

NORWAY

Questionnaire to prepare the Study Session

I. Highlighting of dysfunctions within a court¹
<p>1. Is there an organised system allowing to detect dysfunctions within a court?</p> <p>In Norway there is not a system organized to detect dysfunctions as such</p> <p>These questions are dealt with by the Courts administration of Norway, and the Courts administration (estab. Nov 2002) have not yet established such a system</p>
<p>a. If yes,</p> <p>i. what are the alert mechanisms ?</p> <p>ii. who has the initiative of alert ?</p> <p>iii. who is the addressee of the alert ?</p>
<p>b. If not, how are the dysfunctions within a court brought to the attention of the competent judicial and administrative authorities ?</p> <p>Every court draws an annual account to the Courts Administration, and report also on delays and other matters, either asked for by the administration or presented as special problems by the court itself. They also draw reports every half a year</p> <p>The Courts Administration can also take out statistical data on delays, without such reports.</p>
II. Methods of investigation and analysis of dysfunctions
<p>2. Which are the methods used to check these dysfunctions ? (audit, evaluation, on location visit, etc..)</p> <p>The Courts administration visit the courts regularly. If a court has special problems the Administration will visit the court, or invite the court to Trondheim (the site of the Courts administration) to discuss these problems.</p> <p>The Courts administration intend to get a thorough knowledge of each court to be</p>

¹The questionnaire does not intend to address disciplinary matters

able to have a general view of the situation in each court
<p>3. Once a dysfunction has been detected, what methods of analysis are used ?</p> <p>The Courts Administration together with the specific courts help to organize special programs working on delays</p> <p>If there are special problems, the Courts Administration in cooperation with the courts work to solve them. Examples are programs for reducing delays, leaders of courts that want to resign as a judge, or to resign from office as leader. These situations are solved with the assistance of the Courts administration</p>
<p>III. The structure in charge of investigating and analysing the Dysfunction</p>
<p>4. Is this structure centralised or decentralised (in this case, is it internal or external to the court) ?</p> <p>As said, we have to day not an organized system - problems are solved in cooperation – the court and the Courts administration.</p>
<p>5. Under what authority is it placed ?</p>
<p>6. How is this structure set up ? Who appoints its members ?</p>
<p>7. What is its jurisdiction ?</p>
<p>IV. Follow up given to the analysis in order to remedy the dysfunction</p>
<p>8. What form will be adopted for the conclusions of the structure of investigation and analysis ?</p>

9. Who is the addressee of the conclusions of the structure of investigation and analysis ?
10. What means are available for the structure in order to find a remedy to the dysfunction ?
11. If the investigation structure does not monitor the imlementation of the recommendations, which structure is entrusted with their implementation?
V. Efficiency of mechanisms
11. Is the functioning of this structure evaluated ?
12. What improvements could be made ?