

1. Evaluation of the judicial systems (2016-2018 cycle)



Denmark

Generated on : 29/08/2018 11:18

Reference data 2016 (01/01/2016 - 31/12/2016)

Start/end date of the data collection campaign : 01/06/2017 - 31/12/2017

Objective :

The CEPEJ decided, at its 28th plenary meeting, to launch the seventh evaluation cycle 2016 – 2018, focused on 2016 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as two observer states (Israel and Morocco). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[5748769]

Comments

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	92620223450 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

003. Per capita GDP (in €) in current prices for the reference year

[48474]

Comments

004. Average gross annual salary (in €) for the reference year

[41974]

NA

Comments The previously stated amounts for 2014 are probably incorrect. The correct number for 2014 would be 40140 Euro.

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[7.4349]

Allow decimals : 5

NAP

Comments

A1. Please indicate the sources for answering questions 1 to 5

Sources: Statistics Denmark (dst.dk) and Danmarks Nationalbank (nationalbanken.dk)

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NAP to the question 7.

Approved budget (in €)	Implemented budget (in €)
------------------------	---------------------------

TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	242289742 [] NA [] NAP	243066115 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	147844992 [] NA [] NAP	148367374 [] NA [] NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	20416666 [] NA [] NAP	19744162 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	12266473 [] NA [] NAP	13150853 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	47804968 [] NA [] NAP	47804968 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	[X] NA [] NAP	[X] NA [] NAP
6. Annual public budget allocated to training	2152013 [] NA [] NAP	2159048 [] NA [] NAP
7. Other (please specify)	11804630 [] NA [] NAP	11839711 [] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main differences: The approved and implemented budget for 5) Investments in new court buildings are included under 4) Court buildings. The same applies to previous years. The answers for 2014 and 2015 regarding 5) should therefore be changed from NAP to NA. The category "other" includes the courts expenses in connection to case handling, including postage costs, purchases of goods and services and any extraordinary expenses not directly attributable to other items. The category "Other" shows a decrease of 30% between 2014 and 2016, primarily due to exceptional circumstances in 2014, which necessitated large financial provisions.

007. (Modified question) If you cannot answer question 6 because you cannot isolate the budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts and legal aid together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	[] NA [X] NAP	[] NA [X] NAP

Comments:

008. Are litigants in general required to pay a court tax or fee to start a proceeding at a court of

general jurisdiction:

	Litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	() Yes (X) No
for other than criminal cases	(X) Yes () No

Comments - If there are exceptions to the rule to pay a court tax or fee, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of court taxes or fees:

- In civil cases you must pay a basic amount of DKK 500. If the value of the case exceeds DKK 50.000, you must pay another DKK 250 and 1.2 percent of the value of the value exceeding DKK 50.000. The value of the case is determined according to the claim in the application. The total legal fee (including the basic amount of DKK 500) may not exceed DKK 75.000. When the court has completed the preparation of the case and it is necessary to convene a court hearing (or written procedure replacing this), you will pay additional court fee if the value of the case exceeds DKK 50.000. This additionally fee is calculated in the same way as the court fee payable on completion of the case.

In inforcementcases the basic fee is DKK 300. If the claim exceeds DKK 3.000, another ½ percent has to be payed of the excess amount.

008-2. The amount of court fees to commence an action for 3000€ debt recovery:

[54]
 NA
 NAP

Comments The court fee is DKK 400.

009. Annual income of court taxes or fees received by the State (in €)

[56367754]
 NA
 NAP

Comments

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	139692531 [] NA [] NAP	71029873 [] NA [] NAP	68662659 [] NA [] NAP
12.1 for cases brought to court	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
---	--	--	--

Comments The amount listed also includes expenses for non-litigious cases or cases not brought to court. It is not currently possible to separate these amounts

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	129857618 <input type="checkbox"/> NA <input type="checkbox"/> NAP	65784341 <input type="checkbox"/> NA <input type="checkbox"/> NAP	64073276 <input type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main differences: The amount listed also includes expenses for non-litigious cases or cases not brought to court. It is not currently possible to separate these amounts

013. Total annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in €	99406787 <input type="checkbox"/> NA <input type="checkbox"/> NAP	110435917 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget allocated to the public prosecution services, please indicate the main differences:

014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other ministry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Parliament	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Supreme Court	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
High Judicial Council	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Courts	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Inspection body	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

Comments - If any other Ministry and/or inspection body and/or other, please specify:

A2. Please indicate the sources for answering questions 6 to 14:

Sources: Different sources, including own calculations and government accounts

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the court system as defined under question 6 and also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.).

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	1932211597 [] NA [] NAP	1871349985 [] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences: Expenditures on the Refugees and asylum seekers and the Immigration Service are from 2016 no longer a part of the justice system. The total expenditure in 2016 allocated to the whole justice system is therefore significantly lower compared to previous cycles.

015-2. (Modified question) Please indicate the budgetary elements that are included in the whole justice system by specifying on the one hand the elements of the judicial system budget (please check the consistency with questions 6, 12 and 13). (Note: NAP means that the element does not exist in your system):

Included

Court (see question 6)	(X) Yes () No [] NAP
Legal aid (see question 12)	(X) Yes () No [] NAP
Public prosecution services (see question 13)	(X) Yes () No [] NAP

Comments:

015-3. (Modified question) On the other hand, please specify the other budgetary elements included in the whole justice system budget. (Note: NAP means that the element does not exist in your system):

	Included
Prison system	(X) Yes () No [] NAP
Probation services	(X) Yes () No [] NAP
Council of the judiciary	(X) Yes () No [] NAP
Constitutional court	() Yes () No [X] NAP
Judicial management body	(X) Yes () No [] NAP
State advocacy	() Yes (X) No [] NAP
Enforcement services	(X) Yes () No [] NAP
Notariat	(X) Yes () No [] NAP
Forensic services	(X) Yes () No [] NAP
Judicial protection of juveniles	() Yes (X) No [] NAP
Functioning of the Ministry of Justice	(X) Yes () No [] NAP

Refugees and asylum seekers services	() Yes (X) No [] NAP
Immigration Service	() Yes (X) No [] NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	() Yes (X) No [] NAP
Other	(X) Yes () No [] NAP

Comments - If "other", please specify: Concerning the Refugees and asylum services the answer for previous cycles was correctly YES. Due to an reorganisation the area is no longer part of the whole justice system. Accordingly, the answer is NO for 2016.

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: Government finance.

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

Comments

017. Does legal aid include the coverage of or the exemption from court fees?

(X) Yes

() No

Comments - If yes, please specify:

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions

(e.g. fees of an enforcement agent)?

Yes

No

Comments - If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify:

2.1.2. Quantitative information on legal aid



020. (Modified question) Please indicate the number of cases for which legal aid has been granted:

	Cases brought to court	Cases not brought to court / non-litigious cases
TOTAL	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In other than criminal cases	2071 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate: The 2.071 cases mentioned above is the number of civil cases in district courts where it is noted on the case that one or all parties have been granted legal aid.

