



Reference data 2020 (01/01/2020 - 31/12/2020)

Start/end date of the data collection campaign : 19/03/2021 - 01/10/2021

Objective :

The CEPEJ decided, at its 35th plenary meeting, to launch the ninth evaluation cycle 2020 – 2022, focused on 2020 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

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

Instruction :

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

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General and financial information

1.1.Demographic and economic data

1.1.1Inhabitants and economic general information



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

[6 916 548]

Comments

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

	Amount
State or federal level	24 465 581 548 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	4 355 960 314 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The noticeable increase in expenditures at the level of General Government and in the Local Government sector for the period 2018-2020 is due to an increase in current expenditures. This increase is related on the one hand to the upward trend in spending on important priority areas in spending policies such as education and the social sphere. On the other hand, in 2020 the higher running costs were mainly related to the socio-economic measures taken to minimize the effects of the COVID crisis, incl. payments under measure 60/40, payments to first-line employees in the fight against the pandemic, incl. the costs for the purchase of medicines and vaccines, payment of monthly supplements to the pensions of all pensioners for the months from August to December, payments to businesses and farmers, as well as other costs under the approved measures. Nominal increase for 2020, compared to the previous two years, is in social payments, staff costs, costs of subsidies, maintenance and others, where the main part of the costs related to socio-economic measures to combat the pandemic are reported.



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

[8 845]

Comments The data per capita GDP (in €) in current prices for 2020 will be available after 15.12.2021.

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

[8 509]

NA

Comments

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

[1.95583]

Allow decimals : 5

NAP

Comments

A1. Please indicate the sources for answering the questions in this part

Sources: Question 1: Data for the population number as of 31.12.2020, Data source: National statistical institute (NSI)
Question 3: The data under item 3 Per capita GDP (in €) in current prices for 2020 will be available after 15.12.2021. Data source: NSI
Question 4: 2020 Preliminary data. Data source: NSI, establishment survey on number of employees, wages and salaries and other labour costs
Question 5: Data source: Annual report of Bulgarian national bank for 2020

1.1.2 Budgetary data concerning judicial system



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

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	226 138 066 [] NA [] NAP	221 878 876 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	186 014 098 [] NA [] NAP	185 384 905 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	1 389 357 [] NA [] NAP	1 315 880 [] NA [] NAP
2.1 Investments in computerisation	371 367 [] NA [] NAP	297 890 [] NA [] NAP
2.2 Maintenance of the IT equipment of courts	1 017 990 [] NA [] NAP	1 017 990 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	2 977 000 [] NA [] NAP	2 974 282 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	11 707 879 [] NA [] NAP	10 072 433 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	0 [] NA [] NAP	0 [] NA [] NAP
6. Annual public budget allocated to training	30 724 [] NA [] NAP	27 689 [] NA [] NAP
7. Other (please specify)	24 019 008 [] NA [] NAP	22 103 687 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: The increase of the annual public budget for gross salaries (both approved and implemented) for 2020 compared to the reference year 2018 is due to the increase of the remunerations in 2019 and in 2020 by 10%, as well as with the foreseen in the budget of the judiciary funds for 2019 and 2020 in connection with art. 233, para 6 and art. 344, para 5 of the Judiciary System Act. The increase of the annual public budget for computerization (both approved and implemented) for 2020 compared to the reference year 2018 is due to the fact that in 2020 the courts began the gradual introduction of the Unified Information System of the Courts and the need for spending money on scanning and computer equipment arose, the replacement of which is required by the requirements of the UISC. The necessary funds for the maintenance of software products in 2020 have also increased significantly compared to 2018, due to the fact that the concluded contracts for their maintenance are bound by the amount of the minimum wage for the country, which in 2018 is EUR 261, and in 2020 it is EUR 311.

The increase of the annual public budget for justice expenses (both approved and implemented) for 2020 compared to the reference year 2018 is due to the increase of the hourly rate for payment of remuneration of experts and jurors, which is related to the amount of the minimum wage for the country. In 2018 the minimum wage is EUR 261 and in 2020 - EUR 311.

The increase of the annual public budget for court buildings - maintenance, running costs (both approved and implemented budget for 2020 compared to the reference year 2018 is less than 20%.

In 2020, there were no costs for investment in new court buildings.

In "Other" are stated the amounts for compensations under the Labour Code (LC) and Judiciary System Act (JSA), costs for apparel, social and cultural services and payments for sickness absence that has been paid at the expense of the employer, as well as the amounts paid for major repairs of court buildings, respectively EUR 2539327, incl. EUR 594 5050 used for the courts, at the expense of the SJC budget in the Approved Budget column and EUR 759 656 in the Implemented Budget column. The difference in the approved and implemented budget in the part for major repairs is due to non-utilization of the funds provided for major repairs due to unfinished procedures under the Public Procurement Act and conducting procedures and activities under the Spatial Planning Act, etc. coordination procedures with competent authorities, as well as due to restrictive conditions related to COVID 19.

The approved and paid amounts for compensations in 2020 under the Judiciary System Act and Labor Code are by EUR 2,490,000 more compared to 2018.

Significantly higher are the approved and paid amount for apparel in 2020 compared to 2018 - EUR 2,967,884. The higher amount of approved and paid funds for apparel in 2020 compared to 2018 is due to the increase in the basis for determining the funds per employee, which in 2018 was EUR 360 less than in 2020. According to the JSA, the basis for determination is the average monthly salary of the employees in the budgetary organizations and funds managed by the state, which is provided by the National Statistical Institute.

The increase of the approved and implemented funds in column "other" is due to the amount of the planned and spent funds for social and cultural services, which according to reference 2018 are 20% less. The difference is determined by the increase in wages by 10% in 2019 and by another 10% in 2020. These wages are the basis for determining the funds for social and cultural services.

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:

Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?

for criminal cases	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?

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

- The calculation and determination of court fees is governed by the Law on the management of the European Structural and Investment Funds, the Administrative Procedure Code, the Civil Procedure Code, TARIFF No 1 to the Stamp Duty Act, for the fees collected by the courts, the prosecutors offices, the Investigation Service and the Ministry of justice and other tariffs. The fees collected can be simple and proportionate.

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

- [120]
- [] NA
- [] NAP

Comments According to Art. 1 of the Tariff for state fees, which are collected by the courts under the Civil Procedure Code on a claim, counterclaim and application of a third party with independent rights, a fee of 4 percent, is collected on the price of the claim, but not less than BGN 50.

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

- [41 833 027]
- [] NA
- [] NAP

Comments Note:

In the recent years, the amount of revenue collected from court fees has declined. The decline in the reference 2020 compared to 2018 is significant, as the main reason for this is the state of emergency and restrictive regimes not only nationally but also globally in connection with COVID 19.

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	4 785 010 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

12.2 for cases not brought to court (legal advice, ADR and other legal services)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	3 249 020 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: The main reasons for the difference between the actual implementation and the annual approved public budget are the following: The decrease in the number of legal aid cases provided for legal representation, which accounts for 90% of the total number of legal aid cases for legal assistance in the admission of legal aid, as well as in the application, by the courts and investigative bodies, of the normatively established criteria in the Legal Aid Act, and of the developed minimum standards and unified procedures for admission of legal aid. Another reason is the National Legal Aid Telephone and the Regional Counseling Centers operating at the bureau, established at thirteen bar councils in the country. The provided consultations, through them, create preconditions for significant reduction of the number of cases with inadmissible and unfounded requests from citizens to the courts, resp. until the reduction in the number of cases of legal aid for legal representation. The reason is also the normatively established obligation for the persons who have received legal aid, in cases determined by law, to reimburse the expenses for legal aid incurred for them by the NLAB in the amount of the paid attorney's fees. These are usually the cases when the defendant is found guilty, the court orders him to pay the costs of the appointed lawyer.

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012-2. Does legal aid include:

	Legal aid includes:
Coverage of court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

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012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

Amount calculated/estimated included

Coverage of court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	152 917 818 <input type="checkbox"/> NA <input type="checkbox"/> NAP	149 281 332 <input type="checkbox"/> NA <input type="checkbox"/> NAP
13.1. Annual public budget allocated to training of public prosecution services	3 840 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 646 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The significant differences in the approved and implemented budget for 2020 compared to 2018 for the prosecution are due to the reasons set out in the remarks on question 6, namely - increase in funds for remunerations by 10% in 2019 and in 2020, increase the amount of the minimum wage, which is the basis for determining payments under contracts. There is also an increase in the compensations under the JSA and LC by EUR 786,870 compared to 2018, as well as the planned and paid funds for apparel. For detailed information - see question 6.

The implemented budget differs from the approved one due to unspent funds for major repairs, acquisition of tangible fixed assets and current repairs due to unfinished procedures under the Public Procurement Act and restrictive measures related to COVID 19.

The source of the data for approved and implemented budget, including for Trainings in the Prosecutor's Office of the Republic of Bulgaria is the Annual Financial Report of the Prosecutor's Office of the Republic of Bulgaria for 2020.

The probability of a significant reduction of the utilized budget for training of prosecutors is the declared in March 2020 extraordinary epidemic situation in Bulgaria, which continues to this day, as well as the restrictive measures related to the spread of COVID-19.

