

Riga, 29 February 2016

LATVIA
Answers to Questionnaire for the preparation of the CCJE Opinion No. 19
(2016):

“The role of court presidents”

Please in your answers do not send extracts of your legislation but describe the situation in brief and concise manner.

Comments on what is also happening in practice, and not only on point of law, will be much appreciated.

1. Selection, removal, term of office, decision making process

- 1.1 How many presidents of first instance courts and how many presidents of the court of appeal there are in your country?

At the beginning of 2016, number of presidents is as follows:

6 presidents of regional courts

25 presidents of district (city) courts

Since 2014, the reform of court houses has been implemented in Latvia, and the purpose of the reform is increase of efficiency of work of courts. Merging of district (city) courts located within catchment area of particular regional courts has been carried out gradually, transforming courts into court houses, reducing administrative costs, unequal work load of courts, different length of adjudication in cases of the same category, etc.

Along with reforms, by 1 February 2016, number of presidents of district (city) courts was reduced by seven.

- 1.2 Who appoints (e.g. Judicial Council, Ministry of Justice, Higher court, Parliament, Agency etc.) the presidents of the courts? (Please remember, if applicable, to make a distinction between the presidents of the courts of first instance and of the courts of appeal. Is it possible that presidents of the courts are appointed from other legal professionals than those who are already judges?)

Appointments of the presidents of the courts in Latvia are made by the Minister of Justice and Judicial Council.

- 1.3 Do the presidents get a “confidence vote” (after or before their appointment) from the other judges of the court?

No, such a “confidence vote” before or after appointment is not organized.

- 1.4 Please describe briefly the selection procedure for presidents of the courts.

Appointments of the presidents of the courts in Latvia are made by the Minister of Justice and Judicial Council. A selection committee for the vacant position is organized by the Court Administration. An interview is organized for all candidates. The commission can also use professional and psychological tests, questionnaire about the reputation of the candidate etc. The committee chooses the best candidate and submits a proposal to the Minister of Justice.

If Minister of Justice agrees to nominate the judge as a President of the court, the relevant documents are sent to the Judicial Council for approval. If the approval is not received, new selection procedure is to be announced.

Only judges of the relevant court can apply for the position of the president of the court.

- 1.5 What kinds of qualifications (e.g. specific training, previous specific judicial position, seniority, managerial experience etc.) are required to become president? (Please explain, for example, if training is mandatory or on a voluntary basis, is there training at all, and how much it affects the choice of the president).

During the selection procedure following qualifications are evaluated:

Education and work experience

Reputation among judges and other judicial professions

Communication skills

Comprehension of ethical standards

Experience in mentoring in-service training, evaluation of work process

Experience as a lecturer, publications

Communication skills with media

Professional and psychological qualification for the position of a manager

Development Concept of the relevant court (prepared by a candidate)

If a candidate applies for re-appointment – the quality of work during the previous term.

- 1.6 Are presidents selected among the judges of the same court, or they may or must have served in a different court before taking the position as court president.

Presidents are selected among the judges of the same court.

- 1.7 Can the candidates, who applied for the position but did not get it, challenge the decision before a court/tribunal?

No, these decisions may not be challenged before the court.

To envisage such opportunity in future, amendments to the law "On Judicial Power" were elaborated, stipulating that the Council for the Judiciary would have a determinative role in appointment and dismissal of presidents of district (city) courts and regional courts.

Amendments to the law "On Judicial Power" (Lp Nr: 431/Lp12)

"Section 89¹². Appealing against the decision of the Council for the Judiciary

(1) The judge, whom the decision of the Council for the Judiciary regarding establishment, alteration or termination of employment relations refers to, may appeal it before the Disciplinary Court."

- 1.8 How often does it happen? (Please give a percentage based on data available or on your personal knowledge).

Such cases have not occurred in praxis.

- 1.9 Is additional training in management, or in other subjects, required after the judge has been selected as court president?