021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify:

022. If yes, are individuals free to choose their lawyer within the framework of the legal aid system?

Yes

No

Comments

023. (Modified question) Does your country have an income and assets evaluation for granting (full or partial) legal aid to the applicant? The answer NAP means that there is no income and/or assets evaluation system for granting legal aid.

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid for other than criminal cases	41386 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid for criminal cases	41386 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid for other than criminal cases	41386 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures provided above: The personal income including capital gain for applicants in 2016 must not exceed DKK 308,000 (EUR 41,386) for one person, or DKK 391,000 (EUR 52,538) for married couples or unmarried cohabitants. For each child, including step children and foster children, under the age of eighteen years living with the applicant or is primarily maintained by the applicant, DKK 53,000 (EUR 7122) is added to the income limit.

Full legal aid in criminal cases is granted through the appointment of a defense or support attorney irregardless of income. Partial legal aid in criminal cases is only relevant if the victim or witness cannot have a support attorney appointed (refer to comments under question 21). The personal income for partial legal aid in criminal cases is equivalent to the boundary in non-criminal cases.

024. In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please explain the exact criteria for denying legal aid:

025. In other than criminal cases, is the decision to grant or refuse legal aid taken by (one option only):

the court

an authority external to the court

a mixed authority (court and external bodies)

Comments

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

(X) Yes

() No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	(X) Yes () No
in other than criminal cases	(X) Yes () No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: Bekendtgørelse om fri proces af 1. december 2015 (Executive Order on Legal Aid dated December 1 2015)
Question 23: Criminal cases: Danish Administration of Justice Act section 325.

2.2. Users of the courts and victims

2.2.1. Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, etc.) for which the general public may have free of charge access to the following:

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	(X) www.retsinformation.dk	()
case-law of the higher court/s	(X) http://www.hoejesteret.dk/hoejesteret/nyheder/Afgorelser/Pages/default.aspx	()
other documents (e.g. downloadable forms, online registration)	(X) http://www.domstol.dk/Selvbetjening/blanketter/Pages/blanketter.aspx	()

Comments - Please specify what documents and information the addresses for "other documents" include: On the site you can find forms for filling out in several fields. This includes administrative cases, bankruptcy, enforcement law, wills etc.

029. (Modified question) Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

Yes, always

No

Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify:

030. Is there a public and free-of-charge specific information system to inform and to help victims of crime?

Yes

No

Comments - If yes, please specify:

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Victims of terrorism	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Minors (witnesses or victims)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ethnic minorities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Disabled persons	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Juvenile offenders	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other vulnerable person" and/or "other special arrangements", please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

Yes

No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.):

032. Does your country allocate compensation for victims of crime?

Yes, please specify for which kind of offences: Crimes under the Danish Criminal Code and violations of the Restraining Order

Act

No

032-1. (New question) Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments The state has a right of recourse against the offender.

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to the victims (protection and assistance)?

Yes

No

Comments - If yes, please specify:

036. Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify:

2.2.2. Confidence of citizens in their justice system



037. (Modified question) Is there a system for compensating users in the following circumstances:

Number of requests for compensation	Number of condemnations	Total amount (in €)
-------------------------------------	-------------------------	---------------------

Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

038. (Modified question) Did your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. (Satisfaction) surveys aimed at judges	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
2. (Satisfaction) surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
4. (Satisfaction) surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
5. (Satisfaction) surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

8. Other not mentioned	<input type="checkbox"/> Annual	<input type="checkbox"/> Annual
	<input type="checkbox"/> Other regular	<input type="checkbox"/> Other regular
	<input type="checkbox"/> Ad hoc	<input checked="" type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: 1)National level:This survey is preformed annually by a private Communication company. It is a satisfaction survey aimed at different professions, amongst other judges. 1-8) Court level: a survey is performed ad hoc. Last time was in 2013. This survey was aimed at all court users. There have also been a number of satisfaction surveys regarding the percieved security in courts and the quality of interpreters and interpretation.

040. Is there a national or local procedure for making complaints about the functioning of the judicial system? (for example the handling of a case by a judge or the duration of a proceeding)

Yes

No

Comments Complaints against judges can be submitted to the president of the court concerned or to the Special Court of Indictment and Revision. The latter was founded in 1939 and is by law located and administrated at the Danish Supreme Court. It consists of 5 members - one Supreme Court judge acting as a chairman, one High Court judge, one county court judge, one professor of law and one lawyer. The members are recommended by the Minister of Justice and appointed by the Queen for a term of 10 years, whereupon they cannot be reappointed. The Special Court processes complaints against judges and deputy judges, applications for resumption of criminal cases, appeals regarding refusal of resumption of a judgment given in default and complaints about the courts exclusion of an appointed defense lawyer in criminal cases. It also acts as a disciplinary court in cases of suspension or removal of a judge from office. The Special Court cannot review a judge's judicial decisions. In cases of complaints against judges, it can state criticism or issue a fine, if it is found that the judge has behaved improper or unseemly in his/her acts in office - the Special Court does not grant compensation. A complaint regarding improper or unseemly behavior of a judge or deputy judge has to be filed within 4 weeks after the incident has occurred or has been known to the complainant. A judgment in these cases can be appealed to the Supreme Court. An application for resumption of a criminal case can be filed to the Special Court when there is no possibility of appeal left. The decision of the Special Court cannot be appealed. An appeal regarding exclusion of an appointed defense lawyer from a criminal case has to be filed within one week and the decision of the Special Court cannot be appealed.

Complaints and claims for damages caused by errors made by the courts can be submitted to the Court Administration (Council of the Judiciary).

041. (Modified question) If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Time limit for dealing with the complaint
Court concerned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Higher court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Council of the Judiciary	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

041-1. (Modified question) Please specify further certain aspects of this procedure:

Number of complaints	Compensations amount granted to users
-----------------------------	--

Court concerned	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Higher court	91 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Ministry of Justice	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Council of the Judiciary	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	200455 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	91 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:
Complaints are being handled in the Court Administration within 2 months from reception.

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Insolvency courts	1 [] NA [] NAP
Labour courts	[] NA [X] NAP
Family courts	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP
Administrative courts	[] NA [X] NAP
Insurance and / or social welfare courts	[] NA [X] NAP
Military courts	[] NA [X] NAP
Other specialised 1st instance courts	1 [] NA [] NAP

Comments - If "other specialised 1st instance courts", please specify: Land Registration Court.

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

() Yes

(X) No

Comments - If yes, please specify:

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
a debt collection for small claims	24 [] NA [] NAP
a dismissal	24 [] NA [] NAP

a robbery

24

[] NA

[] NAP

Comments

045-1. (New question) Is your definition for small claims the same as the one in the Explanatory note?

(X) Yes

() No, please give your definition for small claims:

Comments

045-2. (New question) Please indicate the value in € of a small claim:

[6718]

Comments Equivalent to 50.000 Danish Kroner. The exchange rate of 14 December 2017

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: www.domstol.dk re the courts.