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

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

Parliament	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Supreme Court	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
High Judicial Council	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Courts	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Inspection body	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Other	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP

Comments - If “Other Ministry” and/or “Inspection body” and/or “Other”, please specify: Under “Other Ministry” we have meant the Ministry of Finance

014-0. What are the criteria used to allocate financial resources among courts? Furthermore, please select maximum three main criteria of allocation

	Criteria used	Main criteria
Previous years’ budget costs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Special needs assessment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Number of judges/non judges’ staff	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Number of incoming cases	<input type="checkbox"/>	<input type="checkbox"/>
Number of pending cases	<input type="checkbox"/>	<input type="checkbox"/>
Number of resolved cases	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

NAP

Comments - If “Other”, please specify

014-1. Who is entrusted with responsibilities related to the budget within a first instance court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Court President and/or judge(s)	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP

Head of court administration and/or non-judges	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Mixed body (judge(s) and non-judge(s))	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "Other", please specify. If the responsibilities are different depending on the type/instance of courts, please answer the question for the first instance court of general jurisdiction and describe the differences in the comment box: By "Others" we have meant the persons holding the positions of "court administrator" and "chief accountant".

Compared to previous years, the answer "Administrative Head" was also possible, and we have explicitly stated in a remark that there is an overlap in the positions of President of the Court and Administrative Head.

A2. Please indicate the sources for answering the questions in this part

Sources: In answering questions 6, 7, 9 and 13 we have used data from the State Budget Law for 2020, Decrees of the Council of Ministers, cash reports on the implementation of the budget as of 31.12.2020.

1.1.3 Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	513 641 015 <input type="checkbox"/> NA <input type="checkbox"/> NAP	497 866 754 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: Annual public budget of the whole justice system in Bulgaria (2020):

Approved:

Supreme Judicial Council data: EUR 402,867,556 (incl.: Courts + Prosecution of Republic of Bulgaria + National Institute of Justice + Supreme Judicial Council /SJC/ + SJC Inspectorate)

Directorate General for the Execution of sanctions at the Ministry of Justice: EUR 104,143,350

National Bureau of Legal Aid at The Ministry of Justice: EUR 4,785 010

Constitutional Court: EUR 1,845,099 Total: EUR 513 641 015

Implemented:

SJC data: EUR 388,800,855 (incl.: Courts + Prosecution of Republic of Bulgaria + National Institute of Justice + Supreme Judicial Council /SJC/ + SJC Inspectorate)

Directorate General for the Execution of sanctions : EUR 104,062,314

National Bureau of Legal Aid : EUR 3,249 020

Constitutional Court: EUR 1,754,565

Total: EUR 497 866 754

The observed increase in the annual public budget is mainly due to:

- Gross salaries, which have been increased in 2019 and in 2020 by 10%, as well as with the funds provided in the budget of the judiciary for 2019 and 2020 in connection with Art. 233, para. 6 and Art. 344, para. 5 of the JSA;
- The funds for computerization for 2020 are increasing compared to the reference year 2018, as in 2020 the courts started the gradual introduction of the Unified Information System in the courts and the need arose to spend funds for scanning and computer equipment, the replacement of which is imposed by the requirements for work in the Unified Information System. The funds needed for the maintenance of software products in 2020 have also increased significantly compared to 2018, due to the fact that the concluded contracts for their maintenance are tied to the amount of the minimum wage for the country, which in 2018 is 261 euros, and in 2020 it is 311 euros.
- The increase of the hourly rate for payment of remuneration of experts and jurors, which is tied to the amount of the minimum wage for the country. In 2018, the minimum wage is 261 euros, and in 2020 - 311 euros;
- The increase in funds for court buildings for 2020 compared to the reference 2018 is less than 20%. In 2020, no costs were incurred for the purchase of new court buildings;
- The amounts for benefits under the Labor Code and the Judiciary Act, the costs of clothing, SBKO and sick leave at the expense of the employer. The approved and paid amounts for compensations in 2020 under JSA and LC are by EUR 2,490,000 more compared to 2018. The approved and paid amounts for clothing in 2020 are significantly higher compared to 2018 - EUR 2,967,884 . The higher amount of approved and paid funds for clothing in 2020 compared to 2018 is due to the increase in the basis for determining the funds per employee, which in 2018 was 360 euros less than in 2020. According to the JSA, the basis for determination is the average monthly salary of the employees in the budgetary organizations and funds managed by the state, which is provided by the National Statistical Institute;
- The amount of the planned and spent funds for Social and cultural services for employees, which according to ref. 2018 are 20% less. The difference is determined by the increase in wages by 10% in 2019 and by another 10% in 2020. These wages are the basis for determining the funds for Social and cultural services for employees.

015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

	Included
Courts	(X) Yes () No <input type="checkbox"/> NAP
Legal aid	(X) Yes () No <input type="checkbox"/> NAP
Public prosecution services	(X) Yes () No <input type="checkbox"/> NAP

Comments

015-3. Other budgetary elements

	Included
Prison system	(X) Yes () No <input type="checkbox"/> NAP
Probation services	(X) Yes () No <input type="checkbox"/> NAP
High Judicial Council	(X) Yes () No <input type="checkbox"/> NAP

High Prosecutorial Council	() Yes () No <input checked="" type="checkbox"/> NAP
Constitutional court	<input checked="" type="checkbox"/> Yes () No <input type="checkbox"/> NAP
Judicial management body	() Yes () No <input checked="" type="checkbox"/> NAP
State advocacy	() Yes () No <input checked="" type="checkbox"/> NAP
Enforcement services	() Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Notariat	() Yes () No <input checked="" type="checkbox"/> NAP
Forensic services	() Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Judicial protection of juveniles	() Yes () No <input checked="" type="checkbox"/> NAP
Functioning of the Ministry of Justice	() Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Refugees and asylum seekers services	() Yes () No <input checked="" type="checkbox"/> NAP
Immigration Service	() Yes () No <input checked="" type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	() Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes () No <input type="checkbox"/> NAP

If "Other", please specify: National Institute of justice
Inspectorate to the Supreme Judicial Council

A3. Please indicate the sources for answering the questions in this part

Sources: Supreme Judicial Council- The Annual Financial Report for the Judiciary for 2020
Ministry of Justice
National Bureau of Legal Aid
Constitutional Court

1.2. Organisation and management of courts and public prosecution services

015-4. Please describe who has responsibilities for the management of individual courts, what management roles they have, what is their status and their position in the organisational hierarchy of the court concerned.

- Judiciary System Act (Art 77-122)

Each court is composed of judges and headed by a chairperson. The chairperson of every individual court implements overall organisational and administrative direction of the court.

The orders of the chairperson and the rules regarding working arrangements of the court approved by the chairperson shall be binding on all judges and employees thereat.

The presidents of the courts are acting magistrates, ie. they also carry out judicial activity while performing the functions of administrative heads of the judiciary. In view of the duties imposed on them in their capacity as administrative heads, in the system that takes into account the workload of each individual magistrate, a lower workload percentage is assigned to them.

Max characters value : 10 000

015-5. Please describe who has responsibilities for the management of individual public prosecution offices, what management roles they have, what is their status and their position in the organisational hierarchy of the office concerned.

- Judiciary System Act

Art. 136. (4) Prosecutors and investigating magistrates shall be directed by the administrative heads of the respective prosecution office.

(5) Upon the discharge of the functions thereof under Paragraph (4), each administrative head shall be subordinate to the Prosecutor General and to the superior administrative heads.

Art. 140. (1) The administrative head of a district, regional, the specialised, military regional, the military appellate and the appellate specialised prosecution office shall:

1. organise and direct the activity of the respective prosecution office;
 2. appoint and release the employees therein;
 3. in the cases provided for by the law, draw up the individual plan for professional development under Article 30a (3) and see to its fulfilment;
 4. within a time limit set by the Prosecutor General, draw up an annual report on the activity of the respective prosecution office, submit the said report to the superior administrative head, and publish the said report on the website of the respective prosecution office.
- (2) The orders of the administrative head in connection with the powers thereof under Item 1 of Paragraph (1) shall be binding on all prosecutors, investigating magistrates and employees at the prosecution office concerned.
- (3) The administrative head of a district, regional, military regional prosecution office and of the specialised prosecution office or deputies of the administrative head empowered thereby shall exercise control over compliance with the investigation deadlines, over the inspections under Items 2 and 3 of Article 145 (1) and the time limits of the coercive procedural measures under the Criminal Procedure Code.
- (4) The administrative heads of the appellate and regional prosecution offices shall direct the control activity in the judicial districts thereof, which shall have as an object to ensure:
1. obtaining up-to-date information on the organisational condition of prosecution offices in the judicial district and on the work of prosecutors and investigating magistrates thereat;

2. identifying omissions and breaches in the activity and the grounds for taking appropriate organisational or disciplinary measures;
3. objective evaluation of performance and prerequisites for incentive.
- (5) On a quarterly basis, the administrative heads of the appellate prosecution offices shall provide the Prosecutor General with summarised information on the investigations of the relevant district, regional and military regional prosecution offices and of the specialised appellate prosecution office.

