

Strasbourg, 10 September 2006

CEPEJ (2006)  
Version finale

**Answer to the  
REVISED SCHEME  
FOR  
EVALUATING JUDICIAL SYSTEMS  
2004 Data**

**Réponse à la  
GRILLE REVISEE  
POUR  
L'ÉVALUATION DES SYSTÈMES JUDICIAIRES  
Données 2004**

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**GREECE/GRECE**



COUNCIL OF EUROPE      CONSEIL DE L'EUROPE

Strasbourg, 23 June 2005

**CEPEJ (2005) 2 REV**

**EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE  
(CEPEJ)**

**DRAFT REVISED SCHEME FOR EVALUATING JUDICIAL SYSTEMS**

**adopted by the CEPEJ at its 5<sup>th</sup> Plenary Meeting  
(Strasbourg, 15 – 17 June 2005)**

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## DRAFT REVISED SCHEME FOR EVALUATING JUDICIAL SYSTEMS

### COUNTRY:

#### National correspondent

First Name – Name **ATHANASIA VASILOPOULOU**

Position **DEPT. OF THE EU & INTERNATIONAL ORGANIZATIONS' SPECIAL LEGAL AFFAIRS**

Organisation **HELLENIC MINISTRY OF JUSTICE**

E-mail [nomodik@otenet.gr](mailto:nomodik@otenet.gr) / [nvasil@hotmail.com](mailto:nvasil@hotmail.com)

Telephone **0030-210 7767305/484**

### I. Demographic and economic data

#### I. A. General information

- Number of inhabitants** **10.964.020 (CENSUS 2001)**  
11.056.800 (ESTIMATED POPULATION, YEAR 2004)  
*Source* **NATIONAL STATISTICAL SERVICE**
- Total of annual State public expenditure / where appropriate, public expenditure at regional or federal entity level**  
  
State level **20.596.048,6 (IN MILLION DRACHAMAS)**  
  
*Source* **STATE EXPEDITURES BY MINISTRIES AND INVESTEMENT BUDGET EXPENDITURES (FISCAL YEARS 1996-2001), NATIONAL STATISTICAL SERVICE**
- Per capita GDP** **€ 10.355 (IN MILLION)**  
  
*Source* **NATIONAL STATISTICAL SERVICE**
- Average gross annual salary** **€16776**  
  
*Source* **NATIONAL STATISTICAL SERVICE**

#### I. B. Budgetary data concerning judicial system

- Total annual budget allocated to all courts** **€ 306.175.000,00**  
  
*Source* **ANNUAL BUDGET YEAR 2004**
- Within this budget, can you isolate the following budgets and specify, if appropriate, their amount:**  

Yes	Amount
-----	--------

- **Salaries?** X € 294.850.000,00
- **IT?** X € 480.000,00
- **Justice expenses borne by the State?** X € 8.395.000,00

Source ANNUAL BUDGET YEAR 2004

7. **Annual public budget spent on legal aid** € 4.929.000,00

Source ANNUAL BUDGET YEAR 2004

8. **If possible, please specify:**

- **the annual public budget spent on legal aid in criminal cases** € 4.929.000,00
- **the annual public budget spent on legal aid in other court cases** € -

Source

9. **Annual public budget spent on prosecution system** € -

Source

10. **Bodies formally responsible for budgets allocated to the courts:**

	Preparation of the budget (Yes/No)	Adoption of the budget (Yes/No)	Management and allocation of the budget among courts (Yes/No)	Evaluation of the use of the budget (Yes/No)
Ministry of Justice	YES		YES	
Other ministry. Please specify		MINISTRY OF ECONOMY & FINANCE		MINISTRY OF ECONOMY & FINANCE
Parliament				
Supreme Court				
Judicial Council				
Courts				
Inspection body. Please specify.				
Other. Please specify				

\*\*\*

**You can indicate below:**

- **any useful comments for interpreting the data mentioned above**
- **the characteristics of your budgetary system**

## II. Access to Justice and to all courts

### II. A. Legal aid

#### 11. Does legal aid concern:

	Criminal cases	Other than criminal cases
Representation in court	YES	CIVIL-COMMERCIAL
Legal advice	YES	
Other Yes Please specify: Law 3226/2004, art. 5 regarding prosecutors on duty and prosecutors supervisors at penitentiary institutions who could provide consultative services.		

#### 12. Number of legal aid cases:

- total
- criminal cases
- other than criminal cases

Source [We wait a reply by the Prosecutor's Office]

#### 13. In a criminal case, can any individual who does not have sufficient financial means be assisted by a free of charge (or financed by public budget) lawyer?