<https://valutaomregneren.dk/> re small claims.

3.2. Court staff

3.2.1. Judges and non-judge staff



046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	372 [] NA [] NAP	183 [] NA [] NAP	189 [] NA [] NAP
1. Number of first instance professional judges	254 [] NA [] NAP	113 [] NA [] NAP	141 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	99 [] NA [] NAP	57 [] NA [] NAP	42 [] NA [] NAP
3. Number of supreme court professional judges	19 [] NA [] NAP	13 [] NA [] NAP	6 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above:

047. Number of court presidents (professional judges). Please give the information in full-time

equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	32 [] NA [] NAP	21 [] NA [] NAP	11 [] NA [] NAP
1. Number of first instance court presidents	28 [] NA [] NAP	18 [] NA [] NAP	10 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	3 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP
3. Number of supreme court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December of the reference year):

	Figure
Gross figure	[X] NA [] NAP
In full-time equivalent	[X] NA [] NAP

Comments - If necessary, please provide comments to explain the answer provided: Retired judges can be hired for limited time periods due to vacancies. We do not have the number of retired judges on 31 December 2016, but we can inform that there have been 10 retired judges sitting in courts on an occasional basis in the year 2016. The total number of hours for the 10 retired judges amounts to 3,316.57 in 2016.

048-1. (New question) Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

- () Yes, please give specifications on the types of cases and an estimate in percentage.
 (X) No

Comments

049. (Modified question) Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges and “juges consulaires”, but not arbitrators and persons sitting in a jury):

Figure

Gross figure	10000 [] NA [] NAP
In full time equivalent	[X] NA [] NAP

Comments

049-1. If such non-professional judges exist in first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage
in criminal law cases	(X)	()	()
- severe criminal cases	(X)	()	()
- misdemeanour and/or minor criminal cases	()	(X)	()
in family law cases	()	(X)	()
in civil cases	()	(X)	()
in labour law cases	()	(X)	()
in social law cases	()	(X)	()
in commercial law cases	()	(X)	()
in insolvency cases	()	(X)	()
other	()	(X)	()

Comments - If "other", please specify: See general comment for further explanation

050. Does your judicial system include trial by jury with the participation of citizens?

(X) Yes

() No

Comments

050-1. (New question) If yes, for which type of case(s)? (Please, for severe criminal cases and misdemeanour cases refer to the CEPEJ definitions)

[X] Severe criminal cases

[] Misdemeanour cases

[] Other cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[10000]

[] NA

[] NAP

Comments 10000 is the total amount of lay judges as answered in Q049. It is not possible to say how many of these were involved in cases for the year of reference, but normally every lay judge is involved in a case 4-5 times per year.

052. Number of non-judge staff who are working in courts (on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	1642 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	275 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	12 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	1285 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Technical staff	63 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Other non-judge staff	7 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If "other non-judge staff", please specify: The 2016 data on the number of rechtspflegers is correct. The discrepancy that occurs compared to 2014 data is due to a mistake in the 2014 numbers.

053. (Modified question) If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

[] legal aid

[] family cases

[] payment orders

[] registry cases (land and/or business registry cases)

[] enforcement of civil cases

[] enforcement of criminal cases

other cases not mentioned (please describe in comment)

non-litigious cases

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services, which fall within their powers, to private providers?

Yes

No

Comments

054-1. (New question) If yes, please specify which services have been outsourced:

IT services

Training of staff

Security

Archives

Cleaning

Other types of services (please specify):

Comments

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Q 52

Please note that the discrepancy regarding rechtspfleger occurs due to an mistake in the 2015 numbers. Please correct the number of rechtspfleger in 2015 to 357 instead of 568.

Q49: <http://www.domstol.dk/saadangoerdu/tildigderer/naevningdomsmand/Pages/default.aspx>

3.3. Public prosecution

3.3.1. Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	697 <input type="checkbox"/> NA <input type="checkbox"/> NAP	221 <input type="checkbox"/> NA <input type="checkbox"/> NAP	476 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of prosecutors at first instance level	532 <input type="checkbox"/> NA <input type="checkbox"/> NAP	162 <input type="checkbox"/> NA <input type="checkbox"/> NAP	370 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2. Number of prosecutors at second instance (court of appeal) level	105 [] NA [] NAP	43 [] NA [] NAP	62 [] NA [] NAP
3. Number of prosecutors at supreme court level	60 [] NA [] NAP	16 [] NA [] NAP	44 [] NA [] NAP

Please indicate any useful comment for interpreting the data above: The observed discrepancies are due to ordinary changes in staffing.

056. Number of heads of prosecution offices (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	18 [] NA [] NAP	8 [] NA [] NAP	10 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	14 [] NA [] NAP	5 [] NA [] NAP	9 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	3 [] NA [] NAP	2 [] NA [] NAP	1 [] NA [] NAP
3. Number of heads of prosecution offices at supreme court level	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Please provide any useful comment for interpreting the data above: The observed discrepancies are due to ordinary changes in staffing.

057. Do other persons have similar duties to public prosecutors?

(X) Yes, please specify their number (in full-time equivalent):69

() No

Comments - If yes, please specify their title and functions:

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

() Yes

(X) No

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence etc.?

() Yes

(X) No

Comments

060. Number of staff (non-public prosecutors) attached to the public prosecution service (on 31

December of the reference year) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	375 [] NA	20 [] NA	355 [] NA

Comments

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: The number derive from the system for administration of salary of the prosecution service.

3.4. Management of the court budget

3.4.1. Court budget

061. Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court President	() Yes (X) No	() Yes (X) No	(X) Yes () No	(X) Yes () No
Court administrative director	() Yes (X) No	() Yes (X) No	(X) Yes () No	(X) Yes () No
Head of the court clerk office	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	(X) Yes () No	(X) Yes () No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify:

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system (are there quality systems for the judiciary and/or judicial quality policies)?

() Yes

(X) No

Comments - If yes, please specify: No, we use quantitative measures. Quality is measured as length of time to finalize a case.

067. Do you have specialised court staff that is entrusted with these quality standards?

Yes

No

Comments As above.

068. Is there a national system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan agreed beforehand?

Yes

No

Comments

068-1. (New question) If yes, please specify the frequency of this evaluation:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

069. Is there a system for monitoring and evaluating the performance of the public prosecution service?

Yes

No

Comments - If yes, please give further details:

3.6.2. Performance and evaluation of courts



070. Do you have, within the courts, a regular monitoring system of court activities concerning:

number of incoming cases

number of decisions delivered

number of postponed cases

length of proceedings (timeframes)

age of cases

other (please specify): pending cases

Comments The so called "weighted cases" are measured in order to have a measure for the activity.

071. Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:

civil law cases

criminal law cases

administrative law cases

Comments

072. Do you have an evaluation process to monitor waiting time during court procedures?

Yes

No

Comments - If yes, please specify:

073. Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

Yes

No

Comments

073-0. (New question) If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

073-1. Is this evaluation of the court activity used for the later allocation of means to this court?

