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REPUBLIC OF SLOVENIA  
MINISTRY OF JUSTICE

Building a Europe  
for and with children



# Inception report

## Joint European Union-Council of Europe project “Ensuring the best interests of the child in civil court proceedings in Slovenia”

**23SI08**

**November / December 2023**

The project is co-funded by the European Union via the Technical Support Instrument, and co-funded and implemented by the Council of Europe, in cooperation with the European Commission, Directorate-General for Structural Reform Support (DG REFORM).

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## 1. Project Summary

The European Union-Council of Europe Joint Project “**Ensuring the best interests of the child in civil court proceedings in Slovenia**” is implemented by the Council of Europe’s Children Rights Division in close co-operation with the Slovenian Ministry of Justice and the European Commission’s Directorate General for Structural Reform Support (EC/DG REFORM) during the period 1 September 2023 to 28 February 2026.

The project aims to ensure the better protection of children’s rights in civil court proceedings in Slovenia through ensuring the best interests of the child. Implementation of the Project contributes to the ongoing reform in Slovenia on upholding children’s rights and becoming a pioneer country spreading excellence in child-friendly justice in all EU Member States.

The Government of Slovenia has identified the need to reform the civil procedure legislation in particular with regards to delays in family law proceedings involving children. Indeed, according to the Slovenian Ministry of Justice<sup>1</sup>, there were 6.749 new family matter cases in civil court proceedings in 2022. At the end of that year, 3.447 cases remained unsolved. In addition, the number of pending cases on custody, contacts, and family violence at the end of 2022 was 1.301, which is around 13 % higher than at the end of 2020 and 2,5 % higher than at the end of 2021. The situation was reported to be significantly worse in 2023, especially in first instance courts, as there were only a few experts available until recently in the whole country and it took up to one year for the appointed expert to overtake the work.

While Slovenia has made big steps forward for the protection of children’s rights in criminal law proceedings, significant improvements are still needed to uphold children’s rights **in the area of civil law**, particularly as regards delays in family law proceedings involving children. According to the Slovenian Supreme Court report, the main two challenges to overcome these delays are:

- The lack of court experts in clinical psychology, who are the most appointed experts in family law proceedings.
- The excessive use of legal instruments, as the law is often ineffective during the process and there is lack of systemic approach.

Despite the extension of the field of competence and the appointment of new experts in recent months, as well as the acceleration of the training of new experts, their total number remains limited. The duration of cases, estimated at between 14 months and 2 years in the above-mentioned report, has now reached almost 3 years in some cases.

The Ministry of Justice of Slovenia reached the conclusion that they needed assistance in the review of parts of the Slovenian Civil Procedure Act in coordination with other relevant legislation. The review of the legal framework as well as technical support in drafting new legislation will be essential to find a systemic way to regulate the process in order to make it more effective and child-friendly.

The project is divided in two main outcomes:

- 1. A comprehensive Action Plan to reform Slovenia’s legal framework in the field of civil court proceedings involving children is adopted;**
- 2. The implementation of the Action Plan has been initiated.**

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<sup>1</sup> Sodna statistika (Bilten) - Zbirke | OPSI - Odprti podatki Slovenije (gov.si)

As planned in the Detailed Project Description (DPD), the kick-off meeting of the project took place on 26 September 2023. This tripartite meeting gathered the representatives of the Ministry of Justice of Slovenia, the EC/DG REFORM and the Council of Europe's Children's Rights Division. The discussions covered all relevant operational aspects of the Project and are reflected in the minutes of the meeting endorsed by the three partners on 25 October 2023.

Prior to the implementation of the outputs and activities, an inception phase is being implemented. During this period, the Council of Europe has taken stock of the project's starting point, including a review of documents produced to date and organised consultations with key stakeholders to identify concrete needs and preliminary recommendations. The result of these consultations and research is the current inception report of the project which also includes an updated workplan.

The inception report was shared with the Ministry of Justice of Slovenia and EC/DG REFORM and will be endorsed by the project's Advisory Group at its meeting on 2 February 2024 before its presentation at the project launch conference on 13 February 2024 and its publication on the project website.

## 2. Implementation dynamics

The project is co-funded by the European Union via the [Technical Support Instrument of DG REFORM](#) and co-funded and implemented by the Council of Europe Children's Rights Division in close co-operation with the Slovenian Ministry of Justice and the European Commission, Directorate-General for Structural Reform Support (DG REFORM).

The national authority that requested technical support and will benefit from this project is the Ministry of Justice of Slovenia.

Taking stock of the situation and wishing to speed up the reforms, the Ministry of Justice established in 2022 an Inter-Ministerial Working Group (IMWG) to improve the situation of children in civil court proceedings. It gathers representatives from the:

- Ministry of Justice;
- Judiciary (Supreme Court of Slovenia, High Court in Ljubljana, District court in Ljubljana);
- Ombudsman's Office;
- Ministry of Health;
- Ministry of Labour, Family, Social Affairs and Equal Opportunities;
- Association of centres for social work;
- Chamber of clinical psychology;
- Association for nonviolent communication (NGO);
- Expert Council for Judicial Expertise, Judicial Valuation and Judicial Interpretation;
- Slovenian Bar Association.

In order to avoid duplication and create synergies, the Inter-Ministerial Working Group established by the Ministry of Justice was designated as the project Advisory Group that will be in charge of the political guidance and coordination of the project.

Civil society organisations and academia will also be involved in the work carried out under the project to identify existing shortcomings of the Slovenian civil court proceedings involving the child.

### 3. Aim of the inception report

The aim of this inception report is to provide a preliminary exploration of the views of the different actors implicated in civil court proceedings involving children in Slovenia and future reforms in this area. The report reflects the views of the various agencies and professionals who participated in the bilateral consultations. The challenges and gaps identified as well as the areas for improvement should be seen as opinions based on the working experience of each professional group and as such, they may be contradictory. This general assessment of the current situation in Slovenia aims to inform and share the project needs to be addressed as a priority in order to assist Slovenia in implementing reforms to safeguard children's rights in civil court proceedings by ensuring the best interests of the child in line with the EU acquis and the guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice. This report should be seen as a first step in exchanging views and identifying challenges between agencies in order to further enhance multiagency and interdisciplinary cooperation, information sharing and synergies.

This initial exploration carried out in the inception report will be followed by the preparation of an in-depth analysis of the current framework in civil court proceedings involving children (output 3) as well as a gap analysis and recommendations on how to review the Slovenian civil court procedure legislation (output 4) which will lead to the development of a Strategy and Action Plan on the implementation of the required changes (output 5). In parallel, a training gap analysis (output 6) will be prepared to identify existing gaps and provide recommendations for targeted and/or multiagency training. Once these deliverables have been produced, the implementation of recommendations can begin in a number of sectors identified with the Ministry of Justice (output 7). The project will also have a significant awareness raising component (output 8). These activities will be carried out with the support of national and international expertise.