Yes

#### 14. Does your country have an income and asset test for granting legal aid:

5.600,00 ANNUALLY

	No	Yes/Amount	NOT	OVER	THE	EURO
▪ for criminal cases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>				
▪ for other than criminal cases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CIVIL-COMMERCIAL			

Source NATIONAL JOINT LABOUR AGREEMENT

#### 15. In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action)?

Yes

No

#### 16. If yes, is the decision taken by:

- the court?
- a body external to the court?

Yes

- a mixed decision-making body (court and external)?

17. In general are litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:

- |                                  |                                     |  |
|----------------------------------|-------------------------------------|--|
|                                  | Yes                                 | No   |
| ▪ for criminal cases?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/>                |
| ▪ for other than criminal cases? | <input checked="" type="checkbox"/> | <input type="checkbox"/> (usually for civil cases) |

If yes, are there exceptions? Please specify:

YES, interim proceedings, proceedings asking from the court the recognition of the plaintiff's right

18. Is there a private system of legal expense insurance for individuals in order to finance legal proceedings to court?

- No   
 Yes  Please specify:

EQUAL PRIVATE INSURANCE

19. Do judicial decisions have an impact on who bears the legal costs which are paid by the parties during the procedure in:

- |                              |                          |                                     |
|------------------------------|--------------------------|-------------------------------------|
|                              | Yes                      | No                                  |
| ▪ criminal cases?            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ▪ other than criminal cases? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

\*\*\*

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of your legal aid system

Beneficiary: citizens with low income who are a) citizens of countries members of the EU, b) citizens of third countries or foreigners, since they have permanent home or live within the European Union's territory. The Law 3226/2004 makes exception when comes to administrative cases.

**II. B. Users of the courts and victims**

**II. B. 1. Rights of the users and victims**

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

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
|  | Yes                      | No                                  |
| ▪ legal texts (e.g. codes, laws, regulations, etc.)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Internet address(es): <input type="text"/>           |                          |                                     |
| ▪ case-law of the higher court/s?                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Internet address(es): <input type="text"/>           |                          |                                     |
| ▪ other documents (for examples legal forms)?        | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Internet address(es): <input type="text"/>           |                          |                                     |

21. Is there an obligation to provide information to the parties concerning the foreseeable timeframe of the proceeding?

- Yes  No

If yes, please specify:

**22. Is there a public and free-of-charge specific information system to inform and to help victims of crimes?**

Yes  No  In the case of crimes in family it is provided general information by social workers (family consultants) from the Welfare Services

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

	Information mechanism (Yes/No)	Hearing modalities (Yes/No)	Procedural rights (Yes/No)	Other (Yes/No). Please specify
Victims of rape	NO	NO		
Victims of terrorism	NO	NO		
Child/Witness/Victim	YES	YES		
Victims of domestic violence	YES	YES		
Ethnic minorities	NO	NO		
Disabled persons	NO	NO		
Juvenile offenders	YES	YES		
Other				

**24. Does your country have compensation procedure for victims of crimes?**

Yes  No   
Regarding the crimes related to actions of terrorism

**25. If yes, does this compensation procedure consist in:**

- a public fund?
- a court order?
- private fund?  in case there is a private insurance



26. If yes, which kind of cases does this procedure concern?

Crimes of property's damage

27. For victims, are there studies to evaluate the recovery rate of the compensation awarded by courts?

No    
 Yes  Please specify:

**II. B.2. Confidence of citizens in their justice system**

28. Is there a system for compensating users in the following circumstances:

	Yes	No
▪ excessive length of proceedings?		<input checked="" type="checkbox"/>
▪ wrongful arrest?	<input checked="" type="checkbox"/>	
▪ wrongful condemnation?		<input checked="" type="checkbox"/>

If yes, please specify (fund, daily tariff):

It is adjudicated daily compensation from 9 Euro to 29 Euro.

29. Does your country have surveys on users or legal professionals (judges, lawyers, officials, etc.) to measure public trust and satisfaction with the services delivered by the judiciary system?

Yes  No  but there is the possibility of estimation in certain cases

If possible, please specify their titles, how to find these surveys, etc:

30. If yes, please specify:

	Trough systematic surveys (Yes/No)	Through ad hoc surveys (Yes/No)
Surveys at national level		YES
Surveys at court level		YES

31. Is there a national or local procedure for making complaints about the performance of the judicial system?

Yes  No

32. If yes, please specify:

	Time limit to respond (Yes/No)	Time limit for dealing with the complaint (Yes/No)
Court concerned		
Higher court		

Ministry of Justice		
High Council of Justice		
Other external organisations (e.g. Ombudsman)		

Can you give information elements concerning the efficiency of this complaint procedure?