Yes

No

Comments

074. Are there performance targets defined at the level of the court?

Yes

No

Comments

075. (Modified question) Please specify the main targets applied to the courts:

to increase efficiency / to shorten the length of proceedings

to improve quality

to improve cost efficiency / productivity

Other (please specify):

Comments On a strategic level: - Short case processing times

- More consistency when carrying out duties

- Contemporary communication

- Continue to be an attractive workplace

On an operational level: targets of percentage number of cases in categories finalized/completed within a certain time span.

076. Who is responsible for setting the targets for the courts?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example High Judicial Council, Higher Court)

President of the court

Other (please specify): Danish Court Administration in cooperation with the courts.

Comments Courts and the Danish Court Administration cooperate on defining the collective goals and targets for all courts (district courts and high courts). Within this framework, individual courts are free to set up sub-targets and are expected to do so to manage their court as well as possible.

077. Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 79)

Yes

No

Comments In terms of productivity figures, weighted cases and target attainments.

078. If yes, please select the main performance and quality indicators that have been defined:

incoming cases

length of proceedings (timeframes)

closed cases

pending cases and backlogs

productivity of judges and court staff

percentage of cases that are processed by a single sitting judge

enforcement of penal decisions

satisfaction of court staff

satisfaction of users (regarding the services delivered by the courts)

judicial quality and organisational quality of the courts

costs of the judicial procedures

number of appeals

other (please specify):

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

High Council of judiciary

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify):Danish Court Administration and the Presidents of the courts.

Comments

3.6.3. Court activity and administration

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary?

Yes (please indicate the name and the address of this institution):Danish Court Administration, Store Kongens Gade 1-3, 1264 Kbenhavn K

No

Comments

080-1. Does this institution publish statistics on the functioning of each court:

- Yes, on internet
 No, only internally (in an intranet website)
 No

Comments

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of cases processed or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

- Yes
 No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-1. If yes, please specify in which form this report is released:

- Internet
 Intranet (internal) website
 Paper distribution

Comments

081-2. (New question) If yes, please, indicate the periodicity at which the report is released:

- Annual
 Less frequent
 More frequent

Comments

082. (Modified question) Is there a process or structure of dialogue between the public prosecutor service and courts as regards the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

- Yes
 No

Comments - If yes, please specify:

082-1. (Modified question) Is there a process or structure of dialogue between lawyers and courts as regards the way cases are presented before courts in other than criminal matter (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

- Yes
 No

Comments - If yes, please specify:

3.6.4. Performance and evaluation of judges



083. Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

() Yes

(X) No

Comments

083-1. Who is responsible for setting the targets for each judge?

[] Executive power (for example the Ministry of Justice)

[] Legislative power

[] Judicial power (for example the High Judicial Council, Supreme Court)

[] President of the court

[] Other (please specify):

Comments

New node



4. Fair trial

4.1. Principles

4.1.1. Principles of fair trial



084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor represented by a lawyer)?

[74]

[] NA

[] NAP

Comments

085. Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

(X) Yes, number of successful challenges in a year

() No

Comments - Please could you briefly specify: Chapter 5 of the Administration of Justice Act includes rules regarding when the judge can be seen as impartial, what the time limits are for the party to state to judge's impartiality and how the court must handle the statement. The rules also apply to lay judges, expert judges etc. Data is not available.

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

	Monitoring system
For civil procedures (non-enforcement)	(X) Yes () No [] NAP
For civil procedures (timeframe)	(X) Yes () No [] NAP
For criminal procedures (timeframe)	(X) Yes () No [] NAP

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to violations at the State/courts level; implementation of internal systems to remedy the established violation; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations:

D1. Please indicate the sources for answering questions in this chapter.

Sources: Q 085: se the comments below the question.
Q 086: <https://www.humanrights.dk/research>

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters as regards:

- civil cases
 criminal cases
 administrative cases
 There is no specific procedure

Comments - If yes, please specify:

088. Are there simplified procedures for:

- civil cases (small disputes)
 criminal cases (misdemeanour cases)
 administrative cases
 There is no simplified procedure

Comments - If yes, please specify:

088-1. (Modified question) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

- civil cases
 criminal cases

[] administrative cases

Comments - If yes, please specify:

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

(X) Yes

() No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance



091. (Modified question) First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	122137 [] NA [] NAP	2232881 [] NA [] NAP	2225000 [] NA [] NAP	129683 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	20790 [] NA [] NAP	41620 [] NA [] NAP	42116 [] NA [] NAP	20294 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	73598 [] NA [] NAP	2060019 [] NA [] NAP	2052009 [] NA [] NAP	81302 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	66980 [] NA [] NAP	352091 [] NA [] NAP	344729 [] NA [] NAP	74342 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	6618 [] NA [] NAP	1707928 [] NA [] NAP	1707280 [] NA [] NAP	6960 [] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	971 [] NA [] NAP	1689939 [] NA [] NAP	1689196 [] NA [] NAP	1714 [] NA [] NAP	[X] NA [] NAP

2.2.2 Non-litigious business registry cases	5647 [] NA [] NAP	17989 [] NA [] NAP	18084 [] NA [] NAP	5246 [] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP
3. Administrative law cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other cases	27749 [] NA [] NAP	131242 [] NA [] NAP	130875 [] NA [] NAP	28087 [] NA [] NAP	[X] NA [] NAP

Comments As concerns "non-litigious business registry cases", it is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like for non-litigious business registry cases. Besides from that it is important to note that pending cases always may vary a lot as it is a residual figure when pending prior to the period, received and resolved cases are counted. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases". With regard to "non litigious land registry cases", it should be pointed out that due to the high amount of incoming and resolved cases, the residual figure of pending cases prior and after the period may vary.

092. If courts deal with "civil (and commercial) non-litigious cases", please indicate the case categories included:

. Enforcement cases and forced sales

093. Please indicate the case categories included in the category "other cases":

. NA

094. (Modified question) First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2)	16681 [] NA [] NAP	141728 [] NA [] NAP	143426 [] NA [] NAP	14983 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	7192 [] NA [] NAP	23273 [] NA [] NAP	22948 [] NA [] NAP	7517 [] NA [] NAP	[X] NA [] NAP

2. Misdemeanour and / or minor criminal cases	9489 <input type="checkbox"/> NA <input type="checkbox"/> NAP	118455 <input type="checkbox"/> NA <input type="checkbox"/> NAP	120478 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7466 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
--	---	---	---	---	--

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences": Our statistics on criminal cases does not have data on pending cases older than 2 years. We can not differentiate pending cases according to age.

The reason pending cases per 31 December 2016 has decreased is that the courts have resolved more cases than incoming cases.