Max characters value : 10 000

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Legal advice, ADR and other legal services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

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016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- Legal aid in the Republic of Bulgaria is organized by the National Legal Aid Bureau and the Bar Councils. The types of legal aid are consultation, preparation of documents for initiating a case, procedural representation before the investigative bodies and the court and representation of persons in detention by the bodies of the Ministry of Interior and Customs. Legal aid is provided only to individuals in criminal, civil and administrative cases. The circle of persons entitled to legal aid are from vulnerable social groups who receive social benefits or whose monthly income does not exceed the poverty line for the country, which in 2020 was BGN 363. The right to legal aid are also children, persons accommodated in specialized institutions for the provision of social services, victims of domestic or sexual violence or trafficking in human beings, persons seeking international protection under the Asylum and Refugees Act, persons under 21 years of age in accordance with Regulation / EC / 4/2009 of the Council and persons, citizens of an EU member state on international disputes in civil and commercial matters before the courts in the Republic of Bulgaria.

Legal aid for consultation and preparation of documents for instituting proceedings before the commencement of court proceedings is provided by a decision of the President of the National Legal Aid Bureau / NLAB /, and legal aid for legal representation, in proceedings already instituted, is provided by the investigating authority or by the prosecutor or the court. Depending on the type of legal aid and the stage of the proceedings, at the request of one of the listed bodies / NLAB, the investigating body, the prosecutor or the court /, the Bar Councils appoint a lawyer for legal aid, who is entered in the National Register for Legal Aid. The register is public. The NLAB, respectively the investigating body or the court, appoints a lawyer appointed by the Bar Council. Upon completion of the case, the lawyer submits a report to the NLAB, and his bureau determines and pays attorney's fees. The NLAB has a National

Telephone for Legal Aid for consultations of citizens by lawyers. There are 13 Regional Counseling Centers attached to the NLAB, established at 13 bar associations in the country.

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018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

Yes

No

NAP

If yes, please specify:

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

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

Comments - If yes, please specify:

2.1.2 Information on legal aid

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

	Total	Cases brought to court	Cases not brought to court
TOTAL	31 866		
	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	29 002		
	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In other than criminal cases	2 864		
	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate: The provided data is only in respect of the legal aid for procedural representation in an already initiated case in the court or in the pre-trial bodies.

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final approval of the legal aid request:

	Time in days
Maximum duration prescribed in law/regulation	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Actual average duration	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases please provide more information: The term of 14 days is provided in the Law on Legal Aid, in force from January 1, 2006 / SG no. 79 of 2005

Actual average duration- up to 7 days

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

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

Comments - If yes, please specify:

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: According to the Bulgarian legislation - the Law on Legal Aid- the provision of legal aid at the request of a person, ie. except in cases where by law it is mandatory to provide legal protection, depends on the income of the person or his family, and in this sense the answer is "YES". It's important to specify that in Bulgarian law legal aid is not differentiated as "full" or "partial".

023. If yes, please specify in the table:

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

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

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

025. Is the decision to grant or refuse legal aid taken by:

the judge(s) dealing with the main case

another judge or official

an authority external to the court

several authorities (court and external bodies)

Comments

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

Yes

No

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

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

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If no, please specify how legal costs are distributed:

B1. Please indicate the sources for answering the questions in this part

Sources: Law on the State Budget of the Republic of Bulgaria for 2020, Law on Legal Aid/ Legal Aid Act, Code of Criminal Procedure

2.2. Court users and victims

2.2.1 Rights of the users and victims

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

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	(X) dv.parliament.bg; www.lex.bg	()
Case-law of the higher court/s	(X) www.vks.bg; www.sac.government.bg	()
Information about the judicial system (organisation of courts, court proceedings, etc)	(X) http://www.vss.justice.bg/page/view/1999	()
Other documents (e.g. forms, downloadable forms, online registration forms)	(X) www.compensation.bg	()

Comment - Please specify what documents and information are included in "Other documents"

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?

() Yes, always

(X) No

() Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify: In the case of an appeal against a specifically issued judicial or prosecutorial act, the term within which the party to the proceedings may exercise its right to appeal is indicated, another example in this direction is the case of summoning or giving instructions, in which the specific a summons or a court act shall indicate to the party in the proceedings within what term and what procedural action he should perform. On the other hand, the terms in which a proceeding is initiated are normatively established, due to which the judicial authorities are not obliged to notify the parties in it (for example, the minutes of a court hearing are drawn up within 3 days and the court announces its decision by the reasons no later than one month after the hearing in which the hearing was completed). The general provision in the Civil Procedure Code should be taken into account, according to which the court considers and decides the cases within a reasonable time.

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

Information system

General for citizens	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for minors (child-friendly systems)	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No

Comment - Please provide more information on these systems. Furthermore, please specify how this assistance is provided.

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

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

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify: Special arrangements in the hearings also apply to victims of trafficking in human beings and forced marriage.

According to the provision of art. 139, para. 10 of the Criminal Procedure Code, the interrogation of a witness with special protection needs shall be carried out when taking measures to avoid contact with the accused, including by videoconference or telephone conference, in accordance with the provisions of this Code. Specific protection needs are present when it is necessary to apply additional means of protection against secondary and repeated victimization, intimidation and revenge, emotional or mental suffering, including to preserve the dignity of the victims during interrogation. (§1, para. 4 of the Additional Provisions of the Criminal Procedure Code).

031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as “Children's Houses”
- Other, please specify
- NAP

Comment

031-1. What are the main criteria for a minor to initiate a proceeding, take procedural actions in his/her own name or to be a witness?

	Civil proceedings	Criminal proceedings
Capacity to initiate a proceeding and take other procedural actions in his/her own name	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP
To be a witness	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP

Comment - Please specify if you selected answers “Exceptions from the threshold” and “Other”. If your system distinguishes between full and limited capacity to take legal actions, please describe the basis for this differentiation (age, capacity for discernment, type of action, type of cases, other). Civil Procedure Code

Art. 28. (1) The natural persons of full capacity to act shall perform procedural steps at court in person.

(2) Minors and limited interdicts shall perform court procedural steps in person, but with the consent of the parents or curators thereof.

(3) Minors may sue in person for any disputes over employment relationships or for any disputes arising from transactions referred to in Article 4 (2) of the Persons and Family Act, as well as in other cases specified by a law.

(4) Minors and full interdicts shall be represented by the legal representatives thereof: parents or tutors.

Child Protection Act Art. 15. (1) All cases of administrative or judicial proceedings affecting the rights and interests of a child should provide for a mandatory hearing of the child, provided he or she has reached the age of 10, unless this proves harmful to his or her interests.

(2) In cases where the child has not reached the age of 10, he or she may be given a hearing depending on the level of his or her development. The decision to hear the child shall be substantiated.

(3) Before the child is given a hearing, the court or the administrative body shall:

1. provide the child with the necessary information, which would help him or her form his or her opinion;

2. inform the child about the possible consequences of his or her desire, of the opinion supported by him or her, as well as about all the decisions made by the judicial or administrative body.

(4) The judicial and administrative bodies shall ensure appropriate surroundings for hearing the child in accordance with his/her age. The hearing and the consultation of a child shall mandatorily take place in the presence of a social worker from the Social Assistance Directorate at the current address of the child and when necessary - in the presence of another appropriate specialist.

(5) The court or the administrative body shall order that the hearing of the child shall take place also in the presence of a parent, tutor, curator, other person who takes care of the child, or another close person known to the child, except where this does not correspond to the child's interest.

(6) In every legal case the court or the administrative body shall notify the Social Assistance Directorate at the current address of the child, whereby the provisions of the Code of Civil Procedure shall apply to the notification by the court, and the provisions of the Administrative Procedure Code shall apply to the notification by the administrative body. The Social Assistance Directorate shall send its representative who shall express an opinion, and if unfeasible, he/she shall present a report.

(7) The Social Assistance Directorate may represent the child in cases provided for by law.

(8) The child has a right to legal aid and appeal in all proceedings, affecting his or her rights or interests.

Criminal Procedure Code:

Art.118, §3 Individuals, who on account of physical or mental deficiencies are unable to properly perceive the facts of significance in the case, or give reliable testimonies about them, may not have the capacity of witnesses, either.

Where the victim, due to helpless state or dependency upon the perpetrator of the crime, cannot defend his or her rights and lawful interests, the prosecutor may join the proceedings initiated after a complaint by the victim, at any stage of the case, and may take up the accusation (Art. 48, § 1 of the Criminal Procedure Code). In exceptional cases of crimes prosecuted on the grounds of complaint by the victim, where the latter cannot defend his or her rights and legal interests due to a state of helplessness or dependency upon the perpetrator of the crime, the prosecutor may institute criminal proceedings ex officio (Art. 49 § 1 of the Code). Where the victim, on account of being underage or of a physical or mental deficiency, is unable to defend his/her rights and legal interests, the prosecutor may bring a civil action to his/her benefit (Art. 51 of the Code)

031-2. If a minor cannot conduct proceedings in his/her own name, who can represent him/her in judicial proceedings?