Particular training plan has not been established in regulatory enactments, but in praxis the Judicial Training Centre performs special training for all presidents of courts (both individual and group training). For example, in 2016, training for presidents of courts on emotional intelligence has been planned in the Latvian Judicial Training Centre.

In 2013-2014, presidents of courts were offered an opportunity to undergo training with the supervisor.

In 2013, 24 from among current presidents of courts participated in the training on preparation of interviewers for assessment of skills of candidates to the office of a judge and professional skills (competencies) of judges, and received respective certificate.

- 1.10 What is term of office for the president of court (please explain if there are limitations)?

The term of office for the president of court is regulated by the law, and it is five years.

- 1.11 How many times the same position of court president can be hold by the same person?

There is 2 consecutive term limit for the position of court president that can be held by the same person.

- 1.12 Which is the process to confirm presidents in their position (e.g. assessment of the first term served and then renewal)?

The confirmation of presidents in their position is not automatic. There is a selection procedure, and all the relevant judges can apply for the position. During the re-selection procedure one of the criteria is the results of work during the previous term in the office.

- 1.13 Under which circumstances can presidents be removed from their office before the expiration of their term?

In accordance with Section 33, Paragraph two, and Section 40, Paragraph two, of the law "On Judicial Power", the Minister for Justice, upon coordination with the Council for the Judiciary, may dismiss the president of the court from the office prior to expiration of his or her term of office by his or her own will, or if the president of the court admitted gross violations, when discharging his or her duties, or is unable to qualitatively ensure management of the administrative work of the court.

In praxis, the judge may lose the status of the president of the court also in cases, when, grounding on the decision of the Judicial Disciplinary Committee, the president of the court has been removed from judge's office. In this case, the status of the president of the court has been lost from the moment, when the Saeima (Parliament) adopts the decision on removal of a judge from judge's office.

In last five years, there were two cases, when presidents of courts were removed from the office. However, in each case the reason concerned discharge of judicial duties

(and not duties as of the president of the court). Removal of a judge from the office has been carried out by the decision of the Saeima. There were no cases, when the president of the court was removed from the office for non-execution of duties or functions of the president of the court.

- 1.14 Who is in charge of the removal procedure, and how it works?
Please, see the answer 1.13.

- 1.15 Can the president removed challenge the decision before a tribunal/court?

Such cases have not occurred in praxis. Such a removal would be approved by the Minister of Justice.

Judge, including the president of the court, can challenge a decision on his removal from the position of judge in the Disciplinary Court.

- 1.16 Are the decisions by the presidents shared/negotiated with the other judges or "boards" within the courts?

*Questions regarding jurisprudence are discussed with other judges.
In some regional courts there are management meetings 1 per month.*

Decisions concerning the collective of the court have been discussed. For example, internal rules of work order.

In addition, it may be pointed out that, in accordance with Section 27¹, Paragraph one, of the law "On Judicial Power", the president of the court, in cooperation with judges, shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year.

- 1.17 Do the local lawyers association or any other authority play a role in the decision making process carried out by the court's president?

Such cases have not occurred in praxis.

- 1.18 Are the organizational decisions taken by the presidents supervised by any other authority (e.g. Ministry of Justice, Judicial Council, Supreme Court, other)?

Court Administration supervises the questions relevant to personnel (for example, disciplinary proceedings regarding staff). An electronic system- WEB Horizon system has been introduced for these tasks. All court personnel documents are located in Riga – Court Administration.

Regarding appointments of cases there is a cooperation between first instance courts and regional courts regarding the amount of cases to be attributed.

- 1.19 Is there any extra remuneration for presidents, and how much is it in percentage of the regular judge's salary in the same court?

The salaries of presidents of the courts are regulated by law. The salary difference does not depend on the factual size of the court, but – on status. The salary difference is approximately 150 – 200 Euro.

- 1.20 Please add any critical issue or further information that you consider relevant for this section.

