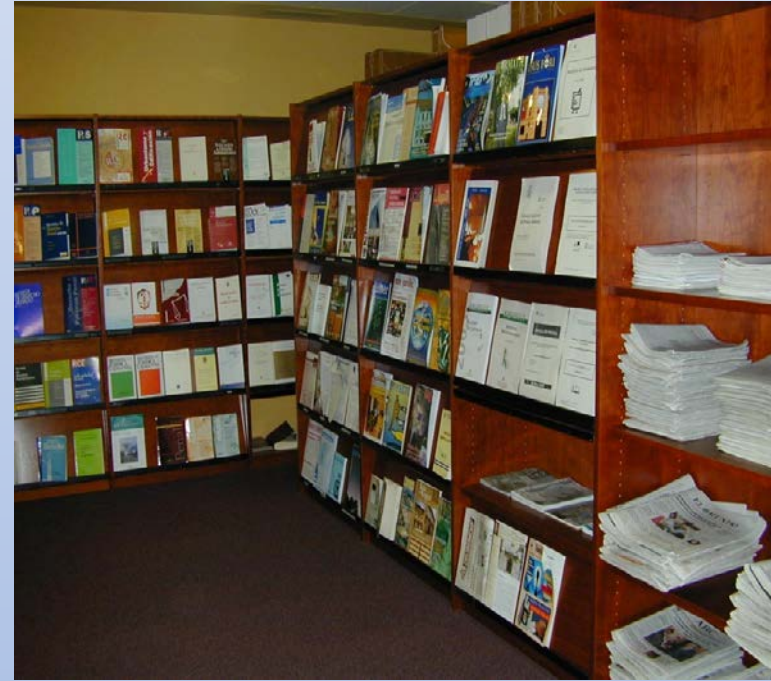
The Judge must have a high level understanding of the Law (theoretical and practical)



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2.- Functional competencies

- Trainers have to develop their intellectual skills in order to analyse and summarise information and to give well reasoned decisions and should master the written word.



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- The judge must have tools for organising and planning his/her work and the work of administrative staff.



- **The judge must develop qualities such as:**
 - a good sense of ethics,
 - should be able to learn and be constantly up-to-date, and
 - should be open minded, flexible and honest.