	Civil proceedings	Criminal proceedings
Parent/legal guardian	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP
Other representative (instead of parent/legal guardian)	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comment Relevant provisions are Art. 101 PPC, Art. 91, para. 1 and para 2 of the PPC, Art. 100 PPC, Art. 48 PPC, Art. 49 PPC, Art. 51 PPC, Art. 391, para. 2 PPC. Article 101 PPC: (1) Where the interests of the child or young person victim and his/her parent, custodian or guardian are contradictory, the respective body shall appoint for him/her a special representative who is a lawyer. (2) A special representative who is a lawyer shall also be appointed for the victim, where he/she is incapacitated or has limited capacity and his/her interests stand in contradiction to those of his/her custodian or guardian. (3) The special representative shall participate as attorney in the criminal proceedings. (4) The provisions of Articles 91, paragraph 3 and 92 shall also apply to the special representative mutatis mutandis. Article 391: (1) The court hearing in cases against underage persons shall be conducted behind closed doors, unless the court finds it in the interest of the public to examine the case at an open court hearing. (2) By discretion of the court, an inspector from the child pedagogical facility and a representative of the educational establishment in which the underage person studies may be invited to the court

hearing.

Civil Procedure Code Art. 28. (1) The natural persons of full capacity to act shall perform procedural steps at court in person. (2) Minors and limited interdicts shall perform court procedural steps in person, but with the consent of the parents or curators thereof. (3) Minors may sue in person for any disputes over employment relationships or for any disputes arising from transactions referred to in Article 4 (2) of the Persons and Family Act, as well as in other cases specified by a law. (4) Minors and full interdicts shall be represented by the legal representatives thereof: parents or tutors. Child Protection Act Art. 15. (1) All cases of administrative or judicial proceedings affecting the rights and interests of a child should provide for a mandatory hearing of the child, provided he or she has reached the age of 10, unless this proves harmful to his or her interests. (2) In cases where the child has not reached the age of 10, he or she may be given a hearing depending on the level of his or her development. The decision to hear the child shall be substantiated. (3) Before the child is given a hearing, the court or the administrative body shall: 1. provide the child with the necessary information, which would help him or her form his or her opinion; 2. inform the child about the possible consequences of his or her desire, of the opinion supported by him or her, as well as about all the decisions made by the judicial or administrative body. (4) The judicial and administrative bodies shall ensure appropriate surroundings for hearing the child in accordance with his/her age. The hearing and the consultation of a child shall mandatorily take place in the presence of a social worker from the Social Assistance Directorate at the current address of the child and when necessary - in the presence of another appropriate specialist. (5) The court or the administrative body shall order that the hearing of the child shall take place also in the presence of a parent, tutor, curator, other person who takes care of the child, or another close person known to the child, except where this does not correspond to the child's interest. (6) In every legal case the court or the administrative body shall notify the Social Assistance Directorate at the current address of the child, whereby the provisions of the Code of Civil Procedure shall apply to the notification by the court, and the provisions of the Administrative Procedure Code shall apply to the notification by the administrative body. The Social Assistance Directorate shall send its representative who shall express an opinion, and if unfeasible, he/she shall present a report. (7) The Social Assistance Directorate may represent the child in cases provided for by law. (8) The child has a right to legal aid and appeal in all proceedings, affecting his or her rights or interests.

031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment The provision of Art. 31, para. 2 Penalty Code is relevant.

Article 31

- (1) Penally responsible shall be any person of full age - who has completed 18 years of age, and who has perpetrated a crime in the state of being responsible for his acts.
- (2) A minor - a person who has completed 14 years of age, but has not completed 18 years of age yet - shall be penally responsible if he was able to understand the nature and meaning of the act and to manage his actions.
- (3) Minors who cannot be considered culpable of their acts shall be admitted by a decision of the court to a correctional boarding school or to another appropriate establishment, should this be found necessary considering the circumstances of the case.
- (4) With regard to the penal responsibility of minors, the special rules provided by this Code shall be applicable.

031-3-1. What is the age threshold for the criminal liability of minors?

Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

- 14]
- NA
- NAP

Criminal liability resulting in sentence of privation of liberty

-]
- NA
- NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how? Legal framework regarding criminally responsible persons is contained in Chapter Three of the General Part of the Penal Code (Articles 31-34). Other relevant provisions with respect to minors are Art. 61 -63 of the Penal Code. The Law on Combating Anti-Social Manifestations of Minors is also relevant.

Criminal Code

Art.31 (1) Penally responsible shall be any person of full age - who has completed 18 years of age, and who has perpetrated a crime in the state of being responsible for his acts.

(2) A minor - a person who has completed 14 years of age, but has not completed 18 years of age yet - shall be penally responsible if he was able to understand the nature and meaning of the act and to manage his actions.

(3) Minors who cannot be considered culpable of their acts shall be admitted by a decision of the court to a correctional boarding school or to another appropriate establishment, should this be found necessary considering the circumstances of the case.

Article 32

(1) Underage persons who have not completed 14 years of age shall not be held penally responsible.

(2) With respect to minors who have committed socially dangerous acts, the relevant educational measures may be applied.

Article 61

(1) With respect to an underage person who has committed a crime carried away by circumstances or because of thoughtlessness, which does not constitute great social danger, the prosecutor may decide to abstain from instigating pre-trial proceedings or to terminate the instigated proceedings, and the court may decide not to have him brought to court or not to have him tried, provided with regard to him educative measures can successfully be applied pursuant to the Control of Juvenile Anti-Social Behaviour Act. (2) In such cases the court itself may impose an educative measure, informing thereof the local Commission Against Anti-Social Acts of Minors and Underage Persons, or forwarding thereto the court file for imposition of such a measure.

(3) Where the prosecutor decides not to institute pre-trial proceedings or to put an end to pre-trial proceedings which have been formed, he shall send the case-file to the Commission, which shall impose a measure of education.

Article 62

Imposed on underage persons may be only the following punishments:

1) imprisonment;

1a) probation;

2) public censure;

3) deprivation of the right to exercise certain vocation or activity under Article 37. Paragraph 1, sub-paragraph 7.

The Law on Combating Anti-Social Manifestations of Minors/Control of Juvenile Anti-social Behaviour Act

Article 1

(Supplemented, Izv. No. 11/1961, amended, SG No. 110/1996)

This Act shall govern the activities for the prevention and combating of the various forms of juvenile delinquency and for ensuring the normal development and education of offenders.

Article 2

(1) For the purpose of the activities under Paragraph 1, there shall be organised:

(a) Commissions for Combating Juvenile Delinquency.

(b) Child Counselling Services.

(c) Social School Boarding Houses.

(d) Reformatories.

(e) Temporary foster institutions.

(2) Within the institutions under letters "c", "d" and "e" above, there shall be organised dormitories, workshops and subsistence farms.

Article 65

(1) Before reaching full age underage persons shall serve punishments by imprisonment in reformatory establishments.

(2) (Amended, SG No. 75/2006) After reaching full age they shall be transferred to prison or prison hostel. In view of completing their education or vocational training, upon the proposal of the Pedagogical Council and with permission of the prosecutor, they may be admitted to reformatory establishment until completion of twenty years of age.

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

() Yes, but only if offender is unknown

(X) Yes, but only if compensation could not be obtained from offender

Yes, always

No

Comment

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify:

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

Yes

No

Comments Crime Victim Assistance and Financial Compensation Act:

Article 12. (1) The victims of crime shall be entitled to one-off financial compensation under the terms and procedures established by this Act.

(2) Financial compensation shall be provided upon entry into force of:

1. a guilty verdict, including in cases tried in the defendant's absence;
2. the agreement on settling the case in pre-trial proceedings;
3. a prosecutorial or court instrument by which criminal proceedings are discontinued, except in cases where the discontinuation is in pursuance of Article 24, Paragraph 1, Items 1, 7, 8a and 9 of the Criminal Procedure Code; 4. a prosecutorial or court instrument by which criminal proceedings are dismissed on the grounds of failure to identify the perpetrator of the crime.

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify:

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

Yes

No

Comments Crime Victim Assistance and Financial Compensation Act:

Article 12. (1) The victims of crime shall be entitled to one-off financial compensation under the terms and procedures established by this Act.

(2) Financial compensation shall be provided upon entry into force of:

1. a guilty verdict, including in cases tried in the defendant's absence;
2. the agreement on settling the case in pre-trial proceedings;
3. a prosecutorial or court instrument by which criminal proceedings are discontinued, except in cases where the discontinuation is in pursuance of Article 24, Paragraph 1, Items 1, 7, 8a and 9 of the Criminal Procedure Code; 4. a prosecutorial or court instrument by which criminal proceedings are dismissed on the grounds of failure to identify the perpetrator of the crime.

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

Comment - Please specify:

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

Yes

No

Comments Crime Victim Assistance and Financial Compensation Act:

Article 12. (1) The victims of crime shall be entitled to one-off financial compensation under the terms and procedures established by this Act.

(2) Financial compensation shall be provided upon entry into force of:

1. a guilty verdict, including in cases tried in the defendant's absence;
2. the agreement on settling the case in pre-trial proceedings;
3. a prosecutorial or court instrument by which criminal proceedings are discontinued, except in cases where the discontinuation is in pursuance of Article 24, Paragraph 1, Items 1, 7, 8a and 9 of the Criminal Procedure Code; 4. a prosecutorial or court instrument by which criminal proceedings are dismissed on the grounds of failure to identify the perpetrator of the crime.