### III. Organisation of the court system

#### III. A. Functioning

33. Total number of courts (administrative structure):

- first instance courts of general jurisdiction see in the box

Source MINISTRY OF JUSTICE

- specialised first instance courts see in the box

Source MINISTRY OF JUSTICE

Please specify the different areas of specialisation (and, if possible, the number of courts concerned):

The structure of the Greek Courts is as follows:

#### **A) CIVIL COURTS**

1. Civil Court of First Instance (with one judge-3 members'), Magistrates' Court
2. Court of Appeal
3. Supreme Court (Areios Pagos)

#### **B) CRIMINAL COURTS**

1. Magistrates' Court
2. Misdemeanour Court (with one judge-3 members')
3. Criminal Court of Appeal (3 members'-5members')
4. First Instance Jury Court
5. Second Instance Jury Court
6. Criminal Court for Minors
7. Martial Courts
8. Supreme Court (Areios Pagos)

#### **C) ADMINISTRATIVE COURTS**

1. Court of First Instance (with one judge-3 members')
2. Court of Appeal
3. Court of Auditors
4. Supreme Court (Council of the State)

34. Total number of courts (geographic locations) All the courts are dispersed to the Greek Prefecture. In the case of Administrative Courts: there are not in every Prefecture

Source **MINISTRY OF JUSTICE**

**35. Number of first instance courts competent for a case concerning:**

- **a debt collection for small claims** (see in the box)

**Please specify what is meant by small claims in your country:**

In Greek legislation and according to Art. 466 paragraph 1, Code of Civil Procedure, small claims refer to: if the content of the dispute is referred to the Magistrates' Court and it's related to claims as well as rights on mobiles or their ownership right and their value is not beyond 880 Euros.

- **a dismissal** *one sitting judge Civil Court, simplified procedure*
- **a robbery** *3 judges Criminal Court*  
(Robbery means in Greek legislation theft committed with a violent way)

**36. Number of professional judges sitting in courts** 2200

(present the information in full time equivalent and for permanent posts)

Source **Union of Judges and Prosecutors**

**37. Number of professional judges sitting in courts on an occasional basis and who are paid as such**

Source

**Please specify:**

They do not exist

**38. Number of non-professional judges (including lay judges) who are not remunerated but who can possibly receive a simple defrayal of costs**

Source

**Please specify:**

They do not exist

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

- No  There is a mixed system composed by judges and juries who judge certain crimes  
Yes  **For which type of case(s)?**

**If possible, number of citizens who were involved in such juries for the year 2004?**

**40. Number of non-judge staff who are working in courts** 6000 persons

(present the information in full time equivalent and for permanent posts)

Source **Union of Judges and Prosecutors**

**41. If possible, could you distribute this staff according to the 3 following categories: [to be completed]**

- non-judge staff whose task is to assist the judges (case file preparation, assistance during the hearing, keeping the minutes of the meetings, helping to prepare the decisions) such as registrars: [redacted]
- staff in charge of different administrative tasks as well as of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management): [redacted]
- technical staff: [redacted]

42. In courts, do you have non-judge staff entrusted with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal (such as German and Austrian Rechtspfleger):

No  [redacted]  
 Yes  Number of staff [redacted]

43. Number of public prosecutors 520  
*(present the information in full time equivalent and for permanent posts)*

Source Union of Judges and Prosecutors

44. Do you have persons who have similar duties as public prosecutors?

No   
 Yes  Please specify:

45. Is the status of prosecutors:

- independent within the judiciary? NO
- independent from the judiciary ? NO
- under the authority of the Ministry of Justice? YES

46. Number of staff (non prosecutors) attached to the public prosecution service (see reply to Q. 40)  
*(present the information in full time equivalent and for permanent posts)*

Source Union Judges and Prosecutors

47. Who is entrusted with the individual court budget?

	Preparation of the budget (Yes/No)	Arbitration and allocation (Yes/No)	Day to day management of the budget (Yes/No)	Evaluation and control of the use of the budget (Yes/No)
Management Board				
Court President	YES			

Court administrative director				
Head of the court clerk office				
Other. Please specify				

**48. In general, do the courts in your country have computer facilities?**

Yes  No

**49. What are the computer facilities used within the courts?**

Functions	Facilities	100% of courts	+50% of courts	-50% of courts	- 10 % of courts
Direct assistance to the judge/court clerk	Word processing		X		
	Electronic data base of jurisprudence	X			
	Electronic files		X		
	E-mail		X		
	Internet connection		X		
Administration and management	Case registration system		X		
	Court management information system		X		
	Financial information system	X			
Communication between the court and the parties	Electronic forms				X
	Special Website				X
	Other electronic communication facilities				X

*Note: Proceedings in Greek Courts are conducted orally and in writing (not by fax or through computer systems)*

Source **MINISTRY OF JUSTICE**

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

No   
Yes

**Please specify the name and the address of this institution:**

\*\*\*

### III. B. Monitoring and evaluation

51. Are the courts required to prepare an annual activity report?

Yes  No

52. Do you have a regular monitoring system of court activities concerning the:

	Yes	No
▪ number of incoming cases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ number of decisions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ number of postponed cases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ length of proceedings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ other?	<input type="checkbox"/>	<input type="checkbox"/>

Please specify:

Judges' Inspection Dept.