### 4. Accounts of stakeholders consulted during the inception phase

On the occasion of the fact-finding mission organised from 14 to 16 November 2023<sup>2</sup>, nine bilateral meetings took place with key stakeholders involved in the civil court proceedings involving children:

- Judiciary (Supreme Court of Slovenia, High Court in Ljubljana, District court in Ljubljana);
- Ombudsperson's Office;
- Ministry of Health;
- Ministry of Labour, Family, Social Affairs and Equal Opportunities;
- Association of centres for social work;
- Chamber of clinical psychology;
- Association for nonviolent communication (NGO);
- Expert Council for Judicial Expertise, Judicial Valuation and Judicial Interpretation;
- Slovenian Bar Association.

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<sup>2</sup> See detailed programme of the fact-finding mission in Appendix I.

Prior to the bi-lateral meetings, a **questionnaire** was sent to the participants, and their answers were discussed in the meetings. The questionnaire was composed of the following questions:

1. Do you think there are legal and policy gaps in ensuring the best interests of the child in civil proceedings? If yes which are the most pressing areas that would need review?
2. How the legal, institutional and policy framework and current practices in civil court proceedings could be improved and/or reformed to reduce the delays and the backlog of cases involving children? How the Inter-Agency Working Group set up by the Ministry of Justice could help to improve the situation?
3. Are you aware of the lack of clinical and psychological experts in family law proceedings? Do you think more training opportunities are necessary? If yes, can you name a few areas where specific intervention is needed? Do you think that exchanges of good practice and experience with other countries could help?
4. What would be the priorities to be included in a new national action plan and strategy to enable a systemic child-friendly and quick response in order to ensure the best interests of the child in civil court proceedings?

The inception report reflects the contributions and discussions that took place during these consultations.

## 5. Accounts of the consultations and key issues identified during the inception phase

### 5.1. Legal, policy and institutional framework ensuring the best interest of the child in civil court proceedings

Slovenia has acceded to most of the international legal instruments for the protection of the children's rights. Slovenia is indeed state party to the [UN Convention on the Rights of the Child](#). Slovenia is also a party to the Council of Europe [Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#) (Lanzarote Convention) as well as the [Convention on preventing and combating violence against women and domestic violence](#) (Istanbul Convention). In addition, the Committee of Ministers of the Council of Europe, of which Slovenia is a member, has adopted the [Guidelines on child-friendly justice](#) in 2010.

The consultations showed that procedural rights and the legal framework in Slovenia are mostly in line with international standards and the above-mentioned guidelines on child-friendly justice. The new Family Code adopted in 2017 which entered into force in 2019, adopted additional measures and safeguards to protect children against violence and to increase their voice in judicial proceedings (e.g. child advocacy was introduced). It was generally accepted that the new Family Code brought really good changes to the judicial system.

However, the Ministry of Labour, Family, Social Affairs and Equal Opportunities, which is responsible for the Family Code, questions whether the **principle of the best interests of the child** is sufficiently detailed in the Family Code to protect the child in each specific case before the courts. This question

of a better definition of the best interests of the child in law, but also what it means in practice, should be explored in the forthcoming analysis of the legal and policy framework in order to better identify the gaps and needs in different cases and by different categories of professionals working with and for children in civil proceedings.

Another challenge that emerged from the consultations and that should be taken into account for the best interests of the child in civil court proceedings is the **better information and participation of the child**. Children should be informed about their rights, the different forms of assistance available, about the procedure itself. They should also be consulted and should be given the opportunity to express their opinions. Child participation and consultation as stipulated in Article 12 of the UN Convention on the rights of the child are also highly recommended by the Ombudsperson. Children can express an opinion according to their age and maturity, for example on which parent to stay and this must be taken into consideration. The process of obtaining the child's opinion in the procedure can be further improved and aligned with international standards. The Children's house (Barnahus) could possibly be used as a facility in some specific cases to interview the child but also to give counselling and psychological support<sup>3</sup>. This option could be explored and clarified in the next phases of the project.

The **representation of the child and the child advocacy** should also be improved according to several interlocutors. Article 269 of the Family Code provides for the appointment of collision guardians but their profile, educational background, role in the proceedings, or the way they organise contacts in divorce cases should be explored and eventually better defined in the future. Some stakeholders proposed that the nomination of a guardian *ad litam* be mandatory for the duration of the proceedings as they state that cases go more smoothly when the guardian is appointed. The Office of the Human Rights Ombudsperson has developed a project called "Child Advocacy" which intended to reinforce the child participation in proceedings. The purpose of project is to provide professional assistance to children to express their opinion in all proceedings and matters affecting them, and to communicate their opinions to competent authorities and institutions that decide on the rights and best interests of the child. The professional assistance provided by advocates includes psychosocial support for the children, discussing their wishes, well-being and opinions, informing them about proceedings and activities in a way that they can understand according to their age and development, working with them to find the most suitable solution, and accompanying them through various instances that decide on the rights of the child and their best interests. Unfortunately, this project was limited in its implementation notably by the fact that both parents had to agree on the nomination of the guardian that would talk on behalf of the child and write to the judge stating the views of the child. When the parents do not consent, Child Advocacy may still be implemented by the court, if it is in the child's best interests. Experiences from Germany in this field were mentioned and could be used in the future as best practices. The fact that the guardians are paid under the budget of the court and that financial resources are limited, does not encourage the judge to appoint them in the majority of the cases (only 20% of children have guardians *ad litam*). The guardians' costs should be covered under the state budget and not the court budget. Moreover, children should not be represented by one of their parents' attorneys to avoid manipulation. Children in these situations should be represented by a separate attorney and have the possibility to express their views in a safe environment (Barnahus/Children's house facility could be an option under the same conditions as mentioned above). The court can also appoint free legal aid for the child, but it happens only in the most difficult cases. The

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<sup>3</sup> Cases that also have a criminal component, while ensuring that the legal framework establishing the Children's house is respected (See in particular the Protection of Children in Criminal Procedure and their Comprehensive Treatment in Children's House Act)

Ombudsperson's office is highly involved in safeguarding children rights and propose to invite all the heads of office of courts to discuss how to improve child advocacy.

A number of challenges and problems regarding the practical implementation of the best interests of the child in civil court proceedings were identified, the most important being the **delays in family law proceedings** involving children which had already been detected by the Ministry of Justice.

As expected, one of the reasons mentioned during the consultation was the lack of clinical psychologists who are the most appointed experts in family law proceedings. This specific topic will be covered under section 5.2 below.