*Some presidents of courts support the idea to have a possibility to apply for the position of President of a court for more than 2 consecutive terms
Some presidents of the courts would like to suggest to change the structure of the selection commission of judges and presidents of courts- to have more representatives from the judiciary.*

2. Tasks, functions, relations

- 2.1 Are the presidents of the courts adjudicating cases as the other judges or they have a reduction of their caseload fixed by the law or by practice?

Presidents of the courts execute their functions along with judge's work. In praxis, the president of the court mainly has a reduced judge's load. However, it depends on size of court run by each president of the court; in addition, one may assess whether the president of the court participates in work groups on elaboration of laws, in work of institutions of judicial self-government, etc. Thus, the president of the court chooses his or her work load. In praxis, the decrease of work load makes approximately 30 per cent.

For example the Chairperson of Riga Regional Court participates in adjudication - 30%. Vice-presidents of the court also have a reduction of their caseload.

- 2.2 Are the presidents involved in the selection and recruitment of the judges? (Please make a distinction, if applicable, between full-time/permanent judges, temporary judges, lay judges if it applies in your respective jurisdiction).

Yes, the presidents are invited in the selection commission (organized by Court Administration) for the position of the judge. There is a voting process. The president of the court has one vote.

- 2.3 Are the presidents involved in the selection and recruitment of the court staff?

*Yes, the presidents of courts participate in selection of the court staff.
Hiring of employees has been organised by the president of the court. The president of the court may organise both internal and external competition to a vacant position of an employee.
The president of the court or judges and employees of the respective court, who are delegated by the president of the court, participate in selection of employees. The Court Administration, upon coordination with the president of the court or the Head of the Land Registry office, hires and dismisses employees of the court or the Land Registry office.
Presidents of bigger regional courts do not participate in the selection of specific court staff (translators, secretaries).*

- 2.4 Do the presidents assess the work of the judges of the court? (If this is the case, please describe how often does it happen, what kind of procedure is followed, what are the consequences of this assessment, and if the assessment can be challenged by the judges before a tribunal/court).

Yes, president of the court participates in the evaluation committee of the judges in his court. Usually, the evaluation term is 5 years, but in practice can be 3 years due to organisational reform. President of the court writes a reference about the job quality of the judge, and submits it to the Judicial Qualification Committee. He can delegate writing a reference to vice-president.

- 2.5 Are the presidents in charge of starting a disciplinary procedure against a judge? (If this is the case, please describe briefly the procedure and who is going to make the final decision about the charge).

The presidents review the applications and complaints about judges in the court. The presidents, if necessary, are entitled to initiate a disciplinary matter. More detailed regulation about the process is set in Judicial Disciplinary Liability Law, Article 3. Initiating Disciplinary Matters. President of the Court can initiate a disciplinary procedure also on his own initiative, the complaint is not obligatory.

- 2.6 Can, and under which circumstances, the presidents fire a judge or a court employee?

The presidents do not fire a judge. Only Saeima can fire a judge. The Court Administration, upon coordination with the president of the court or the Head of the Land Registry office, hires and dismisses employees of the court or the Land Registry office.

The legal basis for firing the employee are set in the Labour law.

- 2.7 Which is the procedure of assigning cases to judges? Is there place for discretion of president of the court in this procedure? If yes, is it regulated by law or other kind of regulation?

The law „On Judicial Power” determines the task of the president of the court to elaborate the plan of distribution of cases.

Section 28¹. Distribution of cases

(1) The president of a court prior to beginning of each calendar year approves the plan of distribution of cases.

(2) The president of the court may alter the plan of distribution of cases during the calendar year:

1) Due to excessive workload of a judge;

2) Due to insufficient work load of a judge;

3) Due to change of judges;

4) Due to inability of a judge to perform his or her duties.

(3) When distributing cases, the load of a judge, when discharging duties in institutions of judicial self-government, is observed.

President of a court has necessary instruments set by law to influence and regulate an adequate procedure of assigning cases to judges (f.ex., depending of specialisation).

- 2.8 Can presidents set priorities in the handling of the cases (e.g. family cases must be dealt with before contracts)?