53. Do you have a regular evaluation system of the performance of the court?

No   
Yes  Please specify:

The Inspectors and the Courts' Council Inspection

54. Concerning court activities, have you defined:

▪ performance indicators? Yes  No

Please specify the 4 main indicators for a proper functioning of justice:

▪ targets? Yes  No

Please specify who is responsible for setting the targets:

	Yes
- executive power?	<input type="checkbox"/>
- legislative power?	<input type="checkbox"/>
- judicial power?	<input type="checkbox"/>
- other?	<input type="checkbox"/>

Please specify:

Please specify the main objectives applied:

Source

55. Which authority is responsible for the evaluation of the performances of the courts:

- |                                  |                                     |                 |
|----------------------------------|-------------------------------------|-----------------|
|                                  | Yes                                 |                 |
| ▪ the High Council of judiciary? | <input type="checkbox"/>            |                 |
| ▪ the Ministry of justice?       | <input type="checkbox"/>            |                 |
| ▪ an Inspection body?            | <input checked="" type="checkbox"/> |                 |
| ▪ the Supreme Court?             | <input type="checkbox"/>            |                 |
| ▪ an external audit body?        | <input type="checkbox"/>            |                 |
| ▪ other?                         | <input type="checkbox"/>            | Please specify: |

56. Does the evaluation system include quality standards concerning judicial decisions?

- No   Please specify:

**Note:** According to the Greek Constitution, Art 93 paragraph 3. “Every court judgment must be specifically and thoroughly reasoned and must be pronounced in a public sitting. A law shall specify the legal consequences ensuing and the sanctions imposed in case of violation of the preceding section. Publication of the dissenting opinion shall be compulsory. A law shall specify matters concerning the entry of any dissenting opinion into the minutes as well as the conditions and prerequisites for the publicity thereof” so the judicial decisions expose the applicable legal grounds and include the collected evidence and the evaluation of the evidence.

Source **MINISTRY OF JUSTICE**

57. Is there a system enabling to measure the backlogs and to detect the cases which are not processed within an acceptable timeframe for:

- |                         |                                     |                          |
|-------------------------|-------------------------------------|--------------------------|
|                         | Yes                                 | No                       |
| ▪ civil cases?          | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▪ criminal cases?       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▪ administrative cases? | <input type="checkbox"/>            | <input type="checkbox"/> |

58. Do you have a way of analysing queuing time during court procedures?

- No   Please specify:

59. Do you monitor and evaluate the performance of the prosecution services?

- No   Please specify:

The report of the Head of Inspection

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#### IV. Fair trial

##### IV. A. Fundamental principles

60. Is there in your judicial system:
- a right for an interpreter for all those within your jurisdiction who cannot understand or speak the language used in court?  
Yes  No
  - the right to have reasons given for all prisons sentences?  
Yes  No
  - for all cases, an effective remedy to a superior jurisdiction?  
Yes  No

61. Which is the percentage of judgements in first instance criminal cases in which the suspect is not actually present or represented?

In the most of the penal cases the suspect/accused is represented. In some cases he/she is absent.

Source [We wait for a reply from the Prosecutor's Office]

62. Is there a procedure to effectively challenge a judge if a party consider he/she is not impartial?

No   
Yes  If possible, number of successful challenges (in a year): **Very few**

63. Please give the following data 2003 and 2004 concerning the number of cases regarding the violation of Article 6 of the European Convention of Human Rights:

		Cases communicated by the Court		Cases declared inadmissible by the Court		Friendly settlements		Judgements establishing a violation		Judgements establishing a non violation	
		2003	2004	2003	2004	2003	2004	2003	2004	2003	2004
Criminal proceedings	Article 6§1 (equity)	2-3	2-3								
	Article 6§1 (duration)										
	Article 6§2										
	Article 6§3a										
	Article 6§3b										
	Article 6§3c										
	Article 6§3d										
	Article 6§3e										
Civil proceedings	Article 6§1 (equity)	NONE	NON E								
	Article 6§1 (duration)										
	Article 6§1 (non execution only)										

Source

<b>IV.B. Timeframes of proceedings</b>
<b>IV. B. 1. General</b>

64. Are there specific procedures for urgent matters in:



- civil cases? Yes No
- criminal cases? X interim proceedings
- very act X proceedings for crimes caught in the
- administrative cases?