In addition to the lack of experts, a number of comments were made about the choice of experts and their **appointment procedure by the judges** which can sometimes also lengthen the whole procedure. The usual procedure is that the judge consults the available list and contacts one of the experts on the court's list of experts<sup>4</sup>. Unfortunately, the judges do not know the workload of each expert, this information is not shared between experts or between judges. It may happen that the judges contact the experts they used to work with, without checking their availability or having an idea of their workload. In addition, some experts sometimes accept the case, put it on their own waiting list and look at it later because they have other priorities or urgent cases to deal with. This lack of transparency in the appointment, availability and workload of the experts results in lengthening of the procedure which could eventually be resolved by a limitation of cases per expert in the law and/or the creation and sharing of the information through a common database listing the experts, their field of competences, the number of cases they are dealing with and when they are available. These options could be discussed, and their feasibility explored in the future phases of the project. The current difficulties in identifying the relevant procedure in each case and how to fix the average number of cases per experts led to an unsuccessful outcome in this regard. In this context, the Ministry of Justice has already proposed an amendment to the Act on court experts to share the information on when the court appoints an expert and when the case is finished to have a better, clearer and more transparent view of the workload and availability of each court expert. This amendment if adopted would probably help speed up the procedure for some cases.

Another reason for the delays in court proceedings that came up during consultations is that sometimes each party involves **their own trusted experts to give their opinion** including independent experts or even the medical faculty. This practice of multiple expertise should be limited by law to avoid prolonging the proceedings in particular when the second opinion is the same as the first one. Another interlocutor also suggested that only clinical psychologists should be allowed to write opinion even if they are not court experts.

Another way to reduce the delays would be the use of **temporary decisions** by the judge. Some interlocutors advocate that this intermediary decision could help them see how the parties behave and will allow them to adopt a second temporary decision or make a final decision. With a temporary decision, the conflict might go down as well as the burden of the child. The consultations did not allow to go too much into details regarding these temporary decisions, but this topic could be further explored in the forthcoming in-depth legal and policy review.

Another problem is the way the **lawyers** are paid which can discourage them from speeding up the whole duration of the proceedings. The lawyer's remuneration system is based on a number of

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<sup>4</sup> To date, the list includes a total of 76 forensic experts: 23 in clinical psychology, 2 in family psychology, 8 in social work, 3 in paediatric psychiatry, 40 in psychiatry. Before 2023, clinical psychology experts were divided into five groups: clinical (neuro)psychologists for adults, clinical (neuro)psychologists for children and adolescents, clinical psychologists for adults, clinical psychologist for children and clinical psychologists in family case. In 2023, they were combined into one single group based on their formal training i.e. clinical psychology but their specific clinical expertise is maintained in the description of their competences.

documents filled in and applications to the court by each lawyer and sometimes they stretch the case to earn more. The possibility of changing the remuneration system by e.g. giving a bonus to attorneys for quick finalisation of the case was evoked during the consultations. In addition, under the Law on free legal aid, which is often granted in family proceedings, there is no limit to the number of applications to the courts which can also allow abuse of procedural rights. Another problem regarding the free legal aid is that currently the lawyers representing the child are appointed by the court but there is no list of “specialised” lawyers nor compulsory training to be appointed.

Another reason for lengthy delays in civil court proceedings is the **fluctuation** of judges, staff in courts as well as in social services. Ljubljana is primarily affected by this problem and the main reason is the very important workload. The fact that assistants in court are not assigned to a judge and that they are not enough also encourage them to move to other courts. The Presidents of courts who are in charge of distributing the cases are not informed about the workload of each individual judge and cannot make a fair, balanced and transparent attribution of cases. Specific measures to reduce the workload and make their work more attractive should be considered.

With regards to the workload of judges and the organisation of work in the court, it was recommended that **judges should not deal with administrative and financial tasks** (when to pay the expert, receipt of the bank slip, decision on the costs, etc.). This work should be partly delegated to court assistants, leaving the judge with the mere approval of the financial and administrative tasks.

An additional recommendation to reduce the delays in civil proceedings was that psychological, medical and/or educational **information on the child should be up-to-date and better shared** between the experts, the judges and the relevant services. Sometimes the experts have to search for the child information and make their own enquiries to find it. The court could already collect all the necessary information at the initial stage before passing the case on to the expert. The staff turnover is also a problem as the information can be lost if someone moves. No one has a full picture of the case and the information. The social services database and the foster care database are different which can also create difficulties.

Moreover, some interviewees recommended that the **structure of the expert report** be harmonised or standardised. Clinical psychologist experts seem to already have general guidelines<sup>5</sup> at their disposal, however consultations showed that it is apparently not the case for all categories of experts. Work could be initiated at national level to better define what kind of information should be included in the report, who can talk to the child or how to get information from other agencies. If the information to be included in the report is known in advance, it would speed up the preparation of the report and thus the overall duration of the procedure. Moreover, a multidisciplinary approach should be encouraged in the preparation of the expert opinion. A **protocol dealing on how to create and coordinate this multidisciplinary team** in charge of the preparation of the opinion could be envisaged. This would help to reach common conclusions, divide the work and finally help to share the workload and the pressure resulting from difficult and highly conflictual cases.

One major problem that the judges are facing in very conflictual cases concerns the **protection and/or the placement of the child**. There are only a few crisis centres to welcome children at national level. The children should not stay more than 21 days in these institutions. These crisis centres are facilities where children are placed when suspicion of family violence is reported during the proceedings, or when children are at risk and need to be temporarily removed from their parents to protect their best interests. Delays to place the child in residential home, foster family or reunite them with non-violent parent can be very long and children sometimes stay in crisis centres

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<sup>5</sup> See the [General guidelines for the performance of forensic work in the field of psychology](#) and the [Guidelines for forensic clinical psychological work in the field of parenting and custody](#).

for much longer. Unfortunately, Slovenia lacks foster families to take care of the child when necessary<sup>6</sup>. Another issue mentioned concerns children placed in residential care centres<sup>7</sup>. These centres are closed during summer holidays and cannot take care of children during this period of the year. Targeted action should be carried to increase the number of foster families and to reinforce and promote the foster care system as a whole to better protect the rights of the child. This could be explored in more details in the forthcoming activities of the project (legal and policy framework analysis, or awareness raising activities) building on the work of the internal audit requested in 2022 by the Ministry of Labour, Family, Social Affairs and Equal Opportunities.

A recent change in the law **on how residential care is organised** also impacted the placement of the child. Before it was organised on the basis of the child's care needs, now they switch to a regional management which means that all regions have to have all steps of care and organise all types of care: home visits, residential care, intensive care. Unfortunately, not all regions are well prepared and equipped in the context of the increasing number of children.