Priority for particular categories of cases is stipulated in the law. All courts observe this procedure of priority of cases.

In addition, the President organizes the work of the court. The coefficient of case load is attributed to the court and to each judge.

The president of the court, in cooperation with judges, shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year. The president of the court approves standard of time periods of adjudication of cases in the court and supervise actual periods of adjudication of cases in the court.

When preparing the plan of distribution of cases, it is possible to transfer certain amount of resources to adjudication of particular categories of cases, thus promoting also "priority" of adjudication of cases.

The president of the court, on the basis of Section 33, Paragraphs three and four, of the law "On Judicial Power" may:

1) verify observation of procedural terms in cases being adjudicated by a judge, and compliance of processing of cases with requirements stipulated in regulatory enactments, inter alia, rules on record keeping in courts;

2) ask the judge to provide explanation on organisation of judge's work and other issues within authority laid down in this Section;

3) give instructions to a judge, which are related to organisation of judge's work for execution of vocational duties.

Section 28, Paragraph one, of the law "On Judicial Power" stipulates that a judge must adjudicate the case as fast as possible. If the judge, without justified reason, does not perform necessary procedural actions to ensure adjudication of the case in reasonable terms, and in cases, if the term planned by a judge does not ensure adjudication of the case in reasonable terms, the president of the court may instruct a judge to determine corresponding term, when, observing the circumstances of the case, respective procedural action must be perform, or re-distribute cases to judges in accordance with the plan of distribution of cases.

- 2.9 Which are the circumstances that may allow presidents to retrieve cases from judges and re-assign them?

These occasions are set by law. In addition, for example, it is possible that in order to organize the assigned cases, judges have made a list of banks (where they have accounts, credits etc), in order to avoid in advance the necessity to retrieve cases from judges (Case of one Regional court).

- 2.10 Do presidents decide over the composition of court's sections/division and over the composition of judges' panel?

It is selected electronically, or in other occasions - discussed with judges. But in some courts a special sections/ division draw has been introduced, which means a drawing of the composition of court's sections/ divisions for one year.

- 2.11 Do presidents select and appoint judges who may coordinate/head a section/division of the court?

Please, see the answer to 2.10.

2.12 Can presidents delegate their functions to other judges?

Yes, for example during the vacation. In that case it is organized by Court Administration.

In regional courts more functions can be delegated: for example: one vice-president deals with IT Court system; another- with all issues related to training of the judges.

2.13 Are presidents supported in their tasks and by whom?

District (city) judges have assistants, who practically help with organisation of meetings, document work, including vacation timetable, reports.

In Regional courts- there is a position of administration (household issues) manager.

2.14 Have presidents any supervision on the judgments delivered by other judges of the court?

The presidents of the courts may not supervise judgements adopted by the court. Lawfulness and validity of a judgement of a court has been examined by the higher court in accordance with cases and procedure set forth in the regulatory enactments.

The only supervision is done if the decision was not made in set term.

2.15 Are presidents in charge of the uniform application of the law within the court, and in which way they carry out this function?

In district courts there are weekly meetings, where there is a discussion about the cases – which decisions were repealed by the regional court. The latest judicature of the Supreme Court is discussed.

In Regional courts a unified court practice is set as a main target. There is an ongoing analysis of latest court decisions of Supreme Court of Latvia etc.

2.16 Do presidents set productivity and/or timeframes targets for their court?

The law "On Judicial Power" stipulates the task of the president of court to elaborate the plan of distribution of cases.

The law "On Judicial Power" also stipulates that presidents of the courts, in cooperation with judges, elaborate standards of terms of adjudication of cases, which stipulate terms of adjudication of particular categories of cases (to promote decrease of accumulation of cases). It has been determined, how many compositions of the court will work, depending on judicial staff, absence, etc.

Particular goals of effectiveness for court employees have not been determined. The president of the court determines vocational duties of court employees, supervises the quality of work of court employees and organises annual assessment of court employees.

Employees have been assessed annually by the committee established by the president of the court.