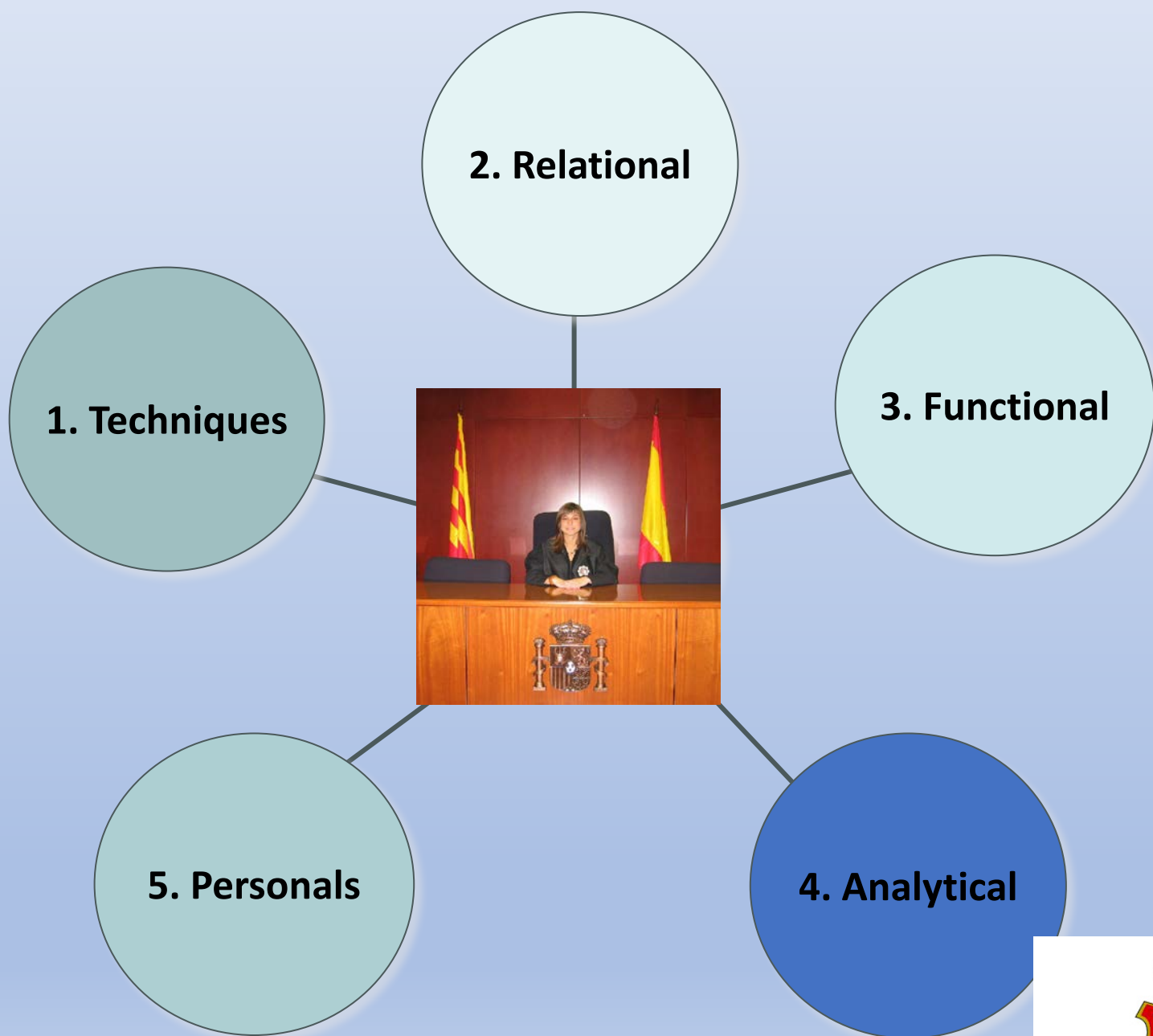


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3. Personal competencies: The judge must master interpersonal relationships with defendants, victims, citizens, professionals, and different institutions.



Types of Competences



Competencies Technical

The judge must have a **high technical legal and procedural knowledge** and must also control written expression as the main tool of his professional production



Competencies Relationals

The judge must master **interpersonal relationships** with defendants, victims, citizens, professionals, institutions, ...



Competencies Functional

The judge must have **tools of organization** and planning of his work and that of the others. Must know how to organize information, making effective and efficient decisions to achieve management objectives



Competencies Analytical

The judge requires intellectual skills of analysis and synthesis to effectively perform the tasks and functions entrusted and verbal reasoning to express their resolutions








Competencies Personals

The judge must have a series of personal qualities that enable him to properly perform his function. He must have a high ethical sense, must be able to learn and be updated permanently, must be flexible and must remain integrated in the community for which he works



Summary table of Competences

 <p>TECHNIQUES</p>	<ol style="list-style-type: none"> 1. Technical, legal and procedural capacity 2. Written expression
 <p>RELATIONALS</p>	<ol style="list-style-type: none"> 3. Conflict Management. 4. Active listening 5. Empathy 6. Teamwork 7. Management of people and equipment
 <p>FUNCTIONALS</p>	<ol style="list-style-type: none"> 8. Planificación y organización del trabajo 9. Toma de decisiones 10. Gestión de la información
 <p>ANALYTICALS</p>	<ol style="list-style-type: none"> 11. Planning and organization of work 12. Decision making 13. Information management
 <p>PERSONALS</p>	<ol style="list-style-type: none"> 14. Reliability and integrity 15. Flexibility 16. Permanent learning 17. Social understanding and integration

Methodologies used

- The case method: Learning by doing (problem-based learning)
- Workshops/World café (cooperative learning)
- Seminars/ single topic courses / Lectures
- E- learning: moodle platform
- Role play / mock trials/ simulations
- Stays in Institutions (prison, hospitals, police, prosecutors office..)
- International judicial programmes (AIAKOS)