4.2.3. Case flow management – second instance



097. (Modified question) Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	2580 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5075 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5525 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2130 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	2580 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5075 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5525 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2130 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Pending cases may vary a lot depending on the ratio of resolved cases compared to incoming cases. We can observe a decrease of about 30 % of pending cases ultimo the 2016. This is due to this "residual" nature of pending cases. The decrease in the pending cases between 2014 and 2016 is because in both calendar years 2015 and 2016 the number of resolved cases exceed the number of incoming cases.

098. (Modified question) Second instance courts (appeal): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2)	1563 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5950 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6090 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1423 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	1563 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5950 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6090 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1423 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments All criminal cases at 2nd instance are considered severe as they would otherwise not become 2nd instance criminal cases. We can not differentiate pending cases after how old they are.

4.2.4. Case flow management – Supreme Court



099. (Modified question) Highest instance courts (Supreme Court): number of “other than criminal law” cases.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))

Total of other than criminal law cases (1+2+3+4)	114 <input type="checkbox"/> NA <input type="checkbox"/> NAP	248 <input type="checkbox"/> NA <input type="checkbox"/> NAP	231 <input type="checkbox"/> NA <input type="checkbox"/> NAP	131 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	114 <input type="checkbox"/> NA <input type="checkbox"/> NAP	248 <input type="checkbox"/> NA <input type="checkbox"/> NAP	231 <input type="checkbox"/> NA <input type="checkbox"/> NAP	131 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments In the Danish context, non-litigious cases do not make sense. Pending cases may vary as it is residual in nature and is depending on the number of incoming and resolved cases and the ratio between those two.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

Yes, please indicate the number of cases closed by this procedure:23

No

100. (Modified question) Highest instance courts (Supreme Court): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court
Total of criminal law cases (1+2)	68 [X] NA [] NAP	68 [] NA [] NAP	66 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	68 [X] NA [] NAP	68 [] NA [] NAP	66 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP

Comments Based on the data the Danish Court Administration got, it is not possible to show pending criminal cases.

4.2.5. Case flow management – specific cases

101. (Modified question) Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	1557 [] NA [] NAP	4375 [] NA [] NAP	4314 [] NA [] NAP	1618 [] NA [] NAP
Employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Insolvency	4182 [] NA [] NAP	8499 [] NA [] NAP	7248 [] NA [] NAP	4377 [] NA [] NAP
Robbery case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Cases relating to the right of entry and stay for aliens	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Please note concerning insolvency: The number of cases concerning compulsory dissolution of companies has increased markedly due to new regulation where it is possible to start a company without starting capital. Accordingly, more companies are started, but more companies are also then closed. As concerns the number of pending insolvency cases, the data refers only to district courts given

that data related to the Maritime and Commercial court is not available.

101-1. (New question) Could you briefly describe the system in your country dealing with judicial remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. General Description of the Asylum System (types of procedures and instances). The appeal system in asylum cases is two-tiered. The Immigration Service is the first instance responsible for assessing a claim for asylum and the Refugee Appeals Board is the second instance. If the Immigration Service rejects an application for asylum, the rejection occurs according to one of two different procedures. Most cases are decided according to the so-called normal procedure. This means that, if the asylum applicant is rejected, the case is automatically referred to the Refugee Appeals Board. A minority of cases are considered manifestly unfounded and decided in an accelerated procedure. This occurs when the Immigration Service assesses that the applicant clearly cannot be granted asylum in Denmark. If The Danish Refugee Council which is a private, independent humanitarian organisation (NGO) agrees with the Immigration Service, the application will be rejected without contest. The asylum applicant cannot appeal this decision. On the other hand, if the Danish Refugee Council disagrees, the Immigration Service will generally still reject the application, but will nevertheless refer the matter to the Refugee Appeals Board for a final decision. Regardless of the procedure, the asylum seeker has the right to remain in Denmark until the Refugee Appeals Board has determined the outcome of the case (suspensive effect). The asylum seeker is appointed an attorney when the case is pending before the Refugee Appeals Board. The lawyer's fee is subject to the rules applying when legal aid is granted. Competences of the Authorities involved in review and appeal (as laid down in national legislation). The Refugee Appeals Board is a quasi-judicial body. The members of the Board are independent and may not accept or seek directions from anyone including the appointing or nominating authority or organisation. The Board is considered to be a court within the meaning of article 39 of the EU Council Directive on asylum procedures (2005/85/EC) concerning the right for asylum seekers to have their case examined by court or tribunal.

Asylum cases are heard by a board consisting of three members. The chairman must be an appointed judge. One member is appointed by the Ministry of Refugee, Immigration and Integration Affairs, and one member is appointed upon nomination from the Council of the Danish Bar and Law Society. In the accelerated procedure the cases are decided by the appointed judge only. When assessing an application for asylum the Board has the full competence in assessing the facts and the points of law. The competences of the Refugee Appeals Board comprise cases where the Immigration Service has refused an application for a residence permit for an alien who claims to fall within section 7 (1) (The Convention relating to the Status of Refugees of 28 July 1951) or section 7 (2) (subsidiary protection – risk of death penalty, torture or inhuman or degrading treatment or punishment). For the Refugee Appeals Board to consider the conditions for a residence permit under section 7(1) of the Aliens Act to be fulfilled, the general criterion is that it may be feared that the person in question will be subjected to specific and individual persecution of some severity or a risk thereof in case of return to his country of origin. The wording of section 7 (2) is close to the wording of Article 3 of the European Convention on Human Rights. It appears from the explanatory comments to section 7(2) that it is presupposed that the immigration authorities will comply with the case law of the European Court of Human Rights in the field when applying the provision and that Denmark in addition to the provisions of the European Convention on Human Rights has an obligation to respect a number of other conventions of relevance to the provision. Furthermore it appears from the comments that a residence permit under section 7(2) cannot be granted with reference alone to a generally chaotic situation or a state of civil war in the country of origin. According to its practice, the Refugee Board will generally consider the conditions for issuing a residence permit under section 7(2) to be fulfilled when there are specific and individual factors rendering it probable that the applicant will be exposed to a real risk of the death penalty or of being subjected to torture or inhuman or degrading treatment or punishment in case of return to his country of origin. Pursuing to section 56 (8) of the Danish Aliens Act Board decisions are final, which means that Board decisions are not subject to judicial review. This has been established before the Supreme Court. The judgements in these cases have concluded that the Board is an expert board of a quasi-judicial nature and that deliberations of the courts are limited to points of law. Brief description of the proceedings before the authorities involved in review and appeal. With exception of cases in the accelerated procedure proceedings all Board hearings are in general oral. If the case is referred to be considered under an oral proceeding at the Board, the hearing is attended by the asylum-seeker, the attorney, an interpreter and a representative of the Immigration Service. During the hearing the asylum-seeker has an opportunity to make a statement and reply to questions. Then the attorney and the representative of the Immigration Service have an

opportunity to present their legal arguments, whereupon the asylum-seeker makes a final statement. After the deliberations of the Board, a written decision is drafted, reproducing the information available in the case and the decision of the Board with its grounds. Normally, the Board decision will be served on the asylum-seeker in direct continuation of the Board hearing, and at the same time the chairman will give a brief explanation of the decision made.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Litigious divorce case	18 [] NA [] NAP	138 [] NA [] NAP	157 [] NA [] NAP	[] NA [X] NAP	157 [] NA [] NAP	[X] NA [] NAP
Employment dismissal case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Insolvency	[X] NA [] NAP	401 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Robbery case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments In respect of the category “litigious divorce cases”, the following variations are observed: a decrease as concerns “% of decisions subject to appeal” and a decrease of 45% as concerns “average length in second instance”. These variations could be explained by the fact that procedures of dealing with divorce cases have been amended, allowing that more divorce cases and conflicts are dealt with by an administrative organ. It is assumed that litigious divorce cases do not go to third instance. The reason for the decreases are that the courts handled more cases than the number of incoming cases. See also remarks under Q103.