The issue of **joint custody<sup>8</sup> in cases of domestic violence and high conflictual cases** and how to better protect the child and the woman was raised by several interlocutors who mentioned that the family code might need a review to better respond to the gaps. In this regard, the Slovenian Bar Association mentioned good practices that exist in Germany on joint custody and how they deal with conflictual cases. Conflicts can also arise about who supports the child needs related to the respective salaries of the parents, when the child's costs increase, etc. This particular topic could also be part of the legal and policy review which will be prepared as part of the project.

Consultations also revealed some very specific legal gaps that might be discussed or addressed during the project: a legislative change would be needed **to avoid mediation and joint custody when domestic violence is suspected** which is, according to some interviewees, not the case. The child should not be forced to see the alleged perpetrator. Moreover, in case of domestic violence or when there are parallel civil and criminal proceedings, it is important to avoid duplicating the interviews of the child and both processes should be coordinated.

Another gap identified during the interviews was that the judges should better inform the court experts on the follow up of their decision and give them feedback. Statistics on how many court decisions follow the experts' opinion would also be interesting to review.

These gaps identified during the consultations will be the starting point of the forthcoming in-depth legal and policy analysis on the functioning of the civil court proceedings involving children which will lead to the development of a Strategy and Action Plan on the implementation of the required changes.

#### **Issues and gaps identified:**

- The principle of the best interests of the child in the new Family Code does not cover all the specific cases in civil law proceedings, as well as in practical application of the Code;
- The child is not automatically consulted and/or informed in civil court proceedings;
- Independent representation of the child and in particular the appointment of guardians *ad litam* is not systematic;
- Delays in civil court proceedings are increasing despite the attempts of the Ministry of Justice to improve the situation;

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<sup>6</sup> There are 550 foster families in Slovenia for 769 children in need (80% are minors and 20% are non-minors) as of August 2023, source Ministry of Labour, Family, Social Affairs and Equal Opportunities.

<sup>7</sup> Strokovni centri.

<sup>8</sup> See Article 139 of the Family code.

- Delays are mainly, but not exclusively, due to the shortage of clinical psychologists;
- The procedure for appointing court experts lacks transparency and can lead to a higher workload for some experts as opposed to others;
- Long delays are also due to the increasing number of cases compared to the total number of judges available;
- Multiple requests for expert opinions (from the judge and independent expert opinions from the parties) lengthen the duration of proceedings;
- The judge's interim decisions are not often used;
- The remuneration system for lawyers and the free legal aid system do not encourage them to speed up proceedings;
- Lawyers appointed by the judge to represent the child are not always "specialised" or trained in children's rights;
- The turnover of judges, court staff and social workers, mainly due to workload, has a major impact on the follow-up of cases and the exchange of information;
- The time spent by judges on financial and administrative matters is not spent on the case itself;
- The child's information file is not always complete and shared when the experts are appointed by the judge, which obliges them to do their own research;
- The structure of the expert report is not standardised for all categories of experts and sometimes the experts need to know exactly what is required by the judge;
- Difficulties in the protection and placement of children during civil proceedings;
- Gaps in joint custody in general and even more so in cases of domestic violence and high conflict cases;
- Lack of follow-up and feedback between the judge and court experts;
- Lack of statistics on how many court decisions follow expert opinions.

## 5.2. Lack of clinical experts for the preparation of opinions

As mentioned in the above section, the lack of clinical psychologists is indeed an issue in Slovenia leading to long delays in the treatment of civil court proceedings involving children. However, this should be relativised as, from 2016 to 2019, the courts appointed an expert in about 5% of all cases concerning custody, education and contact with the child, i.e. approximately 300 cases per year. In 2020 and 2021, this number significantly decreased which can also be interpreted as a consequence of the lack of court experts. Judges are weighing even more their decision to appoint an expert.

In most cases, clinical psychologists are appointed at the request of the judge. The parties have usually high expectations of the court and of the clinical psychologists to resolve their problems. The idea that clinical psychologists are the only experts competent to deal with the case and prepare an opinion on which the judge can base their decision was raised during the consultations. It has been mentioned several times that the decisions of the family courts are mostly based on what the expert says which put a **lot of pressure and responsibility** on them.

One of the reasons given for the shortage of experts in clinical psychology and their work overload is that there is **no systematic funding for specialisation** in clinical psychology in Slovenia, which does not allow sufficient training of clinical psychologists. The cost of the four-year specialisation is borne by the employer (the health institution) and not by the state. During the specialisation, the psychologist completes internships in different institutions and works only one day a week for the employer. From 2021 to 2024, there were two health intervention laws that allowed 100 psychologists to have their training in clinical psychology paid for by the Ministry of Health. Unfortunately, from 2024 onwards, it has been reported that there is still no systematic funding solution for specialisation in clinical psychology that would enable the number of clinical psychologists trained to be increased on a long-term basis.

In addition, clinical psychologists as well as other stakeholders interviewed, stated that **the role of court experts was not sufficiently attractive**. The main reasons identified during the consultations are as follows:

- They are overwhelmed by their work, both in the hospital for their clinical work and in preparing opinions outside of their hospital work;
- Around 14% of clinical psychologists work as court experts in Slovenia<sup>9</sup>, they are only 23 clinical psychologists working as court experts in the whole country;
- They are under a lot of pressure and feel that most of the time they are responsible for the decision of the court;
- It takes a long time to be paid by the court for the work done (can be more than a year, but usually 3 to 6 months). The procedure for approving the fee goes through the judge, the amount has to be validated and sometimes is reduced. This payment process should be better explored during the project to find more efficient solutions and be consolidated in the future and applied in the same way by all judges;
- the work could be better paid to attract new experts;
- Sometimes they do not feel well considered by the court and a better cooperation would be welcome.

The **lack of child psychiatrics** is also obvious as there are only 3 child psychiatrics in the list of court experts. They have more cases to deal with than what they can do (example of 10 pending cases whereas she can only deal with 8 cases per year). Like the clinical psychologists, their work is not valued, the high pressure of the court and the time to deal with these cases in parallel with their clinical work, prevent new child psychiatrics to become court experts.

The consultations permitted to explore **options to reduce the pressure on clinical psychologists**.

For example, in case of mental health problems, it would not be necessary to appoint only a clinical psychologist. Psychiatric experts could give a preliminary opinion and identify if a clinical psychologist is needed. If there is no mental issue in the case, an opinion from a psychologist or a social worker could be sufficient. This would not reduce the importance of the work of the clinical experts, but other professionals could take their part of this burden for the best interests of the child as it would help reducing the current delays. In highly conflictual cases, or when one parent tries to alienate the child from the other one or in case of abuse or psychological issues, clinical psychologists might be best placed to prepare an opinion. In this context, the range of cases, which expertise to use in which case, what type of questions should be raised to the expert and how the judge selects the relevant expert could be defined and organised in future guidelines.