65. Are there simplified procedures for:

- civil cases (small claims)? Yes No
- criminal cases (petty offences)? X
- administrative cases? X

66. Is it possible for a second instance court to send back a case to a first instance court for a new examination?

Yes X No

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

No X  
Yes Please specify:

**IV. B. 2. Civil and administrative cases**

68. Total number of civil cases in courts (litigious and not litigious):

Please specify the main types of cases:

Source [We wait a reply by the Court of First Instance]

69. Litigious administrative and civil cases in courts – please complete this table concerning the number of cases/length of proceedings/pending cases and specify definitions of incoming cases, starting and ending point of length and pending cases:

		Civil cases	Administrative cases	Divorce	Employment dismissal
Total number (1st instance)	Incoming cases				
	Decisions on the merits				
	Percentage of decisions subject to appeal in a higher court				
	Pending cases by 1 January 2005				
	Percentage of pending cases				

	of more than 3 years				
Average length (from date of lodging of court proceedings*)	1st instance decisions				
	2nd instance decisions				
	Total procedure				

\* If you cannot calculate the average length from the date of lodging of court proceedings, how do you calculate length of proceedings?

Source [We wait a reply by the Court of First Instance]

**IV. B. 3. Criminal cases**

**70. Please describe the role and powers of the prosecutor in the criminal procedure:**

	Yes	No
▪ to conduct or supervise police investigation?	X	
▪ to conduct investigation?	X	
▪ when necessary, to demand investigation measures from the judge?	X	
▪ to charge?	X	
▪ to present the case in the court?	X	
▪ to propose a sentence to the judge?	X	
▪ to appeal?	X	
▪ to supervise enforcement procedure?	X	
▪ to end the case by dropping it without the need for a judicial decision?	X	
▪ to end the case by imposing or negotiating a penalty without a judicial decision?		X
▪ other significant powers?	X	

**Please specify:**

Interim proceedings, with litigant the public sector, Local Municipal Bodies and Legal Entities governed by the State

**71. Does the prosecutor also have a role in civil and/or administrative cases?**

No   
 Yes  **Please specify:**

Mostly in cases of family law and interim proceedings against the Public, Local Municipal Bodies and Legal Entities governed by the State.

**72. Functions of the public prosecutor in relation to criminal cases– please complete this table:**

	Total number of 1st instance criminal cases
Received by the public prosecutor	
Discontinued by the public prosecutor	In general
	Because the offender could not be identified
Concluded by a penalty, imposed or negotiated by the public prosecutor	
Charged by the public prosecutor before the courts	

Source [We wait a reply by the Court of First Instance]

73. **Criminal cases in courts – please complete this table concerning the number of cases/length of proceedings/pending cases and specify definitions of incoming cases, starting and ending point of length and pending cases:**

		Criminal cases	Robbery cases	Intentional homicides
Total number (1st instance)	Incoming cases			
	Judicial decisions			
	Convicted persons			
	Acquitted persons			
	Percentage of decisions subject to appeal in a higher court			
	Pending cases by 1 January 2005			
	Percentage of pending cases of more than 3 years			
Average length*(from the date of official charging)	1st instance decision			
	2nd instance decision			
	Total procedure			

\* If you cannot calculate the average length from the date of official charging, how do you calculate length of proceedings?

Source [We wait a reply by the Court of First Instance]

\*\*\*

**You can indicate below:**

- **any useful comments for interpreting the data mentioned above**
- **the characteristics of your system concerning timeframes of proceedings**

## V. Career of judges and prosecutors

### V. A. Appointment and training

74. **Are judges initially/at the beginning of their carrier recruited and nominated by:**

- a body composed of members of the judiciary?
- a body composed of members external to the judiciary?
- a body composed of members of the judiciary and external to the judiciary?

Yes



X

The Committee for the entrance exams to the National School of Judges

75. **Are prosecutors initially/at the beginning of their carrier recruited and nominated by:**

Yes

- a body composed of members of the prosecution system?
- a body composed of members external to the prosecution system?
- a body composed of members of the prosecution system and external to the prosecution system?