103. Where appropriate, please indicate the specific procedure as regards divorce cases (litigious and non-litigious):

. Divorce cases: 1st instance is one weighted average figure from the district courts. Similarly is average length in 2nd instance the weighted average figure of the two high courts and thereto is added the weighted average figure of the district courts. The average total length is the weighted average figure of the district courts multiplied with the percentage of these cases that is resolved within the district courts added with the weighted average figure of the two high courts multiplied with the percentage these cases is of the number of finished cases in the district courts.

Short description on the divorce system: In Denmark, the handling of all matrimonial matters starts at the State Administration. Spouses wishing to separate or divorce must apply to the State Administration and pay a fee for the processing of the application. If the spouses disagree on the terms of the separation or divorce, they must attend a meeting to negotiate terms. An fee applies to such a

meeting. The State Administration may refer a separation or divorce case to the courts if we believe that the separation or divorce and its terms are questionable. Further information in English can be found on the webpage of the State Administration:
<https://www.statsforvaltningen.dk/site.aspx?p=6388>

**104. How is the length of proceedings calculated for the five case categories of question 102?
Please give a description of the calculation method.**

. See q. 103 re divorce cases. Insolvency cases are weighted between district courts and Maritime and Commercial High Court. Included are bankruptcy cases and reconstruction cases.

4.2.6. Case flow management – public prosecution



105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers (please specify):

Comments

106. (Modified question) Does the public prosecutor also have a role in:

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	172940 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25101 <input type="checkbox"/> NA <input type="checkbox"/> NAP	49332 <input type="checkbox"/> NA <input type="checkbox"/> NAP	141800 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor include cases concluded by the police as these cases are indistinguishable in the case handling system.

107-1. (Modified question) If the guilty plea procedures exist, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

108. Total cases which were discontinued by the public prosecutor:

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	297583 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Discontinued by the public prosecutor because the offender could not be identified	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Discontinued by the public prosecutor for reasons of opportunity	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments It is not possible to specify further circumstances regarding the cases.

109. Do the figures include traffic offence cases?

Yes

No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Danish Court Administration
The statistics derive from the case handling system of the police (POLSAS)

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges



110. (Modified question) How are judges recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify):

Comments

110-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

- Yes
- No

Comments - If yes, please specify:

111. Authority(ies) responsible for recruitment. Are judges initially/at the beginning of their career recruited and nominated by:

- an authority made up of judges only
- an authority made up of non-judges only
- an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

112. Is the same authority (Q111) competent for the promotion of judges?

- Yes
- No

Comments

112-1. Are there specific provisions for facilitating gender equality within the framework of the

procedure for promoting judges?

Yes

No

Comments - If yes, please specify:

113. What is the procedure for judges to be promoted? (multiple answers possible)

Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination):

113-1. Please indicate the criteria used for the promotion of a judge? (multiple answers possible)

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"): Emphasis is placed on the candidates legal and personal qualifications.

114. (Modified question) Is there a system of qualitative individual assessment of the judges' work?

Yes

No

Comments

114. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

5.1.2. Status, recruitment and promotion of prosecutors



115. What is the status of prosecution services?

statutory independent

under the authority of the Minister of justice or another central authority

other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...).

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a prosecutor in a court.

Yes

No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

mainly through a competitive exam (open competition)

mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify):

Comments

117. Authority(ies) responsible for recruitment. Are public prosecutors initially/at the beginning of their career recruited by:

an authority composed of public prosecutors only

an authority composed of non-public prosecutors only

an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

117-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

Yes

No

Comments - If yes, please specify:

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

Yes

No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for prosecutors to be promoted? (multiple answers possible)

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam):

119-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

Yes

No

Comments - If yes, please specify:

119-2. Please indicate the criteria used for the promotion of a prosecutor:

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

Yes

No

Comments

5.1.3.Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred (to another court) without his/her consent:

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

NAP

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:-

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)? Is it renewable?

Yes, what is the length of the mandate (in years)?

No

Comments Judges are appointed to office for an undetermined period. See answer 121.

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)? Is it renewable?

Yes, what is the length of the mandate (in years)?

No, what is the length of the mandate (in years)?

Comments Question 126 is not relevant because of our answer to question 123.

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments Training is optional except for the initial training that is compulsory for deputy judges. The Danish Court Administration

offers on a yearly basis approx. 250 different sessions/seminars.

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: In all of the mentioned areas the Danish court administration offers training to deputy judges on a regular basis, as a minimum every other year and the participation in these training activities is mandatory.

Regarding appointed judges, training is also offered regularly. However, participation in the training activities is optional.

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors

	Compulsory	Optional	No training proposed
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions in the courts (e.g. Head of prosecution office, manager)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions in office (e.g. Head of prosecution office, manager)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

131-0. (Modified question) If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	1400000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
One institution for prosecutors	930000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
One single institution for both judges and prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The Danish Court Administration receives a budget of approximately 1.400.000 EURO per year for training. This budget is for training of all personnel groups at the Courts of Denmark. The latter employ approximately 2.300 staff including 380 appointed judges.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please

indicate briefly how these judges and/or prosecutors are trained?

. Judges: If a deputy judge starts his or hers career directly after finishing law school he or she will have compulsory initial training. However, you can be appointed a judge without the compulsory initial training based on an extensive experience with working within the judicial area. In that case you will be offered a wide range of optional training in current topics.

5.3.Practice of the profession

5.3.1.Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	121830 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	906708 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	207700 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1545786 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	52000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	390000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	88160 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	661000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Special pension	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Housing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other financial benefit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

134. If “other financial benefit”, please specify:

. No.

[] NAP

135. Can judges combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. Judges may only have secondary employment if the Administration of Justice Act allows. Judges may only have permanent secondary employment with remuneration if determined by law or if the Board of Secondary Employment (Bibeskæftigelsesnævnet) allows. Occasionally or single secondary employment without remuneration does not require permission. The above crosses are set with a certain reservation. A concrete assessment will always be made. "Other function" can be: council and board, special courts and legal committee.