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?

Yes

No

Comment - If yes, please specify:

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

Yes

No

Comment - If necessary, please specify:

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

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Excessive length of proceedings	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Non-execution of court decisions	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Wrongful arrest	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Wrongful conviction	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Other	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

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

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

	National level	Court level
Surveys for judges	[X] Annual [X] Other regular [X] Ad hoc	[X] Annual [X] Other regular [X] Ad hoc
Surveys for court staff	[X] Annual [X] Other regular [X] Ad hoc	[X] Annual [X] Other regular [X] Ad hoc
Surveys for public prosecutors	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for lawyers	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc
Surveys for other professionals	[] Other regular [] Other regular [X] Ad hoc	[] Other regular [] Other regular [X] Ad hoc
Surveys for the parties	[] Annual [] Other regular [X] Ad hoc	[] Annual [] Other regular [X] Ad hoc

Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: Gabrovo District Court - <https://gabrovo-os.justice.bg/bg/polls/116>

Shumen Regional Court conducted surveys for judges at the National and Judicial level and on judicial staff at the judicial level. The surveys were carried out within a project implemented by the NGO "Democratic Association I want to know" in partnership with the Regional Court - Shumen and the District Court - Shumen, and do not have the reports and results of the surveys, and cannot provide a link and reference.

Blagoevgrad District Court indicated that they conduct annual court-level surveys of court staff and provided a link to the survey <https://blagoevgrad-os.justice.bg/bg/polls/141>. Administrative Court - Dobrich points out that regular surveys of judges and court staff are conducted at national and judicial level, citing the link: <https://dobrich-adms.justice.bg/bg/polls?p=1>. Pazardzhik District Court pointed out that on the website and in the court registries, the users of administrative services were provided with a survey on the quality of administrative services, and the surveys were reviewed annually and an analysis was made <https://pazardzhik-os.justice.bg/bg/polls/94>. Razgrad District Court states that a survey of the general public on the quality of administrative services is being conducted, and the survey was published on the court's website with a link: <https://razgrad-os.justice.bg/bg/polls/91> and in the period from 09.12.2019 to 17.06.2021 was filled in by 6 users. Satisfaction surveys are conducted periodically by a public relations officer, who prepares a report and summary recommendations to the president of the court every six months.

Administrative Court - Pazardzhik - point out that annually until 09.12.2020, and from 09.12.2020 every quarter a survey is conducted with citizens and legal entities on the quality of judicial administrative services by the judicial administration in compliance with the principles of voluntariness and anonymity. Respondents to the surveys are complainants, defendants, legal representatives, prosecutors, lawyers, experts, witnesses and other users of the services of the court administration. The survey is carried out by order of the president of the court by filling in a questionnaire according to an approved form, on the spot in the court and on the court's website. A commission is appointed, which after the expiration of the respective period analyzes the results obtained from the questionnaires. The Commission prepares a report based on the information in the completed questionnaires, and in case of identified weaknesses and omissions, and recommendations made by the respondents, the Commission proposes specific measures to improve the quality of service in court. The Commission shall report in writing on the outcome of the study. <https://pazardzhik-adms.justice.bg/bg/polls> Plovdiv District Court indicated that ad hoc surveys of court staff were conducted through a survey published on the court's old website, which has not been maintained or accessible for 18 months, as well as its google account. They can't provide a link, but with a graphic image they show that the survey has 118 answers to the question "How do you assess the administrative service in court?", As 48.3% answered "Very good", 35.6% answered "Good" and 11.9% "Satisfactory", the remaining percentages are in the column "I have no opinion".

039. Are there statistical data concerning male and female court users, persons who initiate a case, victims, accused persons, etc.

() Yes, please specify:

(X) No

Comment - If you have additional comments please specify:

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

Yes

No

Comments

041. If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Existence of a time limit to deal with the complaint for this authority
Court concerned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Higher court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

041-1. If yes, please specify certain aspects of this procedure:

	Number of complaints	Compensation amount granted
Court concerned	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Higher court	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Ministry of Justice	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
High Judicial Council	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

3. Organisation of the court system

3.1. Courts

3.1.1 Number of courts

042. Number of courts - legal entities.

	Number of courts
Total number of all courts - legal entities (1 + 2)	182 [] NA [] NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	147 [] NA [] NAP
1.1 First instance courts of general jurisdiction - legal entities	113 [] NA [] NAP
1.2 Second instance courts of general jurisdiction - legal entities	33 [] NA [] NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 [] NA [] NAP
2 Total number of specialised courts - legal entities	35 [] NA [] NAP

Comments Judiciary System Act

Article 65

All courts are legal entities funded by the budget and shall be represented by the administrative head or another designated person. In the discharge of the functions of administrative head, orders, instructions and rules shall be issued in accordance with the statutory competence. The general assembly, the plenum of the Supreme Cassation Court and the Plenum of the Supreme Administrative Court shall be bodies of the respective court, which rule only in the cases specified in the law, give opinions, adopt rules and decisions by open ballot and a majority of more than half of the judges present.

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	32 [] NA [] NAP	3 [] NA [] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP	[] NA [X] NAP
Labour courts	[] NA [X] NAP	[] NA [X] NAP
Family courts	[] NA [X] NAP	[] NA [X] NAP

Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Juvenile courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised courts	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “Other specialised courts”, please specify: The category “other specialised courts” encompasses the Specialized Criminal Court of Republic of Bulgaria, established in 2011, situated in Sofia and treated as a Provincial/Regional Court. Its jurisdiction covers criminal cases of a general nature for crimes carried out throughout the Republic of Bulgaria. Its competence is determined on the basis of the subject of the case and not the quality of the perpetrator. The Criminal Procedure Code exhaustively enumerates cases within the competence of this Court, namely crimes committed by organized criminal groups, or on behalf of them and following their decision.

044. Number of courts - geographic locations.

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	145 <input type="checkbox"/> NA <input type="checkbox"/> NAP
All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	182 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

=

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

Number of courts

A small claim	113 [] NA [] NAP
An employment dismissal	141 [] NA [] NAP
A robbery	144 [] NA [] NAP
An insolvency case	28 [] NA [] NAP

Comments - According to Art. 344, para. 1 of the Labor Code, an employee has the right to challenge the legality of the dismissal before the court, and according to para. 4 of the same provision, these labor disputes shall be considered by the district court.

The Civil Servant Act, in turn, regulates the emergence, content and termination of official legal relations between the state and the civil servant during or on the occasion of the performance of the civil service. This law, in the norm of art. 124 provides for the disputes regarding the origin, content and termination of the official legal relations shall be considered by the respective administrative court by the order of the APC. The acts for dismissal of employees under the Law on the Ministry of Interior and the Law on Defense and the Armed Forces of the Republic of Bulgaria are also appealed before the administrative courts.

In connection with the above, the information on the number of courts of first instance that hear disputes for "dismissal in employment" was formed after a sum of the district and administrative courts on the territory of the Republic of Bulgaria, which are respectively 113 and 28, i.e. a total of 141.

113 district courts competent for robbery as first instance, 28 provincial courts competent for qualified robbery as first instance, 3 military courts (for crimes committed by servicemen or officials of the Interior Ministry at first instance).

Concerning insolvency cases, Article 365 of the CPC says: The provincial court, acting as a court of first instance, shall examine actions for a right or a legal relation arising from or appertaining to: ...4. replenishment of the insolvency estate, including the actions of creditors for a declaratory judgment;

045-1. Is your definition of a small claim the same as the one in the Explanatory note?

Yes

No

Comments - If not, please give your definition of a small claim:

045-2. Please indicate the value in € of a small claim:

[5 000]

Comments up to 5000 euro

C. Please indicate the sources for answering the questions in this part

Sources: Supreme Judicial Council

3.2. Court staff

3.2.1 Judges and non-judge staff



046. Number of professional judges sitting in courts (if possible on 31 December of the reference

year). (please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	2 184 [] NA [] NAP	732 [] NA [] NAP	1 452 [] NA [] NAP
1. Number of first instance professional judges	1 246 [] NA [] NAP	435 [] NA [] NAP	811 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	760 [] NA [] NAP	255 [] NA [] NAP	505 [] NA [] NAP
3. Number of Supreme Court professional judges	178 [] NA [] NAP	42 [] NA [] NAP	136 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: Number of professional judges from district courts - 959, incl. men - 354 and women - 605. Annex: Summary information on the data as of 31.12.2020, received by all regional courts and all administrative courts, regarding the number of judges working in the first instance panels and the number of judges, who administer justice in the appellate / cassation panels, as well as data on how many of them are men and how many of them are women. It should be borne in mind that, according to the information received, in almost all courts, a large number of judges sit both at first instance and as second instance judges. Therefore, the sum of the number of first instance judges and the number of second instance judges should not give the total number of magistrates in the respective region/ administrative court. Number of professional judges from the Court of Appeal - 124, incl. men - 43 and women - 81.

=

046-1-1. Does your system allow part-time work for judges with proportionally reduced remuneration?