In practice, in case of visitation or custody, the opinion of clinical psychologists is almost never required, expertise from social workers is often sufficient to take a decision. Several interlocutors mentioned that the **expertise and support of the social services** should be better used in some procedures.

Indeed, social workers even if some of them are already in the list of court experts are not very often appointed by the judges. Judges can anyway get information from the social services, but they are not always taking into account their expertise as valuable as the one received from clinical psychologists. However, according to some interlocutors, the social services employ a very large scope of professionals who do more or less the same job without the same educational background which could entail a huge discrepancy in the services provided and does not encourage the judge to use their expertise. A list of social workers allowed to work with children exists in the social

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<sup>9</sup> There are currently a total of 165 clinical psychologists in Slovenia: 160 clinical psychologists working in the public health service and around 5 in the health service of the Ministry of Interior, the Ministry of Defence and in private practice.

Assistance Act<sup>10</sup>. Among them there are psychologists (currently around 50 which is lower than before). Social service could hire more psychologists and train them on evidence-based support to advise the judge in some cases. They could be an additional source of expertise for the judge. Other social workers properly trained could also support the judge's decision by providing a first level opinion in some specific cases that do not need the expertise of a psychologist. The advantage of the expertise of the social services is that they can visit the family and talk to the child on several occasions. If the judge estimates that the expertise of the social worker is good, there is no need for an in-depth psychological expertise. Centres for social work<sup>11</sup> usually do an excellent work in particular when they cooperate with other agencies and professionals like the police, the school, the health institutions of NGOs. Lawyers working in the social centres could also help in drafting the opinion to make sure the opinion is in line with courts' requirements. Professionals who are confident and who work together to give expert opinion come up with the best results. The work of the social services and their multiagency approach should be better valued by judges in future civil proceedings.

The work of the social services is also important for intermediary/temporary decisions which can be taken very fast. If the court and the social services work efficiently and exchange information, the intermediary decision can be taken in a speedy manner. An example of a case was given when a newly born child stayed 6 months in a crisis centre, pending the final decision of the judge. This could have been avoided if a temporary decision had been taken by the judge.

If this option is explored in the future, some interlocutors recommend however that the work of social workers according to their educational background be better standardised maybe through a protocol to encourage the judge to use their expertise. Their number and their salaries should be increased in the future to be more attractive. Another recommendation would be to reinforce their knowledge and training on evidence base protocols and other specific areas to enable them to act as experts in civil court proceedings.

In parallel, **judges should be better informed and encouraged to appoint and use the expertise of different types of experts** and not only clinical psychologists who are already overloaded. The expertise should match with the specific needs related to the case in family courts. Guidelines could be developed in the framework of the project to help the judges in this process.

A general comment was that Slovenia **needs more professionals** working with and for children in civil court proceedings, not only clinical psychologist but also child psychiatrics, psychologists, legal professionals, social workers, foster families, specialised judges and attorneys, as well as court assistants. The increase of salaries, of the number of scholarships or also of capacities at the university were identified as positive incentives that would help attract new professionals.

#### **Issues and gaps identified:**

- The shortage and overload of clinical psychologist experts are partly due to the fact that there is no systematic funding for specialisation in clinical psychology in Slovenia;
- The position of court expert and in particular clinical psychologists is not attractive because of the workload, but also because of the pressure, the delays and the amount paid for their expertise, and sometimes the lack of consideration;
- Most of the time, clinical psychologist experts are employed at mental health centres, hospital or even in private practice and do their work as experts on their "free time";
- The wrong assumption that the clinical psychologists' opinions will resolve all the problems;

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<sup>10</sup> Article 69 of the Social Assistance Act defines the educational requirements for social care professionals.

<sup>11</sup> There are currently 16 centres for social work in Slovenia, comprising 63 units and around 1500 persons.

- The systematic use of clinical psychologists by judges further increases their workload and the time required to provide their opinion;
- The reports of the social services should be taken more into account and valued, especially when they are trained on a multidisciplinary and inter-agency approach;
- Educational background and profiles of social workers are very diverse, those dealing with cases involving children are not always trained in evidence-based protocols or in children's rights;
- Judges are not well informed of the different types of expertise by other professionals and do not therefore use the expertise of other than clinical psychologists;
- General lack of professionals working with and for children in civil proceedings (clinical psychologists, child psychiatrists, psychologists, legal professionals, social workers, foster families, specialised judges and lawyers, etc.).

### 5.3. Training and support programme needs

The consultations revealed that there is a great need of programmes for **family and parental support** during the proceedings. They exist but are not always evidence-based. There is no holistic treatment of the parent. It sometimes happens that social services counsel the parent who brings the case, but they do not see the other parent. Programmes to improve communication between parents must be developed to improve the relation of the parents and help them better understand the child's behaviour and wishes. A better understanding for both parents of the child's reactions (why they are crying, or act ambivalently, etc.) through these programmes would possibly calm down the conflicts and misinterpretation could be avoided among the parents. Support programmes for the young couple planning parenthood should also be developed. A lot of parents are not aware of the damages they are inflicting on the child. Many conflictual situations could be avoided if parents were better educated and equipped on child's behaviour in conflictual situation. The skills and know-how developed in the framework of Barnahus (Children's house) could eventually be used as a starting point for such programme. In high conflict cases, it should be mandatory for parents to attend evidence-based family support programmes including on better communication with the child and with the other parent, as well as on child development and psychological needs. Special programmes to inform the parents at the very beginning of the case and support them all along the proceedings must be provided. The sooner the counsel to both parents is done, the better for the case. Most cases could have been prevented if counselling was given at an earlier stage.

The Ministry of Health mentioned that an early intervention parenting programme is being implemented on a large scale through the network of community-based mental health centres, the so-called Centres for Mental Health of Children and Adolescents at the primary healthcare level. One such evidence-based programme is the "Incredible Years"<sup>12</sup> parenting training programme to support families and protect children which has also been shown to be effective in the early treatment and prevention of mental disorders. The trainings teach parents positive skills in a simple, understandable and friendly way, that promote the child's cognitive, social and emotional development, better academic achievement and enable safer and healthier development.

The results of the long-term implementation of the "Incredible Years" programme as well as experiences and good practices from other countries such as the family support programmes of the United Kingdom<sup>13</sup> could be used to build other programmes in Slovenia.

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<sup>12</sup> See website: <https://neverjetna-leta.si>

<sup>13</sup> See [Early Intervention Foundation Guidebook](#) for examples of evidence-based programmes in the UK or the [programmes developed by the Anna Freud Mental Health Charity for children and families](#).