The Committee for the entrance exams to the National School of Judges

**76. Is the mandate given for an undetermined period for:**

- |                |                                     |                          |                          |
|----------------|-------------------------------------|--------------------------|--------------------------|
|                | Yes                                 | No                       |                          |
| ▪ judges?      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ▪ prosecutors? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Are there exceptions ? Please specify:**

No

**If no, what is the length of the mandate:**

**Is it renewable?**

- |                   |                          |                          |                          |
|-------------------|--------------------------|--------------------------|--------------------------|
|                   |                          | Yes                      | No                       |
| ▪ of judges?      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ▪ of prosecutors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

\*\*\*

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of the selection and nomination procedure of judges and prosecutors

The selection is made by writing and oral exams and then after the nomination there is a two-year studies at the National School of Judges.

**77. Nature of the training of judges:**

	Compulsion (Yes/No)		Frequency (Yes/No)	
Initial training	Compulsory	YES/ 2YEARS		
	Highly recommended			
	Optional			
General in-service training	Compulsory	NO	Annual	
	Highly recommended	NO	Regular	
	Optional		Occasional	
In-service training for specialised functions (e.g. judge for economic or administrative issues)	Compulsory		Annual	
	Highly recommended		Regular	
	Optional		Occasional	
In-service training for specific functions (e.g. head of court)	Compulsory		Annual	
	Highly recommended		Regular	
	Optional		Occasional	

**78. Nature of the training of prosecutors:**

	Compulsion (Yes/No)		Frequency (Yes/No)	
	Initial training	Compulsory	YES	
Highly recommended				
Optional				
General in-service training	Compulsory		Annual	
	Highly recommended		Regular	
	Optional	YES, Seminars which are organized by the National School of Judges	Occasional	
Specialised in-service training	Compulsory		Annual	
	Highly recommended		Regular	
	Optional	YES	Occasional	

\*\*\*

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of your training system for judges and prosecutors

There is not a compulsory training system

#### V. B. Practice of the profession

**79. Gross annual salary of a first instance professional judge at the beginning of his/her career**

**80. Gross annual salary of a judge of the Supreme Court or of the highest appellate court**

€

The monthly salary of the President to the Supreme Court is 5400 Euro (allowances included)

The monthly salary of the President to the Court of Appeal is 4500 Euro (allowances included)

Source

**81. Gross annual salary of a public prosecutor at the beginning of his/her career**

The monthly salary of the Vice President to the Supreme Court is 4980 Euro (allowances included)

The monthly salary of the Judge to the Supreme Court is 4700 Euro (allowances included)

Source *Supreme Court (Areios Pagos)*

**82. Gross annual salary of a public prosecutor of the Supreme Court or of the highest appellate court**

The monthly salary of the Prosecutor to the Supreme Court is the same with the salary of the President to the Supreme Court and the monthly salary of the Vice Prosecutor is the same with the salary of the Judge to the Supreme Court

**83. Do judges and public prosecutors have additional benefits?**

Judges (Yes/No)

Public prosecutors (Yes/No)

Reduced taxation	NO	NO
Special pension	NO	NO
Housing		
Other financial benefit (If yes, please specify)	NO	NO

**84. Can judges or prosecutors combine their work with any of the following other professions?**

	Judges			Prosecutors		
	Yes with remuneration	Yes without remuneration	No	Yes with remuneration	Yes without remuneration	No
Teaching at the University				YES	YES	
Research and publication	YES	YES		YES	YES	
Arbitrator	YES	YES		YES	YES	
Consultant						
Cultural function	YES	YES		YES	YES	
Other function to specify						

**85. Do judges receive bonus based on the fulfilment of quantitative objectives relating to the delivering of judgments?**

No    
Yes  Please specify:

**V. C. Disciplinary procedures**

**86. Types of disciplinary proceedings and sanctions against judges and prosecutors:**

		Judges	Prosecutors
		Total number	
Reasons for disciplinary procedures	Breach of professional ethics (Yes/No) If yes, please specify the number	YES	YES
	Professional inadequacy (Yes/No) If yes, please specify the number	YES	YES
	Criminal offence (Yes/No) If yes, please specify the number	YES	YES
	Other (Yes/No) If yes, please specify		
	Total number		
	Reprimand (Yes/No) If yes, please specify the	YES	YES

Types of sanctions	number		
	Suspension (Yes/No) If yes, please specify the number	YES	YES
	Dismissal (Yes/No) If yes, please specify the number	YES	YES
	Fine (Yes/No) If yes, please specify the number	YES	YES
	Other (Yes/No) If yes, please specify		

\*\*\*

## VI. Lawyers

87. Number of lawyers practising in your country **34.000**

Source **ATHENS BAR ASSOCIATION**

88. Does this figure include legal advisors (solicitors or in-house counsellor) who cannot represent their clients in court?