- () Yes
- (X) No

Comments

046-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):

- [] Child-care
- [] Elderly care
- [] For the purposes of early retirement
- [] Other reason, please specify:
- [] Without reason

Comments

046-1-3. If yes, what is the percentage of judges working part-time (in relation to the total number of judges)?

	Total (%)	Male (%)	Females (%)
Total (1 + 2 + 3) (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

046-1-4. What is the percentage of work time of a judge working part-time compared to a full-time equivalent judge?

- Less than 50%
- 50 – 60%
- 60 - 80%
- More than 80%
- NA
- NAP

Comments

=

046-2. Number of judges (FTE) by case type:

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	2 184 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	254 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP
First instance	1 246 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	171 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Second instance	760 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Supreme court	178 <input type="checkbox"/> NA <input type="checkbox"/> NAP	66 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	83 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

If "Other", please explain which types of cases: The column "others" in question 46-2 refers to the military judges - 12 regional/provincial and 5 appellate - a total of 17.

The total number of judges in the district courts is 959, and the same, with the exception of the Sofia District Court, are not divided by subject matter. Therefore, data related to the number of first instance judges dealing with civil / commercial and criminal cases are not available. Appendix: Summary information on the data as of 31.12.2020, received by all regional/provincial courts (first and second

instance) regarding the number of judges in them, who work in the civil, commercial and criminal divisions. It should be borne in mind that, according to the information received, in almost all courts, a large number of judges sit in more than one division, therefore the summation of the number of judges from the three divisions should not give the total number of judges in the respective court. Total number of judges in the Court of Appeal (second instance) - 124, of which in the civil division - 36, in the commercial division - 38 and in the criminal division - 50.

=

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	182 [] NA [] NAP	81 [] NA [] NAP	101 [] NA [] NAP
1. Number of first instance court presidents	145 [] NA [] NAP	63 [] NA [] NAP	82 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	35 [] NA [] NAP	16 [] NA [] NAP	19 [] NA [] NAP
3. Number of Supreme Court presidents	2 [] NA [] NAP	2 [] NA [] NAP	0 [] NA [] NAP

Comments The principle is adopted to group the court presidents according to the courts of first instance as follows - 113 district, 28 administrative, 3 military-district and the Specialized Criminal Court, as well as the courts of second instance to be considered the 28 regional/provincial, 5 appellate, The Military Court of Appeal and the Specialized Criminal Court of Appeal.

Total number of court presidents 182, Males: 81, Females: 101

Total number of presidents of district courts (first instance) - 113, incl. women - 64 and men - 49. Total number of presidents of regional courts (first and second instance) - 32 incl. women - 18 and men - 14. Total number of presidents of administrative courts - 28 incl. women - 16 and men - 12. Total number of presidents of appellate courts (second instance) - 7 incl. women - 3 and men - 4.

Number of supreme courts presidents - 2 male

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

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

Comments - If necessary, please provide comments to explain the answer provided:

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

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

Comments

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

	Figure
Gross figure	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	()	()	()
Criminal cases (misdemeanour and/or minor)	()	()	()
Family law cases	()	()	()
Labour law cases	()	()	()
Social law cases	()	()	()
Commercial law cases	()	()	()
Insolvency cases	()	()	()
Other civil cases	()	()	()

NAP

Comments - If “Other civil cases”, please specify:

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

Yes

No

Comments

050-1. If yes, for which type(s) of case(s)?

Criminal cases

Other than criminal cases

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

[]

[X] NA

[] NAP

Comments



=

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

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	6 329 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, helping to draft the decisions)	4 697 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	968 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Technical staff	627 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Other non-judge staff	37 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If "Other non-judge staff", please specify:

052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).

Total	Males	Females
-------	-------	---------

Total non-judge staff working in courts (1+2+3)	6 329 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Total non-judge staff working in courts at first instance level	5 204 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	716 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	409 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments This answer 5 204 - item 1 "Total number of court employees working in the courts of first instance" includes all employees of the district, regional and administrative courts, although in some types of cases the regional court is the second instance. The number 716 - item 2 "Total number of court employees working in the courts of second instance (appellate court)" includes all employees working in the courts of appeal in the country.

=

053. If there are Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal in your judicial system, please specify in which fields they have a role:

- Legal aid
- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

- Yes
- No

Comments

054-1. If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security
- Archives
- Cleaning

[X] Other types of services (please specify):repairs

Comments "Other types of services": repairs

C1. Please indicate the sources for answering the questions in this part

Sources: Supreme Judicial Council

3.3. Public prosecution

3.3.1 Public prosecutors and staff

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

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	1 520 [] NA [] NAP	740 [] NA [] NAP	780 [] NA [] NAP
1. Number of prosecutors at first instance level	884 [] NA [] NAP	389 [] NA [] NAP	495 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	514 [] NA [] NAP	297 [] NA [] NAP	217 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	122 [] NA [] NAP	54 [] NA [] NAP	68 [] NA [] NAP

Comments - Please indicate any useful comment for interpreting the data above:

=

055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?

() Yes

(X) No

Comments

055-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):

[] Child-care

[] Elderly care

[] For the purposes of early retirement

Other reason, please specify:

Without reason

Comments

055-1-3. If yes, what is the percentage of prosecutors working part-time (in relation to the total number of prosecutors)?

	Total (%)	Male (%)	Females (%)
Total (1 + 2 + 3) (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level (%)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

055-1-4. What is the percentage of work time of a prosecutor working part-time compared to a full-time equivalent prosecutor?

Less than 50%

50 - 60%

60 - 80%

More than 80%

NA

NAP

Comments

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	114 <input type="checkbox"/> NA <input type="checkbox"/> NAP	66 <input type="checkbox"/> NA <input type="checkbox"/> NAP	48 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of heads of prosecution offices at first instance level	74 <input type="checkbox"/> NA <input type="checkbox"/> NAP	37 <input type="checkbox"/> NA <input type="checkbox"/> NAP	37 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	39 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of heads of prosecution offices at Supreme Court level	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please provide any useful comment for interpreting the data above: In the provided in the previous cycle 2018-2020 the information on the total number of administrative heads, instead of the indicated figure 133 (one hundred and thirty-three), the figure should be 153 (one hundred and fifty-three). The difference is probably due to a technical error or to the provision of the actual number of incumbents, without reflecting the persons appointed to perform the functions of administrative heads. Due to the impossibility to establish the real cause, information on the data in the individual columns cannot be given.

The data provided (cycle 2020-2022) comply with the instructions on question 056 in the explanatory note to the scheme for evaluation of judicial systems, ie. there are also the persons who have been appointed to perform the functions of administrative heads due to the lack of a holder of the position. The optimization performed under Art. 30, para. 2, item 7 of the JSA of the district prosecutor's offices, whereby with decisions of the Plenum of the SJC under protocol 21 / 19.07.2018 and 20 / 29.07.2019 a total of 39 (thirty-nine) district prosecutor's offices were closed and transformed in territorial divisions as follows:

- 11 district prosecutor's offices, as of 01.01.2019;
- 28 district prosecutor's offices, as of 01.01.2020

Following this transformation, the total number of prosecutors at first instance, respectively their administrative heads, is now 74.

Thus, from the real number of administrative heads cycle (2018 – 2020) - 153, 39 (thirty-nine) administrative heads were removed from the closed district prosecutor's offices, in view of which the total number of heads of prosecutor's offices decreased to 114 (one hundred and fourteen), of which: the number of heads of prosecutor's offices at first instance is 74 (seventy-four), the number of heads of prosecutor's offices at second instance is 39 (thirty-nine), and at the supreme level - 1 (one).

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

Yes

No

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

057-1. Please specify their number (in full-time equivalent):

[]

NA

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

Yes

No

NAP

Comments

059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?

	-
Domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Sexual violence	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> Yes, specifically for minor victims
	<input type="checkbox"/> No
	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP

Comments - If yes, please specify The Prosecutor's Office system regularly organizes trainings for raising the professional qualification of prosecutors. Trainings are conducted with internal resources – lecturers from the PORB on the Internal Training Calendar for each year, as well as jointly or entirely by the National Institute of Justice, as well as by external training providers.

In 2020, 3 trainings were conducted and 33 prosecutors were trained in the field of combating domestic violence (the topics of the trainings were: "Domestic violence"; "Current trends in domestic violence proceedings."; "Constructive domestic violence – concept and comparisons."

When conducting the trainings for raising the qualification of the prosecutors in the counteraction to trafficking in human beings, the specific purpose of the trafficking of the victims – for the purpose of sexual exploitation – is also considered as a criminal sign of human trafficking. In 2020, there were 8 trainings for trafficking in human beings, and 18 prosecutors were trained. No trainings were conducted as a separate topic "sexual violence". Regarding the specialization in the field of juvenile justice to increase the effectiveness in combating crimes against victims of minors and juveniles in 2020, an online training was conducted on "Criminal protection of child victims of crime." 12 prosecutors and 6 investigators were trained.

=

060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	3 021 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

C2. Please indicate the sources for answering the questions in this part

Sources: Up-to-date reference for the full-time positions / employed and vacant / of the employees in the Prosecutor's Office of the Republic of Bulgaria as of 31.12.2020

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	()	(X)

prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year or you have additional comments, please specify:

=

061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

	Yes / No
Court president	() Yes If "yes", please specify:[Comment] (X) No
Head of prosecution services	() Yes If "yes", please specify:[Comment] (X) No

Comments

3.4.2 At national level

061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?