137. Can public prosecutors combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	(X) Yes () No	(X) Yes () No

Cultural function	(X) Yes () No	(X) Yes () No
Political function	(X) Yes () No	(X) Yes () No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a given period of time) or cases examination?

- Yes
- No

Comments - If yes, please specify the conditions and possibly the amounts:

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions



140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify): The Minister of Justice
- This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple options possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body

- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):the Ministry of Justice
- This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple options possible)

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments The Special Court of Indictment and Revision.

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

- Supreme Court
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):the Ministry of Justice

Comments

5.4.2.Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Breach of professional ethics	0 [] NA [] NAP	1 [] NA [] NAP
2. Professional inadequacy	0 [] NA [] NAP	1 [] NA [] NAP
3. Criminal offence	0 [] NA [] NAP	0 [] NA [] NAP
4. Other	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If "other", please specify:

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 9)	0 [] NA [] NAP	0 [] NA [] NAP
1. Reprimand	0 [] NA [] NAP	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP	0 [] NA [] NAP
5. Temporary reduction of salary	0 [] NA [] NAP	0 [] NA [] NAP
6. Position downgrade	0 [] NA [] NAP	0 [] NA [] NAP
7. Transfer to another geographical (court) location	0 [] NA [] NAP	0 [] NA [] NAP
8. Resignation	0 [] NA [] NAP	0 [] NA [] NAP
9. Other	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Prosecutors: In the reference years, there have been two disciplinary proceedings initiated against public prosecutors, but there have not yet been any sanctions pronounced against public prosecutors.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: Prosecutors: The HR-office of the Ministry of Justice.

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

[6236]

[] NA

[] NAP

Comments

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[X] NA

[] NAP

Comments

149. (Modified question) Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Dismissal cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Criminal cases - Defendant	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

Criminal cases - Victim	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Administrative cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
There is no monopoly	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - Please, indicate any useful clarifications regarding the content of lawyers' monopoly:

149-0. (New question) If there is no monopoly, please specify the organisations or persons that may represent a client before a court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes () No [X] NAP
Family member	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Self-representation	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Trade union	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Other	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments - If "other", please specify. In addition, please specify for the categories mentioned, the types of cases concerned by this/these representation(s): Civil society organisations: The Ministry of Justice can allow that employees in certain civil society organisations can represent a client in the first instance in cases concerning work etc. Forbrugerombudsmanden (the consumer ombudsman) can represent clients in certain cases in both the first and second instance. Family members and self-representation: Self-representation or representation by certain family members is always possible.

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- [] Notarial activity
- [X] Arbitration / mediation
- [X] Proxy / representation
- [X] Property manager
- [X] Real estate agent
- [] Other law activities (please specify):

Comments

149-2. What are the statuses for exercising the legal profession in court?

Self-employed lawyer

Staff lawyer

In-house lawyer

Comments

150. Is the lawyer profession organised through:

a national bar association

a regional bar association

a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

Yes

No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general system for lawyers requiring in-service professional training?

Yes

No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: The answer to question 146 is from AMK, which is an electronic register where the Danish Bar and Law Society registers all lawyers.

6.1.2. Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes laws provide rules

Yes standards of the bar association provide rules

No neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

the judge

the Ministry of Justice

a professional authority

other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	799 [] NA [] NAP
1. Breach of professional ethics	[X] NA [] NAP
2. Professional inadequacy	[X] NA [] NAP
3. Criminal offence	[X] NA [] NAP
4. Other	[X] NA [] NAP

Comments - If "other", please specify: The total number of disciplinary proceedings initiated in 2016 can be divided into the following: 1) complaints on code of conduct (648), 2) complaints regarding both code of conduct and legal fees (151) and 3) cases concerning resumption (171). It should be noted, that it is not possible to provide the exact number of cases concerning resumption which are only dealing with complaints on code of conduct. Hence, the number is not added to the answer to the question above.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	208 [] NA [] NAP
1. Reprimand	27 [] NA [] NAP
2. Suspension	3 [] NA [] NAP
3. Withdrawal from cases	[X] NA [] NAP
4. Fine	178 [] NA [] NAP
5. Other	7 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. As mentioned above, the sanctions of the Disciplinary Board depend on the type of complaint. In complaints concerning conduct, the Disciplinary Board may provide the lawyer with a reprimand, a fine or disbarment.

7. Alternative dispute resolutions

7.1. Mediation

7.1.1. Details on mediation procedures and other ADR



163. Does the judicial system provide for judicial mediation procedures? If this is not the case you will go directly to question 168.

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation procedures?

Before going to court

Ordered by a judge in the course of a judicial proceeding

Comments - If there are mandatory mediation procedures, please specify which fields are concerned: See comment for more information

164. Please specify, by type of cases, the organisation of judicial mediation:

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Family law cases (ex. divorce)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Administrative cases	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Employment dismissals	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Criminal cases	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Comments The court annexed mediators can be both attorneys that have been appointed by the Danish Court Administration to function as mediators and judges.

Only judges and attorneys can be appointed to mediate a case on request of the parties.

The public authority (other than the court) that can mediate in family law cases is the Danish State Administration. This authority functions as a quasi judicial body responsible for dealing with cases relating to divorce and custody cases. The State Administration may refer a case to the courts. For more information see www.statsforvaltningen.dk

165. Is there a possibility to receive legal aid for judicial mediation procedures?

Yes

No

Comments - If yes, please specify: The rules on legal aid are to be found in chapter 31 of the Danish Administration of Justice Act. Legal aid is given to a specific claim in a specific civil case. Legal aid can be given both in already raised cases and before the case is raised before the courts. If there is mediation in the cases, the grant of legal aid will - in general terms - include the possible costs connected to the mediation. The courts will determine whether the costs are included in the granted legal aid.

166. Number of accredited or registered mediators who practice judicial mediation:

[143]

NA

NAP

Comments The number of registered judges who serve as mediators in court mediation in 2016 is 86. The number of registered attorneys who are appointed to serve as mediators in court mediation in 2016 is 57.

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	554 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	321 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	190 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate the source: At the level of district courts, 548 cases are finalized with an agreement. The total encompasses also 40 cases before the two High Courts. The source concerning "Civil and commercial cases" and "Family cases" is the Danish Court Administration. Please note that a focus area and project for the Courts of Denmark in 2015 and 2016 was ADR. Desired outcomes were to extend people's knowledge of ADR as an alternative to court rulings and orders, to lower the case processing time and to reach better solutions. The project identified 3 main action areas: more cases should be settled through judicial mediation, uniformity in the process prior to the settlement of a case through ADR and knowledge of ADR is disseminated both internally and externally in the courts. The implementation and communication during and after this project has increased public awareness and the increase in the number of mediation proceedings is a results of these efforts.

168. Does the legal system provide for the following alternative dispute resolutions (ADR):

mediation other than judicial mediation

arbitration

conciliation

other ADR (please specify):

Comments

G1. Please indicate the source for answering question 166:

Source: <http://www.domstol.dk/saadangoerdu/retsmaegling/Pages/default.aspx>

You can find the lists on the right hand side of the page: "Liste over dommerretsmæglere" and "Liste over advokatmæglere".

