



**GUIDELINES AND BEST
PRACTICES IN THE EUROPEAN
UNION**

OVERVIEW OF THE SITUATION

Judicial Training Principles (EJTN)

"All judges and prosecutors should receive initial training before or on their appointment"

Judicial Training Principles: Draft Declaration (IOJT)

"all members of the Judiciary should receive training before or upon their appointment, and should also receive regular training throughout their careers"



Importance of initial training

All EU Member States provide some sort of initial training for future or newly appointed judges.

Differences:

- Length.
- Content and organization of the training.
- Initial training process.

According to the length of initial training period:

Country	Length
Austria	4 years
Belgium	3 years
Bulgaria	9 months
Czech Republic	3 years
Croatia	2 years
Denmark	3 years
Estonia	2 years
Finland	1 year
Spain	1 year and 9 months or 4 months (if candidate has at least 10 years of legal experience)

Country	Lenght
France	2 years and 7 months or 8,5 months (if candidate has at least 15 years of legal experience)
Germany	2 years (plus additional training depending on the Lander)
Greece	1 year
Italy	1,5 years
Latvia	1 year
The Netherlands	From 1,4 to 4 years
Poland	1 year (plus additional training after appointment)
Romania	2 years or 6 months (if candidate has at least 5 years of legal experience)

Nevertheless →→→→

A lot in common in initial training programmes

For instance, practical skills are at least as important as theoretical knowledge of law.

Best practice is to conduct at least 50% of initial training as practical component such as internship (on the job training).

MAIN FRAMEWORK



European Union

- *“Building trust in EU-wide justice: a new dimension to European judicial training” .*
- *“Study on best practices in training of judges and prosecutors” .*
- *“European Judicial Training Network Handbook on Judicial Training Methodology in Europe” (2016).*

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Council of Europe

- *“Opinion n° 4 of the Consultative Council of European Judges (CCJE) to the attention of the Committee of Ministers of the Council of Europe on appropriate initial and in-service training for judges at national and European levels” .*
- *“Magna Carta of Judges” .*

BEST PRACTICES IN THE EUROPEAN UNION

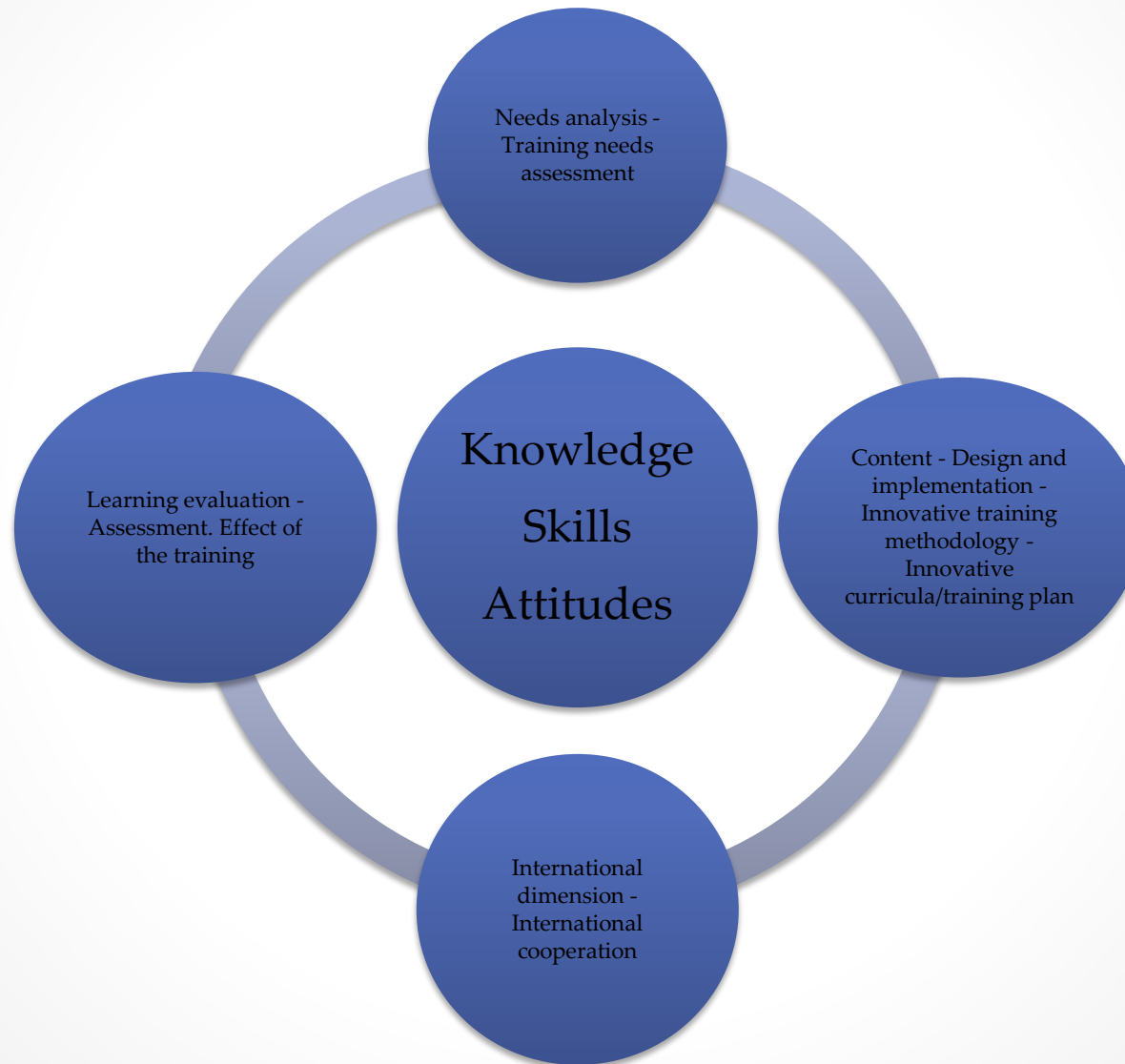
Current trend

- European judicial training should be practice oriented.
- European judicial training should encompass initial and continuous training.
- Strong commitment is needed.

Training guidance framework

- Need for appropriate methodology.
- Judgecraft (the art, skill or craft of being judge).
- The social content of judging.
- Technological skills.
- Training of judges to deliver the programmes.
- Training of judges in perception of “justice users” .

Training process model



Good practices

- Content and quality of the programme *per se*.
- Link between the programme and any preliminary needs analysis.
- Quality of the trainers.
- Accessibility of the programme to trainees.
- And its subsequent impact upon the performance of judges and prosecutors, as appropriately evaluated.

Best/Good practice in the field of judicial training

- Its capacity to be effectively transferred to other jurisdictions.
- The extent to which it innovates or refreshes (event inspires) existing, established training practices to enhance the learning experience of judges and prosecutors.
- The capacity of the practice to adapt to the differing, cultural, social and economic circumstances on which different judicial systems operate across the European Union.
- The existence of clear evidence that it meets an articulated training need.

BEST PRACTICES ON THE CONTENT OF INITIAL TRAINING PROGRAMMES

What to teach?

- Clear objectives of the training programme.
- Shift from topics to competences.
- Balance between legal and non-legal skills

BEST PRACTICES ON THE METHODOLOGIES OF INITIAL TRAINING PROGRAMMES

How to teach? (1)

- Individual learning plan and personal development log.
- Learning by doing.
- Mentoring.

How to teach? (2)

- Feedback.
- International training opportunities.
- E-learning and blended learning.

THANK YOU