There is also a need to increase psychological knowledge of **judges** who are often basing their decision on the clinical psychologist's opinion only. They are sometimes afraid of taking decision without the clinical psychologists' opinions. It emerged from the consultations that relations between the court's experts and the public prosecutor are sometimes difficult in court: the experts have to wait a long time before intervening, their credibility can be attacked, and they can be taken to task by the public prosecutor. On the other hand, the experts sometimes have little knowledge of adversarial proceedings. In this respect, workshops and joint training courses on how to work together or conduct forensic interviews should be organised on a regular basis.

As mentioned in the section above, judges should also be trained on how to better identify the expertise needed, what questions to be asked to the experts to fasten the preparation of the opinion and help them take a decision in shorter timeframes.

Consultations also revealed that there are some discrepancies between judges in family courts. Some are very well-trained and experienced in child-friendly justice and on how to deal with these cases. Unfortunately, others are less experienced. The same goes for attorneys who are sometimes looking for the best interests of their client and not the child. There is apparently no compulsory training for judges dealing with family matters in particular in small courts.

Judges should also be better informed on the support programmes available for parents: psychological support programmes but also social services programmes. Judges should assign parents to the relevant ones, for the correct period of time (not too short) and to the most efficient ones. Judges should know better which programmes are good and needed for each specific cases. The list of programmes should be readily available, updated and shared with all the professionals, the programmes should also be reviewed by the state to make sure that they are all relevant.

Judges should be trained on better informing and interviewing children. If not already trained, the judges starting dealing with family cases must be trained as soon as possible including on the use of tools at their disposal to protect all the parties. In the best-case scenario, judges should follow regular and life-long training on this matter.

Several stakeholders also recommended psychological and institutional support for judges to make sure that selfcare practices are applied in very difficult cases and that they are accompanied in their decision and afterwards. Family law is one of the hardest parts of the judiciary and continuous training of judges would help them take decisions in an efficient and child-friendly manner. Judges need support and supervision programmes, and opportunities to exchange with other judges and professionals should be created both on legal and non-legal issues. A possibility would be to develop common and regular meetings with other judges dealing with the same issues to debrief, exchange opinions and support each other.

Several interlocutors during the consultation also regretted the lack of gender balance within the judges in charge of family matters and would welcome a change in the future in this matter. This argument is also used sometimes by fathers to argue that their rights are not well protected and that the judgements might sometimes be biased.

Court personnel dealing with the financial and administrative tasks should also be trained and have more tasks delegated to them.

**Lawyers** should be trained to proceed and work according to the principle of the best interests of the child and not exclusively their clients. They should be generally better trained on children's rights, in particular when they represent the child, and specific training must be compulsory to be appointed by the court. A list of specialised lawyers could then be elaborated from which the judges can pick up the names.

The Chamber of Clinical **Psychology** is involved in sharing and disseminating knowledge by organising training, national and international conferences. Their members reaffirmed their willingness to participate in new projects and new programmes. University hospitals are also involved but most of the time they lack funding to invest in training and career development of psychologists. As already pointed out, clinical psychologists are very few. It was mentioned that currently there are 126 trainees in the four-year clinical psychology training programme. These trainees cannot be appointed as court experts until they finish their residence and have at least two years' professional experience, as six years' professional experience in the field is required. However, it was suggested that they could be encouraged to help the clinical psychologists in preparing opinions and get experience in this fields under strict supervision by a clinical psychologist. There is also a hope that the resolution on mental health adopted in 2018 will help increase the number of clinical psychologists trained at the university and then become residents at the hospital.

Unfortunately, there is **no forensic psychology sub-specialisation in university programmes** in Slovenia. One proposal was that it could be developed in future curricula possibly with a practical orientation to get better trained professionals. This programme could be developed in the future taking into account experiences from abroad as well as the expertise of the Chamber of Clinical Psychology which regularly organises (in some cases together with the Judicial Training Centre) annual seminars on forensic psychology and specific topics relevant to forensic work.

Other proposals that emerged would be to strengthen, when it is not already the case, the exchanges with other professionals, other categories of experts but also the judges. This would help to prepare the opinions and probably shorten the whole duration of the procedure. The appointment of a multidisciplinary experts' team for the most difficult cases in cooperation with the Chamber of Clinical Psychology is also a common practice that could be strengthened and enlarged in the future.

The clinical psychologists first and foremost but also the stakeholders in civil court proceedings must be aware of the concept of **parental alienation and/or possible manipulation** by one of the parents. Even if it is difficult to find the truth and to scientifically define the concept, they should factor this possibility into their opinions and decisions. As discussions on the concept of parental alienation are still ongoing, this point will need to be explored at a later date.

As regards **social workers**, as mentioned above, they are from very different educational backgrounds (social workers, psychologist, lawyers, administrative workers, theologians among others<sup>14</sup>) working on prevention, counselling, family support, social welfare service, family home assistance and even helping in legal proceedings. This diversity in works and profiles is an asset to develop a multidisciplinary approach. However, the possible solicitations to prepare opinions should be accompanied with capacity building and training on how to prepare these opinions and with some joint training with judges to better understand the needs and the proceedings of the court.

Moreover, experts and social workers should also be trained in the adversarial procedure and the right of the defender so that they have a better understanding of how it works and the respective roles of all those involved in the procedure.

In general, all professionals working with and for children including in civil court proceedings (judges, state attorney, lawyers, educators, social workers, etc.) should be better trained on how to approach children, how to communicate with them in a child-friendly manner and what is the best interests of the child. Interagency and multidisciplinary training would allow to create synergies and a better understanding of the role of each other in the proceedings for the best interests of the child.

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<sup>14</sup> See article 69 of the Social Assistance Act.

Today, there are around **200 programmes** paid on the state budget. Several interviewees regretted that only a few are evidence based and some of them are questionable from the scientific point of view. The content of these programmes is not validated or controlled by the state. A better orientation, coordination, validation, dissemination and promotion of support programmes would be very welcome according to different stakeholders consulted. Social services but also NGOs are the main providers of training and support programmes. The state's funding of these programmes does not appear to be sufficient and to meet all the needs. The existing programmes should be reviewed to make sure that they are all pertinent and better coordinated to avoid duplication and fit with the needs of the parents and the child. A multidisciplinary and interagency approach should be encouraged to build on experiences and good practices from other countries in Europe. The Ministry of Labour, Family, Social Affairs and Equal Opportunities suggests that new evidence based and prevention programmes for social workers be funded through the EU social cohesion fund.

Finally, comparative study with programmes and trainings in other countries would help to develop new and efficient programmes in Slovenia.