Yes  No

89. Do lawyers have a monopoly of representation:

	Monopoly (Yes)	If no, possible representation by (Yes/No)	
Civil cases*		Member of family	
		Trade Union	
		NGO	
		Other	By him/herself
Criminal cases*	Defendant is represented only by lawyers	Member of family	NO
		Trade Union	NO
		NGO	NO
		Other	NO
	Victim	Member of family	
		Trade Union	
		NGO	
		Other	
Administrative cases*		Member of family	
		Trade Union	
		NGO	
		Other	By him/herself

\* If appropriate, please specify if it concerns first instance and appeal.

90. Is the lawyer profession organised through? **Yes**

- a national bar?
- a regional bar?
- a local bar?

Please specify:

63 Local Bars in Greece

91. Is there a specific initial training or examination to enter the profession of lawyer?

Yes  No

92. Is there a mandatory general system for lawyers requiring continuing professional development?

Yes  No

93. Is the specialisation in some legal fields tied with a specific level of training/ qualification/ specific diploma or specific authorisations?

No   
 Yes  Please specify:

94. Can users establish easily what the lawyers' fees will be?

Yes  No

95. Are lawyers fees:

- regulated by law?  MINISTERIAL DECISION
- regulated by Bar association?
- freely negotiated?

96. Have quality standards been formulated for lawyers?

Yes  No

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

- the bar association?
- the legislature?
- other?  Please specify:

98. Is it possible to complain about :

- the performance of lawyers? No   
 Yes  Please specify: DISCIPLINARY DEPT.



- **the amount of fees?** Yes  No

**99. Disciplinary proceedings and sanctions against lawyers:**

	Yes (If yes, please specify the annual number) <i>ABOUT 800</i>	
Reasons for disciplinary proceedings	Breach of professional ethics	X
	Professional inadequacy	
	Criminal offence	
	Other	
Type of sanctions	Reprimand	X
	Suspension	X
	Removal	X
	Fine	X
	Other	

**100. Who is the authority responsible for the disciplinary procedures:**

- **a professional body?** Yes  **Please specify:**  

**BAR ASSOCIATION**

- **the judge?**
- **the Ministry of justice?**
- **other?**  **Please specify:**

\*\*\*

**You can indicate below:**

- **any useful comments for interpreting the data mentioned above**
- **the characteristics of your system concerning the organisation of the Bar**

The status of the BAR is Legal entity of public law, independent from the State

## VII. Alternative Dispute Resolution

**101. If appropriate, please specify, by type of cases, the organisation of the judicial mediation:**

	Compulsion (Yes/No)	Body providing mediation (Yes/No)
--	---------------------	-----------------------------------

Civil cases	Compulsory stage prior to court proceedings	YES	Private mediator	YES, LAWER
			Public or authorised by court body	
			Court	
	Compulsory stage in court proceedings	YES	Judge	
	Ordered by judge in certain cases		Prosecutor	
Family cases	Compulsory stage prior to court proceedings	YES	Private mediator	YES, LAWER
			Public or authorised by court body	YES, METROPOLITE
			Court	
	Compulsory stage in court proceedings		Judge	
	Ordered by judge in certain cases		Prosecutor	
Administrative cases	Compulsory stage prior to court proceedings		Private mediator	
			Public or authorised by court body	
			Court	
	Compulsory stage in court proceedings		Judge	
	Ordered by judge in certain cases		Prosecutor	
Employment dismissals	Compulsory stage prior to court proceedings	YES	Private mediator	YES
			Public or authorised by court body	YES
			Court	
	Compulsory stage in court proceedings		Judge	
	Ordered by judge in certain cases		Prosecutor	
Criminal cases	Compulsory stage prior to court proceedings	NO	Private mediator	
			Public or authorised by court body	
			Court	
	Compulsory stage in court proceedings	NO	Judge	
	Ordered by judge in certain cases	NO	Prosecutor	

**102. Can you provide information about accredited mediators?**

They do not exist

**103. Can you provide information about the total number of mediation procedure concerning:**

	Yes	No
▪ civil cases?	X	<input type="checkbox"/>
▪ family cases?	X	<input type="checkbox"/>
▪ administrative cases?		<input type="checkbox"/>

- employment dismissals?
- criminal cases?



Source **MINISTRY OF JUSTICE**

Note: the Code of Civil Procedure includes the case of compromise between lawyers, at the First Instance Court

104. Can you give information concerning other alternative dispute resolution (e.g. Arbitration)? Please specify:

There are few cases of dispute resolution, such as arbitration.

\*\*\*

You can indicate below:

- any useful comments for interpreting the data mentioned above
- the characteristics of your system concerning ADR

A judge can be an arbitrator.