() Yes

(X) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us?

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
The recruitment of judges	()	(X)
The promotion of judges	()	(X)
The recruitment of prosecutors	()	(X)
The promotion of prosecutors	()	(X)
The recruitment of non-judge staff	()	(X)
The promotion of non-judge staff	()	(X)

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments:

061-6-1. Please specify the text which set up this person/institution :

(title, date, nature of the text)

[X] NAP

061-6-2. Please specify the status of this person/institution:

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality)

[X] NAP

061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:

(e.g. to block a decision or allow an appeal)

3.4.3 At court/public prosecution services level

061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work:

	Yes	No
in courts (judges)	()	(X)
in public prosecution services (prosecutors)	()	(X)
for courts' non-judge staff	()	(X)

Comments - Please specify the details of this person/institution, in particular its titles and function:

061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:

	Yes	No
Assignment to different positions	()	(X)
Workload distribution	()	(X)
Working hours	()	(X)
Modalities of teleworking and presence in the workspace	()	(X)
Replacement of absent persons	()	(X)
Organisation of the hearings	()	(X)
Other	()	(X)

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments.

061-9. In order to improve gender balance in access to different judicial professions and equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) :

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible inequalities with regard to:

- Recruitment procedures, please specify:
- Appointment to the position of court president, please specify:
- Appointment to the position of head of prosecution services, please specify:
- Promotion procedures and access to the functions of responsibility, please specify:
- Other studies, please specify:

NAP

Comments - Please specify also the reference documents.

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

062-1. Basic principles and models used in Information technology policies and strategies definition

	Organisation
IT policies and strategies	<input type="checkbox"/> Defined and coordinated at national level by one institution <input type="checkbox"/> Defined and coordinated at national level by several institutions <input type="checkbox"/> Defined and coordinated at unit/stakeholder level <input checked="" type="checkbox"/> Other
IT Governance	<input type="checkbox"/> Governed at national level by one institution <input type="checkbox"/> Governed at national level by several institutions <input checked="" type="checkbox"/> Organised at unit/stakeholder level <input type="checkbox"/> Other

Comments IT policies and strategies: both defined and coordinated at national level by one institution- Supreme Judicial Council and defined and coordinated at unit level

065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

- administrative, technical and scientific staff only
- mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff
- other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented):

065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

	Implementing new projects	Management of applications
Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other alternatives (external service provider only – specify in a comment)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - please also describe in case of “other alternatives”

065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?

- Yes
- No

065-4-1. If yes, have you measured the impact on (multiple answers possible):

- Business processes
- Workload
- Human resources
- Costs
- Other, please specify

Comments (please specify examples of the impact)

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?

- Yes
- No

Comments (please specify in particular if national frameworks of information security exist):

065-6. Is the protection of personal data managed by courts ensured at legislative level?

Yes

No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.)

3.5.3 Centralised databases for decision support

062-4. Is there a centralised national database of court decisions (case-law, etc.)?

Yes

Non

Comments

062-4-1. If yes, please specify the following information:

	For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
Civil and/or commercial	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Administrative	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - if it exists in other matters please specify

062-6. Is there a computerised national record centralising all criminal convictions?

Yes

No

Comments

062-6-1. If yes, please specify the following information:

- Linkage with other European records of the same nature
- Content directly available through computerised means for judges and/or prosecutors
- Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access

3.5.4 Writing assistance tools

062-7. Are there writing assistance tools for which the content is coordinated at national level? (models or templates, paragraphs already pre-written, etc.)

Yes

No

Comment – if it exists in other matters please specify Pursuant to Article 55 of the Civil Procedure Code, the Minister of Justice issues an ordinance approving the samples of all papers related to service. The amendment of the samples is done by amending and supplementing the ordinance.

062-7-1. If yes, please specify the following information:

	Availability rate
Civil and/or commercial	<input type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input type="checkbox"/> NA
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062-8. Are there voice recording tools?

Yes

No

Comments

062-8-1. If yes, please specify:

	Availability of simple dictation tools	Availability of multiple speakers recording tools	Voice recognition feature
Civil and/or commercial	<input checked="" type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input checked="" type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input checked="" type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input checked="" type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

062-9. Is there an intranet site within the judicial system for distribution of news/novelities?

Availability rate:

- 100% - accessible to everyone in judiciary
- 50-99% - accessible for most judges/prosecutors in all instances
- 10-49% - in some courts only
- 1-9% - in one court only
- 0% (NAP) - No access

NA

Comments Intranet (official pages), link on the Supreme Judicial Council website

3.5.5 Technologies used for administration of the courts and case management

063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)

- Yes
- No

Comments - if it exists in other matters please specify

063-1-1. If yes, please specify the following information:

	CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input type="checkbox"/> Publication of decision online <input checked="" type="checkbox"/> Both <input type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input type="checkbox"/> Publication of decision online <input checked="" type="checkbox"/> Both <input type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input type="checkbox"/> Publication of decision online <input checked="" type="checkbox"/> Both <input type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
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Comment - If it exists in other matters please specify:

063-2. Computerised registries managed by courts

	Deployment rate	Data consolidated at national level	Service available online	Statistical module integrated or connected
Land registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Business registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comment – if it exists in other matters please specify:

Budgetary and financial monitoring

063-6. Budgetary and financial management systems of courts

	Tool deployment rate	Data consolidated at national level	System communicating with other ministries (financial among others)
Budgetary and financial management of courts	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Justice expenses management	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Other (please specify in comments)	<input type="checkbox"/> 100%	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
	<input type="checkbox"/> 50-99%	<input type="checkbox"/> No	<input type="checkbox"/> No
	<input type="checkbox"/> 10-49%	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> 1-9%	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP
	<input checked="" type="checkbox"/> 0% (NAP)		
	<input type="checkbox"/> NA		

Comments

Other tools of courts management

063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

Yes

No

Comments With a decision of the Prosecutors Chamber with the Supreme Judicial Council of Bulgaria (SJC) dated 18.12.2019, as of 01.01.2020, Rules for measuring the workload of the prosecutor's offices and the individual workload of each prosecutor and investigator have been adopted. With a decision of the SJC of 16.12.2015, Rules for assessment of the workload of judges have been adopted. The instruments do not refer to court employees, but only to judges, prosecutors and investigators within the prosecutor's offices and courts in the Republic of Bulgaria.

063-7-1. If yes, please specify the following information:

	Tools deployment rate	Data used for monitoring at national level	Data used for monitoring at court local level	Tool integrated in the CMS
For judges	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For prosecutors	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For non-judge/non-prosecutor staff	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

3.5.6 Technologies used for communication between courts, professionals and/or court users

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce

a case by electronic means, for example an e-mail or a form on a website)

Yes

No

Comments

064-2-1. If yes, please specify the following information:

	Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - if it exist in other matters please specify

064-3. Is it possible to request legal aid by electronic means?

Yes

No

Comments The System for Secure Electronic Service has created a technical possibility for legal aid applications to be submitted electronically by citizens who have an electronic signature or personal identification code of the National Social Security Institute and are registered in the electronic service system. Due to the fact that the applicants for legal aid are financially disadvantaged persons without financial means, from vulnerable social groups - retirees, children at risk, victims of domestic violence and other crimes, accommodated in crisis centers, refugees and others. who do not have the technical capacity and / or skills for electronic access, the likelihood of applying for legal aid electronically is minimal, but exists as a technical possibility.

Generally, requesting legal aid on paper and requesting legal aid electronically are two alternative options for citizens. The use of one or the other option is at the choice of the citizen-candidate for legal aid.

064-3-1. If yes, please specify the following information:

Requesting legal aid electronically

Availability rate	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Formalisation of the request in paper form remains mandatory	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Specific legislative framework regarding requests for legal aid by electronic means	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

Yes

No

Comments

064-4-1. If yes, please specify the following information:

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> SMS <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/>
Criminal	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> SMS <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/>

Administrative	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> SMS <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/>
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Comments The possibility for summoning and receiving documents and communications electronically in the administrative proceedings is provided in Art. 18a, para. 4 of the APC with amendment and supplement of the code, promulgated. in SG, no. 77 of 2018, in force since October 10, 2019.

Civil/coomercial proceedings: An important update of the legislation was made in connection with the regulation of the possibility to serve summonses, notices and court papers by e-mail. On December 29, 2020, the Law for amendment and supplement of the Civil Procedure Code was promulgated, which for the most part enters into force on June 30, 2021.

Criminal proceedings: The latest amendments to the Criminal Procedure Code stipulate that a message containing information for downloading the summons, the message or the papers from the information system for secure service or from the single portal for e-justice is sent to the e-mail address indicated by the person. (in force from 30.06.2021).