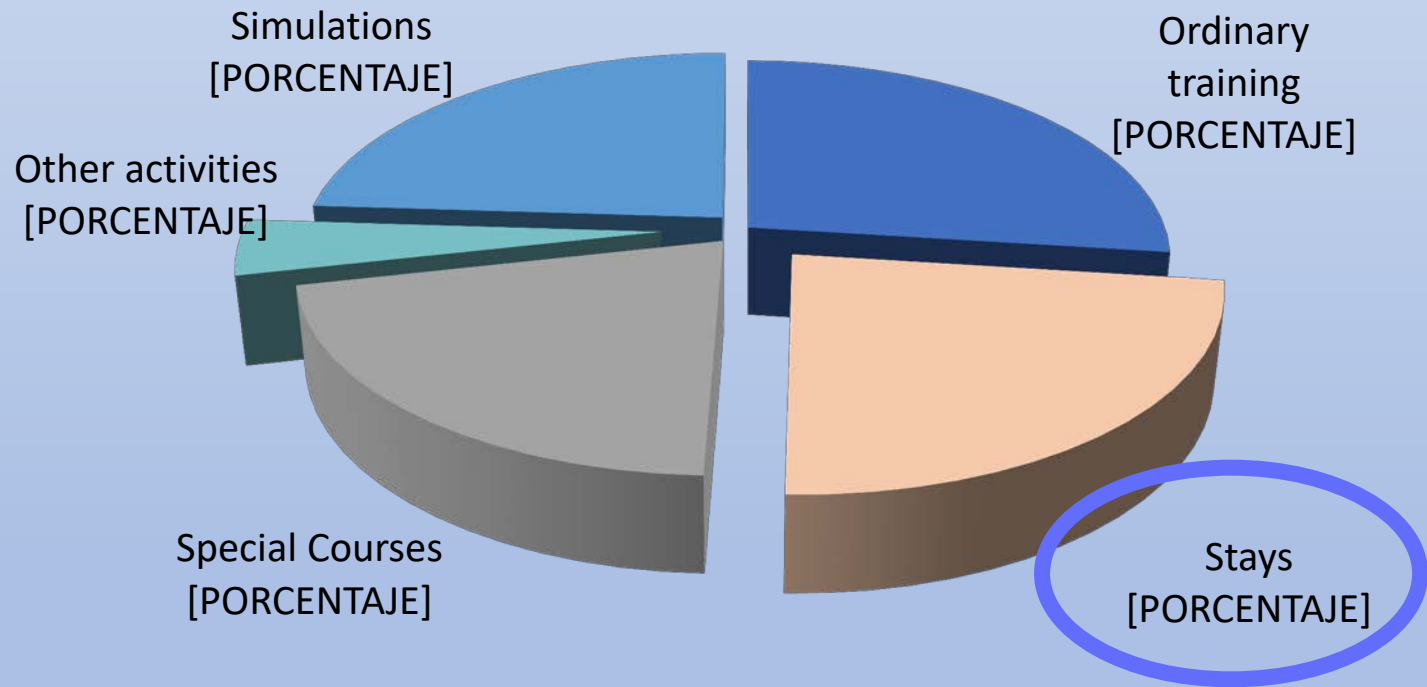




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Percent Time Dedication

Nº of hours by type of activities P69



Nº of teaching hours P69: 1250 (September 3rd of 2019 to July 31st of 2020)

The “case- method”

- 80% of ordinary training follows the case-method of Harvard.
- Open cases, closed cases, sequential cases. Case studies are stories with an educational content and outcome.
- The trainer presents a specific scenario with relevant background information in order to facilitate the right solution.
- The puzzle to be solved by the trainees demonstrates an insightful understanding of the legal rules.



The sequential case method

- (80% of ordinary training)
- Starting from a case and once the conflict analysis has been done, the information about law, case law and rules of procedure will be given step by step sequentially as it happens in court.
- The aim is to create a method to be followed in the future when they are working on a case in Court



The activity of solving a real or imaginary scenario creates a dynamic learning environment



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Simulations

- Mock trials and role plays as a judicial training tool.
- Motivational: the usefulness of the knowledge the trainees have previously acquired.
 - Activity to be prepare
 - Feedback



Role play as a judicial training tool

- The role play can take the form of a mock trial (moot court), but of course it can also be conceived in the form of a representation of one of the techniques of alternative dispute resolution (i.e. mock mediation).
- **Its aim** is to put the active players – that is judges – in personal situations with which they are normally never confronted



Simulations: Preliminary work



- Selection of subjects and cases
- Preparation of a good script
- Use of written materials about the case, a simulated courtroom, robes, and a very formal style of language.
- Coordination of collaboration.
- Prosecutors, lawyers
- Professional actors
- TO RECORD IT



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Simulations: Feedback and evaluation

- Feedback by the trainees: Feedback discussion
- Trainers evaluation of the performance from two perspectives:
 - a) Formal
 - b) Substantive



Simulations: Examples

Simulations after each module in civil and in criminal law.

Simulations in collaboration with the Bar Practice schools

Special scenarios (help of actors)

Criminal : Ex

- a sexual victim - a sexual abuser
 - a thief (“a serial offender”)
 - a female victim of domestic violence
- Oral trial hearing...



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2nd stage: Court Practice (mentoring)



Civil courts

Family courts

Criminal courts (Investigation+
trial courts)

Violence against women courts

Labour courts

Administrative courts



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Trainees expected work

- Aid and collaboration with tutors
- Analysing cases
- Conducting hearings
- Draft decisions: Procedural and final
- Jurisdictional functions of substitution and reinforcement



Evaluation

- Evaluation of the fulfillment
- Evaluation of the technical capacity
- Evaluation of cognitive skills
- Evaluation of management skills
- Evaluation of the quality of the judgements and other procedural decisions
- Evaluation of social skills and ethics



3rd stage: Substitution/reinforcement of courts

- 4 months (at least)
- Work as ordinary judges. (no tutor)
- The report from the President of the High Court of the Region should be positive.



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Final Evaluation

- **PREVIOUS:** Exam-competition at the Supreme Court. (50%)
- **CONTINUOUS:** evaluation after each activity.
- **FINAL:** final exam
- **PRACTICES** Evaluation by mentorships (50%)
- **Substitution:** adequate



**THANK YOU VERY MUCH FOR YOUR
ATTENTION**



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