President of the court (example, of Regional court) monitors the achievement of yearly plans, analyses the number of cancelled judgements.

2.17 Do presidents set productivity or timeframes targets for each judge or court staff?

Specific productivity targets for each judge are included in the overall court productivity agenda. For example, in Riga Regional Court there is a quarterly report regarding the cases, which have an exceeded term. The reasons for that are analysed.

- 2.18 Do presidents monitor the length of judicial proceedings and what kind of actions they can undertake to improve the pace of litigation?

If a complaint about the delay of the judicial proceedings is received, President can check this information in an electronic database, and set the individual term in order to comply with the requirements.

- 2.19 What are the functions of presidents as far as the management of judges and court staff is concerned (i.e. setting working hours, authorising holidays, moving staff from one function to another, allowing extra-judicial activities etc.)?

In district courts usually all the judge staff have the holidays at the same time. The term is set by the President. The President also approves the job descriptions for Court employees (prepared by Court Administration). If necessary, the President can give an authorisation for allowing extra-judicial activities.

- 2.20 Have presidents any discretion in setting the remuneration (i.e. financial incentives) or other fringe benefits (please explain which one) of judges or court staff?

The presidents of courts do not decide on judges' salaries. Those are determined in accordance with the law. Judges do not receive bonuses or variable extras. Regarding determination and policy of remuneration of court employees, the presidents of courts have an opportunity to make corrections/proposals within limits of the budget allocated to the court. These alterations must be coordinated with the Court Administration.

In determination of remuneration (salary, extras) of court employees, actions of the presidents of the courts are limited by the amount of allocated resources (salary funds, resources allocated for extras), orders issued by the Court Administration (for example, on allowed amount of extras) and restrictions stipulated in the Law on Remuneration.

- 2.21 Which tasks presidents have in the appropriation of the court budget among the different courts?

The presidents of the courts do not have much possibilities to influence the appropriation of the court budget.

- 2.22 Which tasks and how much discretion presidents have in the management of the court budget within the court?

The Court Administration assigns concrete financial resources for the whole year, with approximate list of financial positions, the use of which is scheduled by the president of the court.

- 2.23 Do presidents manage the court premises and layout?

The presidents of the courts initiate the issues concerning improvement of courts, and coordinate it conceptually with the Court Administration. In praxis, different

improvement arrangements are carried out with the Court Administration (procurements, payments).

- 2.24 Do presidents manage information and communication technology implemented in the court?

The president of the court cooperates with the Court Administration in issues related to IT or communication technologies. For example, several years ago there was particular project carried out in cooperation with the Switzerland, and all courts were equipped with videoconference devices. In praxis, different improvement arrangements are carried out with the Court Administration (procurements, payments).

- 2.25 Do presidents have some autonomy about what kind of information and communication technology tools/application should be implemented in their court?

Please, see answer 2.24.

- 2.26 Are presidents really the managers of the court or they are supported in their functions by a board (please describe the composition) or by a court manager/administrative director?

Presidents of the courts have an assistant.

- 2.27 If applicable, please briefly describe the functions and the background of the court manager in comparison to the president of the court.

The court manager (if there is such a post) is responsible for practical needs of the court and its staff (administrative issues, building maintenance issues etc).

- 2.28 Please describe briefly the court manager selection process, if they serve for a limited term, and if the president can remove the court manager.

The court manager has a job agreement according to the Labour law.

- 2.29 Are presidents the "interface" with the media, and are they trained to do it?

In 2015, particular attention was paid to communication of courts with media:

1) On 18 May 2015, the Council for the Judiciary approved "Guidelines on Communication of the Court System" and "Strategy on Communication of Courts". The Strategy for Communication is a plan of more particular actions, and it has been envisaged for all Latvian courts.

The most significant novelties envisaged by the Strategy for Communication in work of courts:

1) Each court has an employee responsible for communication with media and society. Currently, only the Supreme Court has the Division of Communication. In Riga regional court, there is Assistant to the president of the court, whose main responsibility is communication. In other court, one employee has to respond to media questions, and it is additional responsibility.