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?

Yes

No

Comments

170. Number of enforcement agents

[24]

NA

NAP

Comments The number 24 corresponds to the number of enforcement courts and not the number of enforcement agents.

171. Are enforcement agents (multiple options are possible):

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input type="checkbox"/> Yes with monopole <input checked="" type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input type="checkbox"/> Yes with monopole <input checked="" type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP

Seizure from a third party of the debtor claims regarding a sum of money	<input type="checkbox"/> Yes with monopole <input checked="" type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input type="checkbox"/> Yes with monopole <input checked="" type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary sale of moveable or immovable property at public auction
- Seizure of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

Yes

No

Comments

172-1. Is there a system of mandatory general continuous training for enforcement agents?

Yes

No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

a national body

a regional body

a local body

NAP

Comments

174. Are enforcement fees easily established and transparent for the court users?

Yes

No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: The number 24 corresponds to the number of enforcement courts and not the number of enforcement agents.

8.1.2. Efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

a professional body

the judge

the Ministry of Justice

the public prosecutor

other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used?

180. If yes, who is responsible for establishing these quality standards?

a professional body

the judge

the Ministry of Justice

other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

lack of information

- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- other (please specify):

Comments This kind of information is not collected.

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

- Yes
- No

Comments - If yes, please specify:

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
for administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

186. As regards a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more (please specify):

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. For breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2. For professional inadequacy	0 [] NA [] NAP
3. For criminal offence	0 [] NA [] NAP
4. Other	0 [] NA [] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	0 [] NA [] NAP
1. Reprimand	0 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP
5. Other	0 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: Same estimation as last year. Estimation is qualified by a staff member of Danish Court Administration.

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

[] Judge

[] Public prosecutor

Prison and Probation Services

Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

Yes

No

Comments

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Number of notaries
TOTAL	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Private professionals under the authority (control) of public authorities	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public agents	24 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary:

diploma

payment of a fee (e.g. purchasing office)

co-opting of peers

other

Comments

192-2. (Modified question) What is the duration of appointment of a notary?

Limited duration, please indicate it in years:

Unlimited duration

Comments

194. Do notaries have duties (multiple options possible):

within the framework of civil procedure

in the field of legal advice

to certify the authenticity of legal deeds and certificates

in the field of mediation

other (please specify):

Comments

194-1. Do notaries have the monopoly when exercising their profession:

in civil procedure

in the field of legal advice

to authenticate deeds/certificates

in the field of mediation

other

Comments - Please indicate any useful clarifications regarding the content of the notaries' monopoly or on the opposite regarding the competition they have to deal with:

194-2. As well as these activities, what are the other ones that can be carried out by notaries?

Real estate transaction

Settlement of estates

Legality control of gambling activities

Authentication of documents

Translations

Signatures

Other

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

Yes

No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries?

- a professional body
- the judge
- the Ministry of Justice
- the public prosecutor
- the Ministry of Interior
- other (please specify):

Comments

196-1. Is there a system of general continuous training mandatory for all notaries?

- Yes
- No

Comments

11. Please indicate the sources for answering question 192:

Sources: 24 is the number of notarial offices. The notaries are seated in the buildings of the district courts and there are as many notarial offices as district courts.

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1. Status of court interpreters



197. Is the title of court interpreters protected?

- Yes
- No

Comments

198. Is the function of court interpreters regulated by legal norms?

- Yes
- No

Comments

199. Number of accredited or registered court interpreters:

- 3000
- NA
- NAP

Comments

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify:

201. Are the courts responsible for selecting court interpreters?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpreters
The National Police

Comments

J1. Please indicate the sources for answering question 199

Sources: The number 3000 is the number of court interpreters on the National Police's list of interpreters.

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts



202. In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):

"expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,

"technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify): children's expert

Comments

202-1. Are there lists or databases of technical experts registered?

Yes

No

Comments - Please, indicate any useful comment regarding these lists of experts if they do exist (e.g. : who decide of the registration on the list ? Is the registration limited in time ? does the expert take the oath ? how is his/her skill evaluated ? by whom ?)

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the expert have an obligation of training?

	Obligation of training
Initial training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Continuous training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

the proceeding

the profession of expert

other

Comments

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments The Administration of Justice Act chapter 9b.

204-1. On the occasion of a mission entrusted to him/her, does the expert have to report any potential conflicts of interest?

Yes

No

Comments

205. Number of accredited or registered judicial / technical experts:

[390]

NA

NAP

Comments The number includes both the expert judges in regular cases and in cases regarding smaller claims and children's experts.

205-1. Who sets the expert remuneration?

- The Court Administration (the Administration of Justice Act article 93)

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge:

207. Are the courts responsible for selecting judicial experts?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects judicial experts
The Court Administration and the high courts.

Comments

207-1. Does the judge control the progress of investigations?

Yes

No

Comments

K1. Please indicate the sources for answering question 205

Sources: Most of the information can be found on www.domstol.dk.

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans -

2. Budget -

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) A new structure in Family Law has been proposed by the government to establish a comprehensive family law system, where a new administrative authority cooperates with the judicial system to create a simple and holistic course for the families. The system must ensure an easy administrative approach and a general priority of mediation and legal security in complex cases that concern children.
It is expected that the government will propose a youth crime board.

3.1. Access to justice and legal aid An amendment of the Code of Procedure is expected to be suggested by the government in order to leave the courts a greater discretion to determine whether a person, who has a mental condition, shall be ordered to pay the costs of a criminal case.

4. High Judicial Council -

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. -

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities -

7. Enforcement of court decisions -

8. Mediation and other ADR -

9. Fight against crime Amendments of the Criminal Code is expected in order to increase the penalties regarding, among others: burglaries (especially if a burglary is committed when the homeowners is at home), digital sex offences, indecent exposure,

vandalism, threats against witnesses, money laundering and gross violence. Also amendments is expected in the Immigration Act regarding expulsion of gang members of foreign nationalities.

9.1. Prison system -

9.2 Child friendly justice -

9.3. Violence against partners -

10. New information and communication technologies A number of amendments and supplementary provisions will be put forward by the government in order to complement the rules of the general EU regulation on data protection, effective from 25 May 2018.

11. Other Please note as an update to the reforms mentioned in the 2015 comments that the task of serving documents in criminal cases was transferred to the courts as of 1 March 2017. The digitalized civil case handling system is still under way – as of 3 November 2017, 13 courts out of Denmark's total 28 courts handle civil cases using the digitalized system. The system is expected to be fully implemented concerning civil cases at all courts in Denmark by 2 February 2018. The digitalized case handling system concerning civil cases is expected to be fully implemented at all courts in Denmark by 2 February 2018. The use of digitalization in connection with the serving of documents to the accused and the witnesses in criminal cases was fully implemented and in use by 16 May 2017.