Non-exhaustive list of topics of training/programmes identified during the consultations:

- Communication between parents and with the child;
- Children's behaviours in conflictual situation;
- Interviewing and informing the child;
- Support to family and children in crisis and/or conflictual situation;
- Child's development and psychological needs;
- Protection of the child from toxic relations and divorces;
- How to deal with child/parental alienation and manipulation;
- How to deal with aggressive and conflictual persons (currently being developed for judges);
- How to identify what type of expertise is needed (for judges);
- On procedural and adversarial proceedings (for experts and non-legal professionals);
- How to foster better cooperation among family judges and criminal judges;
- Guidelines to prepare and write an expert opinion;
- Joint training for social workers/psychologists/judges on care proceedings;
- Forensic psychology sub-specialisation to be introduced in universities;
- General training on child-friendly justice and the best interests of the child.

#### **Issues and gaps identified:**

- Need of family support programmes during the whole duration of the proceedings and in particular in high conflictual situations;
- Programmes are not always evidence based or scientific programmes;
- Programmes do not always fit the needs of the parents or the child;
- Judges' psychological knowledge could be strengthened;
- There is sometimes lack of understanding between the judges and the court experts;
- Not all the judges nor lawyers dealing with civil court proceedings involving children are "specialised" in the rights of the child;
- Parents can be assigned to follow a programme that is not relevant to their specific needs;
- Judges are dealing with very difficult cases and would sometimes need institutional and psychological support;
- Lack of gender balance among judges is sometimes used by fathers to argue that their rights are violated;
- Lawyers sometimes lack training on child-friendly justice and the best interests of the child;
- There are only very few clinical psychologists and are not all willing to work as court experts;

- Professionals working with and for children in civil court proceedings and in particular in very conflictual situations must be aware of parental alienation and possible manipulation;
- Multidisciplinary approach of the social workers should be better valued, and their diverse educational background should be put to a better use;
- Social workers also lack experience and training on how to communicate with children and the best interests of the child;
- Not all support programmes paid on the state budget are evidence based and scientific;
- Lack of financial resources for training of clinical psychologists including at the university hospitals.

#### 5.4. Awareness raising on the best interests of the child

Preventive programmes for parents should be developed prior to the problems. Even at the very beginning of their parenthood planning. Programmes to provide psychological support to parents when the child is 2-3 years would also be a priority. The Ministry of Labour, Family, Social Affairs and Equal Opportunities is planning to develop new prevention programmes with the support of the EU Social Cohesion Fund.

A general awareness raising campaign is needed on the rights of the child in civil law cases in particular in very conflictual divorce and domestic violence cases. Some brochures were produced for criminal cases but there is a need to spread information on these specific topics.

The Ombudsperson representative strongly supported a holistic and preventive approach. Awareness on child-friendly justice, safeguarding of children's rights, the fight against violence and the promotion of human rights in general should also be raised among the wider population. The target group would first be the parents and the children but also the society as a whole.

The important work of several NGOs to develop support programmes for parents and children and encourage awareness raising on the rights of the child in the general population was pointed out along several interviews. NGOs in general and those dealing with violence in Slovenia are strongly involved and deeply rooted in Slovenian society. To name a few, SOS telefon, Association of Power, Network of NGOs working on children's rights (ZIPOM), or the Legal Information Centre for Human Rights and Environment. These NGOs as well as other civil society representatives should be involved in future awareness raising activities organised in the framework of the project.

#### **Issues and gaps identified:**

- Lack of prevention programmes for parents;
- Lack of general information on the rights of the child and child-friendly justice among the general public.

## 6. Conclusions

During its inception phase, the European Union and Council of Europe project "Ensuring the best interests of the child in civil court proceedings in Slovenia" set out to identify the main needs and challenges in upholding the rights of the child in civil law proceedings in Slovenia in order to assist the Slovenian government in addressing these gaps.

After organisation of consultations with relevant ministries and agencies, the project team has identified legal and policy gaps and needs, proposed ways to cope with the lack of clinical psychologists, explored initial training and programme needs, as well as possible awareness raising activities.

In this context, and in order to respond effectively to needs, the project will also encourage the sharing of experience and good practice existing in other European countries.

The main needs and recommendations identified are:

### **Legal, policy and institutional framework ensuring the best interest of the child in civil court proceedings**

- Review the Family Code to make sure that the principle of the best interests of the child is sufficiently detailed and provides protection for the child in each specific case in civil court proceedings;
- Strengthen children's consultations, according to their age and maturity, in civil court proceedings and better inform them about their rights (Barnahus facility could eventually be used under specific conditions);
- Explore the possibility to automatically appoint guardians *ad litam* for the child involved in civil court proceedings and find resources outside the court budget to cover the costs;
- Free legal aid for the child could possibly be extended to all children;
- Information about who is on the list of court experts, their profile, their workload and their availability should be better shared between judges and the experts; a central registry could be developed;
- Multiple expertise should be limited;
- Judges could explore the possibility to use temporary or intermediary decisions more often to better respond to the immediate need of the child and calm down conflictual situations;
- Procedure of remuneration of lawyers and free legal aid should be reviewed to speed up the procedure;
- Lawyers appointed by the judge to represent the child should be trained and specialized in the right of the child and the best interests of the child;
- Specific measures should be taken to reduce the workload which leads to an important fluctuation of judges, courts assistants and social workers;
- Part of the administrative and financial tasks linked to the case and currently in the hands of the judge should be delegated to court assistants;
- The child information file should be complete and presented to the experts when they are appointed, and database of agencies holding this information should be more accessible;
- Guidelines could be prepared to clarify and harmonise the structure, the content and how to prepare the expert report to speed up the procedure and the work of the expert;
- Childcare and the foster family system should be reviewed building on the recommendations of the audit on the topic requested by the Ministry of Labour, Family, Social Affairs and Equal Opportunities;

- Incentive actions should be taken to better inform on the role of foster families for the society and encourage new vocations;
- The issue of joint custody which create additional conflicts in proceedings should be explored also through good practices and experiences from other countries;
- Communication and follow-up of the cases should be reinforced between the judge and the court experts.

### **Lack of clinical experts for the preparation of opinions**

- The state could mobilise financial resources more systematically to develop specialisation in clinical psychology in Slovenia;
- The work of a court expert should be rendered more attractive by improving working conditions and providing for better fee for the reports and all the adjacent work involved;
- Depending if the case includes mental health issue or not, or if the case only concerns visitation or custody, the expertise needed could be provided by other experts such as child psychiatrist, psychiatrist, psychologists or social worker;
- The range of cases, which expertise to use in which case, what type of questions should be addressed to the expert and how the judge selects the relevant expert could be defined and organised in future guidelines;
- Social workers should be more involved in the preparation of expert reports and in supporting judges, as long as they receive appropriate training on the child's best interests;
- Guidelines on how the expertise should match the specific needs of the case involving children should be developed;
- Educate more clinical psychologists but also other experts that could be involved in the expertise given to the court;
- More professionals should be recruited to provide effective support to the judges and speed up the procedures.