2) Courts not only answer to media questions, but also inform about important court cases and events upon their own initiative. Currently, this action has been performed by the

Supreme Court, and other courts inform on particular significant cases. Criterion of messages of the Supreme Court – those must be cases not only of public, but also of legal importance.

3) *Courts have their own information channel – court web site. Currently, the Supreme Court has its own web site. Other courts have common court web site, however, it is not structured in the way so that it would be information platform for each court. The solution, possibly, might be the expansion of this portal, instead of development of particular web site for each court.*

4) *Courts organise educational events for the public. Part of courts have been already performing these actions, for example, by involving in Open Days or admitting guided tours of local pupils. The Supreme Court has defined legal education of the public as the additional function of the Supreme Court, and now this function has been carried out in various ways, for example, Days of First-year Students for law students; lessons of law for pupils; public conferences; Bulletin of the Supreme Court; Media Day for journalists writing on justice.*

5) *There are judges – Spokespersons – in courts, who explain court rulings. In praxis, they are not the presidents of courts, in general.*

6) *Ensuring of communication process in the court is an obligation imposed to president of each court. The president of the court is the Spokesperson on organisational issues related to work of the court.*

2) *On 17 June 2015, the Council for the Judiciary and the Judicial Ethics' Committee discussed these documents with the presidents of the courts, their deputies and Chairs of judicial panels at the meeting, which was particularly organised for this purpose.*

3) *In 2015, several trainings on communication of courts with media were organised for the presidents of the courts.*

4) *At the last Judges' Conference (held on 13 November 2015), communication of courts was the particular subject of the conference, and "Guidelines on Communication of the Court System" and "Strategy on Communication of Courts" were presented there, and special reports dedicated to communication of courts were read.*

5) *Currently, the Communication Handbook has been elaborated, and it will serve as the annex to the Strategy. The Handbook will include practical examples and hints.*

2.30 Would you please briefly describe what kind of relations there are between presidents of the courts (first instance and appeal) and the president of the Supreme Court (court of last resort)?

The practical cooperation between presidents of the courts (first instance and appeal) and the president of the Supreme Court not institutionally regulated (the conference of Judges, working groups), some presidents of the courts would like to develop the cooperation. The cooperation efficiency and frequency depends on the initiative of presidents of the courts. Meanwhile, there is an active cooperation between presidents of the first instance and appeal courts – meetings once per month, joint trainings.

2.31 Are there other tasks of presidents of the courts in your country, which were not mentioned before?

Not applicable.

2.32 Please add any critical issue or further information that you consider relevant for this section.

Not applicable.

3. Accountability and discipline

- 3.1 What kind of accountability mechanisms (e.g. reporting, auditing, etc.) are in place for the presidents, and before which authority (e.g. Judicial Council, Ministry of justice, Supreme Court, internal board etc.)?

The presidents of the courts do not have an institutional evaluation process during their office, but it is done in praxis by executive power and legislative power:

Presidents are invited to the Ministry of Justice to give explanations, reports about various problematic issues. Also, Saeima (Legal Affairs Committee) has asked Presidents of the Court to explain the work process, legal issues in relation to the judiciary. Each such a meeting is supposed as an evaluation and involves the elements of accountability mechanisms.

- 3.2 Do presidents have a different disciplinary responsibility in comparison to the judges?

No, the same legal disciplinary regulation applies to presidents of courts and to the judges

- 3.3 Is there any special immunity for presidents?

No, the same legal immunity regulation applies to presidents of courts and to the judges

- 3.4 Which criteria are used for the evaluation of presidents, how often, and by whom?

Presidents of the courts do not have a specific yearly evaluation regarding their function as presidents. Their experience, achievements and work is evaluated separately, if they apply for the second term as a president of a court. During the selection process the commission evaluates the submitted report of the previous work of the president. See also Answer 3.1.

- 3.5 Which are the consequences of such evaluation (e.g. ranking, promotion, admonition, removal, salary increase, any other consequence, etc.)?