**VIII. Enforcement of court decisions**

**VIII. A. Execution of decisions in civil matters**

105. Are enforcement agents:

- |   | No                                  | Yes                                 |
|---|-------------------------------------|-------------------------------------|
| ▪ judges?   | <input checked="" type="checkbox"/> |                                     |
| ▪ bailiff practising as private profession ruled by public authorities? |                                     | <input checked="" type="checkbox"/> |
| ▪ bailiff working in a public institution?                              |                                     | <input checked="" type="checkbox"/> |
| ▪ other enforcement agents?   |                                     | <input checked="" type="checkbox"/> |
- Please specify their status:

**Note:** Court decisions are enforced by court bailiff and police, as well as, public notaries. Especially for public auction after seizure, the notaries are responsible for the enforcement.

106. Number of enforcement agents



Source

107. Is there a specific initial training or examination to enter the profession of enforcement agent?

Yes No

108. Is the profession of enforcement agent organised by?

- |                    | YES                                 | NO                                  |
|--------------------|-------------------------------------|-------------------------------------|
| ▪ a national body? | <input checked="" type="checkbox"/> |                                     |
| ▪ a regional body? |                                     | <input checked="" type="checkbox"/> |
| ▪ a local body?    |                                     | <input checked="" type="checkbox"/> |

109. Can users establish easily what the fees of the enforcement agents will be?

Yes No

110. Are enforcement fees:

- regulated by law?
- freely negotiated?

Yes

X

111. Is there a body entrusted with the supervision and the control of the enforcement agents?

No  
Yes

X

Which authority is responsible for the supervision and the control of enforcement agents:

- a professional body?
- the judge?
- the Ministry of justice?
- the prosecutor?
- other?

Yes

Please specify:

112. Have quality standards been formulated for enforcement agents?

No  
Yes

X

Who is responsible for formulating these quality standards?

Source

113. What are the main complaints of users concerning the enforcement procedure:

- no execution at all?
- lack of information?
- excessive length?
- unlawful practices?
- insufficient supervision?
- excessive cost?
- other?

Yes

No

Source

114. Does your country prepared or has established concrete measures to change the situation concerning the enforcement of court decisions?

No  
Yes

X

Please specify:

115. Is there a system measuring the timeframes of the enforcement of decisions :

- for civil cases?
- for administrative cases?

Yes

No

116. As regards a decision on debts collection, can you estimate the average timeframe to notify the decision to the parties which live in the city where the court seats:

Yes

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



Source Supreme Court (Areios Pagos)

**117. Disciplinary proceedings and sanctions against enforcement agents:**

	Yes /No (If yes, please specify the total number)	
Disciplinary proceedings	Breach of professional ethics	YES
	Professional inadequacy	
	Criminal offence	YES
	Other	Disciplinary offence
Sanctions	Reprimand	YES
	Suspension	YES
	Dismissal	YES
	Fine	YES
	Other	

\*\*\*

*You can indicate below:*

- any useful comments for interpreting the data mentioned above
- the characteristics of your enforcement system of decisions in civil matters

**VIII. B. Enforcement of decisions in criminal matters**

**118. Is there a judge who has in charge the enforcement of judgments?**

Yes  Please specify his/her functions and activities (e.g. Initiative or control functions):

No  Please specify which authority is entrusted with the enforcement of judgements (e.g prosecutor):

**119. As regards fines decided by a criminal court, are there studies to evaluate the effective recovery rate?**

No   
 Yes  Please specify:

\*\*\*

*You can indicate below:*

- any useful comments for interpreting the data mentioned above
- the characteristics of your enforcement system of decisions in criminal matters

## IX. Notaries

120. Is the status of notaries:

- a private one?
- a status of private worker ruled by the public authorities?
- a public one?
- other?

Yes      Number

x	

Please specify:

A notary is appointed as unpaid public clerk

Source MINISTRY OF JUSTICE

121. Do notaries have duties:

- within the framework of civil procedure?
- in the field of legal advice?  
competencies
- to authenticate legal deeds?
- other?

Yes      No

X	
X	only in their exclusive
X	only in the cases Law defines

If yes, please specify:

Yes, establishment of SA and Company of limited responsibility, procedure of compulsory auctions

122. Is there a body entrusted with the supervision and the control of the notaries?

No  
Yes

x Which authority is responsible for the supervision and the control of the notaries:

- a professional body?
- the judge?
- the Ministry of justice?
- the prosecutor?
- other?

Yes

X

Please specify:

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\*\*\*

123. Please indicate main orientations for reform and concrete measures which could improve the quality and the efficiency of your judicial system:

1. Professional education of new personnel that enter the body and a life time education for everybody.
2. Establishment of a data base at Courts and keep a record of the judicial decisions. Provide PC to Judicial Bodies and Judges and control their use by them.