### **Training and support programme needs**

- Evidence based Family support programmes should be reinforced;
- Holistic approach should be encouraged;
- Family support programmes should be mandatory for high conflictual cases;
- Skills and know-how developed in the framework of Barnahus / Children's house could eventually be used for parents and children in the most difficult cases;
- Programmes that already exist in other countries could be explored to develop more efficient and need-based programmes;
- Joint training between judges and court experts would improve their cooperation and the understanding of their respective role during the proceedings;
- Judges should be better trained on how to identify the expertise needed to widen the profile of the experts to be appointed;
- Training on the best interests of the child and child-friendly justice should be compulsory for all judges and lawyers dealing with or appointed for these cases;
- A network of specialised, experienced and well-trained judges and lawyers could be set up;
- Judges should be better informed about the programmes available and the relevance of each programme to a particular case;
- Psychological and institutional support to judges to be better accompanied in their decision-making process and afterwards should be developed;

- Lawyers dealing with cases involving children should receive compulsory training on the rights of the child;
- A list of specialised lawyers could be elaborated from which the judge can appoint lawyers in cases involving children;
- Training and education of clinical psychologists should be reinforced and better funded,
- Forensic psychology sub-specialisation should be introduced in universities building on the work already done by the Chamber of Clinical Psychology;
- Strengthening exchanges between experts (clinical psychologists and child psychiatrists) but also between experts and judges, encouraging joint expertise would help prepare the opinion and speed up the procedure as a whole;
- Social workers dealing with cases involving children should be better trained to provide their expertise to the court;
- In general, all professionals working with and for children including in civil court proceedings (judges, state attorney, lawyers, educators, social workers, etc.) should be better trained on how to approach children, how to communicate with them in a child-friendly manner and what is the best interest of the child;
- Interagency and multidisciplinary training would allow to create synergies and a better understanding of the role of each other in the proceedings;
- A better orientation, coordination, validation, dissemination and promotion of support programmes should be proposed by the Slovenian authorities;

#### **Awareness raising on the best interests of the child**

- Develop preventive information programmes for parents;
- Courses of parenting to young couples wishing to become parents;
- Awareness raising programmes on child-friendly justice and safeguarding of children's rights.

Appendix I: Programme of the fact-finding mission  
(14-16 November 2023)

<b>Programme</b>	
Tuesday 14 November 2023	
12:00 - 14:00	<b>Meeting of the Inter-Ministerial Working Group to improve the situation of children in civil court proceedings in Slovenia</b>
Wednesday 15 November 2023	
9:30 – 10:30	Consultations and exchange of views with <b>the Chamber of clinical psychology</b>
11:00 – 12:00	Consultations and exchange of views with representatives of the <b>Ombudsperson’s Office</b>
14:00 – 15:00	Consultations and exchange of views with representatives of the <b>Slovenian Bar Association</b>
15:30 – 16:30	Consultations and exchange of views with representatives of the <b>Expert Council for Judicial Expertise, Judicial Valuation and Judicial Interpretation</b>
Thursday 16 November 2023	
9:30 – 10:30	Consultations and exchange of views with representatives of the <b>Supreme Court of Slovenia, High Court in Ljubljana, District Court in Ljubljana</b>
11:00 – 12:00	Consultations and exchange of views with representatives of the <b>Association for non-violent Communication (NGO)</b>
13:30 – 14:30	Consultations and exchange of views with representatives of the <b>Association of centres for social work; Centre for social work in Murska Sobota</b>
15:00 – 16:00	Consultations and exchange of views with representatives of the <b>Ministry of Labour, Family, Social Affairs and Equal Opportunities</b>
16:30- 17:30	Consultations and exchange of views with representatives of the <b>Ministry of Health</b>

## Appendix II: Updated risk analysis and mitigation efforts

There are a number of risks associated with the implementation of the project, which the CoE will take steps to identify and mitigate. The table below provides for information regarding external risks and proposed mitigating measures.

Risk	Mitigation measure
Short time frame for implementation of envisaged activities.	<p>Prioritisation of activities to be carried out in the Project after discussion with the beneficiary and DG REFORM.</p> <p>Potential no-cost extension of the Project (NCE).</p>
Weak operational-level capacity at the Ministry to implement Project activities.	Slovenian authorities will take the lead in proposing and selecting relevant actors to implement Project activities, for discussion with the relevant Project team at the CoE.
Reluctance for cooperation of national stakeholders.	Each project is structured in response to the request for technical support coming from the EU MS authorities and is closely matching their needs and the EU MS's priorities. The scope of the work is to be discussed and agreed with the relevant EU MS authorities. The risks are mitigated by government-wide obligations with EU institutions and by close co-operation with the relevant authority in an EU MS, DG REFORM and the CoE.

## Appendix III: Updated workplan

<b>Project Name</b>	Ensuring the best interests of the child in civil court proceedings in Slovenia
<b>Period</b>	01/09/2023-28/2/2026
<b>Project Manager</b>	GASPARYAN, Zaruhi
<b>Project Officer</b>	PRIVAT DE FORTUNIE, Frederique

Activities			
Logframe ref.	Activity Name	Start Date	End Date
1.1	Kick-off meeting and adoption of the minutes	26/09/2023 and 25/10/2023	26/09/2023 and 25/10/2023
2.1	Preparation and endorsement of the inception report	01/10/2023	02/02/2024
2.2	Project launch conference	13/02/2024	13/02/2024
3.1	Desk review analysis of the current legislative, policy and institutional framework	01/02/2024	31/05/2024
4.1	Gap analysis and recommendation report	01/06/2024	31/08/2024
5.1	Strategy and Action plan	01/10/2024	31/03/2025
5.2	Event to present the deliverables to date	01/09/2024 01/04/2025 01/10/2025	31/09/2024 30/04/2025 31/10/2025
6.1	Training need analysis	01/04/2024	31/07/2024
6.2	Development of training materials	01/04/2025	30/06/2025
6.3	Train the trainers training	01/07/2025	31/09/2025
7.1	Implementation of selected actions	01/04/2025	31/11/2025
7.2	Draft implementation report of the selected actions	01/11/2025	31/01/2026
8.1	Roundtables on awareness raising of the best interest of the child in civil court proceedings	01/12/2024	28/02/2026
8.2	Awareness raising-material	01/12/2024	28/02/2026
9.1	Project description summary	01/01/2026	28/02/2026
10.1	Project final conference	01/02/2026	28/02/2026