There no specific consequences for the President regarding his/ her report, except for the adequate success for re-appointment process.

- 3.6 Please add any critical issue or further information that you consider relevant for this section.

Not applicable.

4. Appointment, tasks, functions, relations of the president of the Supreme Court (Chief Justice of the court of last resort e.g. court of cassation; please note that you do not have to describe the position of president of the Constitutional Court / here and after referred as president of the Supreme Court).

- 4.1 Who appoints (e.g. Judicial Council, Ministry of Justice, Parliament, etc.) the president of the Supreme Court?

The Chief Justice of the Supreme Court, nominated from among all judges of the Supreme Court, upon proposal of the Plenary Session (general meeting of judges of the Supreme Court), is approved to the office by the Saeima, by majority of parliamentarians attending the session.

- 4.2 Please describe briefly the selection procedure.

According to the law "On Judicial Power", the Council for the Judiciary advises the candidates for the post of the Chief Justice and gives an opinion to the Plenary Session (general meeting of judges of the Supreme Court). In 2015 the Council for the Judiciary questioned both candidates and decided to propose their candidatures to the Plenary Session. The Chief Justice of the Supreme Court, upon proposal of the Plenary Session (general meeting of judges of the Supreme Court), is approved to the office by the Saeima, by majority of parliamentarians attending the session.

- 4.3 What kind of qualifications (e.g. specific training in management, previous specific judicial position, seniority, etc.) are required to become president of the Supreme Court? (Please also explain if training is mandatory or on a voluntary basis, if any training is necessary at all, and how much it affects the choice of the president).

The qualifications of the candidates to become the Chief Justice include an adequate previous experience and a strategic vision of the court system and development of the Supreme Court. It is evaluated, firstly, by the Council for the Judiciary, then - Plenary Session, and, finally, the decision is made in Saeima. In each of these steps the candidates are questioned and evaluated.

- 4.4 Does the president get a "confidence vote" (after or before their appointment) from other judges of the Supreme Court?

The term "confidence vote" can be attributed to The Plenary Session of the Supreme Court. It is the assembly of all Judges of the Supreme Court. The Plenary Session recommends one of the candidates for the position of the President of the Supreme Court to the Saeima.

- 4.5 How long is term of office of the president of the Supreme Court (please explain if there are limitations)?

The Chief Justice of the Supreme Court is appointed to a five-year term.

- 4.6 Can their mandate be renewed, and what is the process (e.g. evaluation of the first term served and then renewal)?

The same person may not hold the office of the Chief Justice of the Supreme Court more than two successive terms of office.

- 4.7 What are the tasks and functions of the president of the Supreme Court in comparison to the other courts' presidents? (in particular, please explain the role of the president, if any, in relation to: Judicial Council, Ministry of Justice, legislative power, budget of the judiciary).

The work of the Supreme Court is managed by the Chief Justice, who is entitled to participate in adjudication of cases in the Supreme Court; to convene Plenary Session

and meetings of Chairs of departments of the Supreme Court, and to determine standards of terms of adjudication of cases. The Chief Justice of the Supreme Court advances and decides on issues regarding the composition of judges of this court. The Chief Justice of the Supreme Court, upon coordination with the Council for the Judiciary, submits a proposal to the Saeima on appointment of the Prosecutor General to the office. The Chief Justice of the Supreme Court is at the same time the Chair of the Council for the Judiciary, therefore, he or she is responsible for operation of this institution, which is related to elaboration of policy and strategy for the court system, and improvement of organisation of work of the court system, as well. The Chief Justice of the Supreme Court may suspend the judge of the Supreme Court from the office, if the disciplinary case is initiated against this judge and respective proposal is received from the Judicial Disciplinary Committee.

According to the law, the Chief Justice also determinates the procedure of selection and processing of information included in the database of judicature. He fulfils other functions in accordance with the law "On Judicial Power".

- 4.8 Please add any critical issue or further information that you consider relevant for this section.

Not applicable.