Use of information technologies for improving the quality of the communication between courts and professionals

064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework	Availability for
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <input checked="" type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Lawyers <input checked="" type="checkbox"/> Parties not represented by lawyer

Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <input checked="" type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Lawyers <input checked="" type="checkbox"/> Parties not represented by lawyer
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <input checked="" type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Lawyers <input checked="" type="checkbox"/> Parties not represented by lawyer

Comments

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Notaries (as defined in Q192 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Experts (as defined in Q202 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Judicial police services	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments

064-9. Are there online processing systems of specialised litigation (small claim litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)?

Yes

No

Comments – Please describe the system that exists.

Use of information technologies between courts, professionals and users in the framework of judicial proceedings

064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)

Yes

No

Comments

064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments In 2020, amendments to the Code of Civil Procedure (CPC), the Code of Administrative Procedure (APC) and the Code of Criminal Procedure (CPC) were adopted, which regulate the possibility for parties, witnesses and experts to participate in court hearings by videoconference.

064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

Yes

No

Comments

064-11-1. If yes, please specify the following information:

	Tool deployment rate	Type of recording	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-12. Is electronic evidence admissible?

Admissibility of electronic evidence	Legislative framework
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Civil and/or commercial	(X) Yes () No	() General law only (X) General and specialised law () Specialised law only [] NAP
Criminal	(X) Yes () No	() General law only (X) General and specialised law () Specialised law only [] NAP
Administrative	(X) Yes () No	() General law only (X) General and specialised law () Specialised law only [] NAP

Comments - Other devices of electronic communication between courts, professionals and/or users Judiciary System Act Article. 360c.
(1) The Plenum of the Supreme Judicial Council, after consultation with the Minister of Justice, shall build and maintain a single e-justice portal.

(2) (Effective 1.07.2021 - amended, SG No. 11/2020, effective 8.08.2019, SG No. 110/2020, effective 31.12.2020) The single e-justice portal shall be an information system which makes it possible:

1. to apply for the performance of certifying acts in electronic form;
2. to perform procedural steps in electronic form;
3. to serve communications and summonses;
4. to access the electronic cases and public registers maintained by the judicial authorities.

Article. 360g. (New, SG No. 62/2016, effective 1.07.2021 - amended, SG No. 11/2020, effective 8.08.2019, SG No. 110/2020, effective 31.12.2020) (1) The acts and instruments submitted to the judicial authorities in hard copy, as well as all documents and information in hard copy, shall be entered into the information system of the judicial authorities by means of an electronic image captured in a form and in a way allowing the reproduction thereof.

(2) The documents and information presented in soft copy, submitted by electronic means or entered into the information system of the judicial authorities, shall be processed and stored in a way guaranteeing protection against errors, forging and loss.

(3) The full and accurate correspondence of the electronic image as captured to the original which is being captured, as well as to the electronic information as entered, shall be certified by employees designated by the administrative head of the judicial authority, the employee shall effect the certification by affixing a signature to the hard copy and shall certify the electronic images entered by signing the said images using an electronic signature.

(4) Until otherwise proven, the electronic documents and the information created in the way specified in Paragraph (1) shall be presumed to be identical with the documents presented or, respectively, with the electronic documents and information entered under Paragraph (2).

(5) The documents and data mediums presented shall be returned to the sender immediately after being entered into the system.

(6) The Plenum of the Supreme Judicial Council shall make it technologically and technically possible for the judicial authorities to perform the steps under Paragraphs (1) and (2).

Article. 360h. (New, SG No. 62/2016, effective 9.08.2016) (1) (Effective 1.07.2021 - amended, SG No. 11/2020, Upon the performance of a procedural step which sets the beginning of a separate proceeding, an electronic case shall be instituted in the information system of the judicial authority.

(2) An electronic case shall be a totality of linked electronic entries in the information system of the judicial authority, which contains all electronic documents and information created or provided by the participants in the proceeding and the judicial authorities in connection with procedural rights exercised or certifying acts, all electronic documents and evidence under Article 360g and other data processed by the judicial authority in connection with the proceeding.

(3) The judicial authorities shall ensure the storage of evidence for which the physical medium is legally relevant, as well as such which, owing to the nature thereof, cannot be converted into electronic form according to the procedure established by Article 360g.

(4) The judicial authorities shall afford the persons, who are entitled to access the cases, remote uninterrupted access at no charge by electronic means to the electronic cases, as well as technologies and means of access to the electronic cases on the premises whereon the administrations thereof are located. The said persons shall furthermore be afforded access to the evidence under Paragraph (3).

(5) The judicial authorities shall ensure the maintenance and storage of electronic cases in a way preventing the accidental or unlawful destruction of data therefrom and precluding unauthorised access, alteration or distribution. In respect of each electronic case, information shall be stored about the persons and the electronic addresses wherefrom the case is accessible, the time for access, as well as the steps performed in the case in the information system of the judicial authorities.

3.6. Performance and evaluation

3.6.1 National policies applied in courts and public prosecution services

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

Yes

No

Comments - If yes, please specify: Judiciary system Act:

Article. 198 (1) The criteria for the appraisal of a judge, prosecutor or an investigating magistrate shall be:

1. legal knowledge and skills of applying it;
2. skill of analysing legally relevant facts;
3. skill of making optimum working arrangements;
4. efficiency and discipline;
5. compliance with the rules of ethical behaviour.

(2) In the course of the appraisal under Paragraph (1) the following indicators shall be taken into account:

1. keeping deadlines;
2. number of instruments upheld and reversed and the grounds for this;
3. the results of inspections carried out by the Inspectorate with the Supreme Judicial Council,
4. the overall caseload of the respective judicial district and judicial authority, as well as the workload of the appraised judge, prosecutor or investigating magistrate compared to other judges, prosecutors or investigating magistrates in the same judicial authority.

(4) The time served by the judge, prosecutor or investigating magistrate as a permanent trainer at the National Institute of Justice shall also be included in the appraisal period. The evaluation of the work performance as a trainer shall be given by the Managing Board.

(5) The time served by the judge, prosecutor or investigating magistrate as an European Delegated Prosecutor shall also be included in the appraisal period. The evaluation of the results of their work under Regulation (EU) 2017/1939 shall become part of their appraisal.

Article. 199. (1) A judge shall be appraised under the following specific criteria:

1. complying with the schedule for conduct of court hearings;
2. skill of conducting a court hearing and drawing up a record of proceedings;
3. administrating cases and appeals, preparing for a court hearing;
4. number of appealed judicial instruments from among the appealable judicial instruments, appealed judicial instruments upheld, judicial instruments reversed or invalidated, in whole or in part, and the grounds for it; the ability to reason and justify judicial instruments and to analyse evidence shall be subject to evaluation.

(2) A prosecutor shall be appraised under the following specific criteria:

1. skills of planning and structuring steps in pre-trial and trial proceedings;
2. complying with the written instructions and orders of the superior prosecutor;
3. ability to make working arrangements and direct the investigating authorities and the teams participating in pre-trial proceedings;
4. number of unappealed prosecutorial instruments, including warrants to terminate and suspend criminal proceedings, number of final judicial instruments rendered on instruments submitted by the prosecutor appraised, as well as the final judicial instruments returning cases for the rectification of procedural breaches, and the reasons for this, number of appeals granted, the prosecutorial instruments upheld, modified and reversed upon an instance and ex officio review.

(3) An investigating magistrate shall be appraised under the following specific criteria:

1. skills of planning and structuring steps in pre-trial proceedings;
2. complying with the written instructions and orders of the prosecutor;
3. correspondence of the prosecutorial instruments with the opinion of the investigating magistrate after the conclusive completion of the investigation and final disposal of the cases returned for further investigation.

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	(X) Yes () No
within the public prosecution services	(X) Yes () No

Comments The Supreme Judicial Council, through its Commission for Attestation/Appraisal and Competitions at the Judges College/Chamber of the Supreme Judicial Council and the Commission for Attestation/Appraisal and Competitions at the Prosecutorial College/Chamber, are the bodies that perform an objective assessment of the professional, business and moral qualities of magistrates.

3.6.2 Performance and quality objectives at court level/public prosecution services

077. Concerning court activities, have you defined performance and quality indicators?

(X) Yes

() No

Comments

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

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments

077-1. Concerning public prosecution activities, have you defined performance and quality indicators?

(X) Yes

() No

078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):see below

Comments With the Guidance of Organization of the Information Activities at the Prosecutor’s Office, issued by the Prosecutor General, the performance and quality indicators were defined, outside of the given ones, and covered the acts and actions of the public prosecutor for all types of supervisions that are carried out by the Prosecutor’s Office:

In criminal proceedings, including the supervision of the enforcement of penalties, the following may be additionally, but not exhaustively mentioned: prosecutor’s acts filed with the court; terminated cases; objections against judicial acts; acts for the enforcement of sentences that have already entered into force; acts for supervision over the sentence enforcement.

Actions for resolving the competition between administrative criminal liability and criminal liability;

Within civil proceedings – claims submitted under the cases provided by the law; Within administrative proceedings – participation in trials under the cases provided by the law; Acts on the supervision of legality

073. Do you have a system to evaluate regularly court performance based primarily on the defined indicators?

Yes

No

Comments

073-0. If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

Comments - If “Less frequent” or “More frequent”, please specify:

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

Yes

No

Comments

073-2. If yes, which courses of action are taken?

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment)

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?

Yes

No

Comments

073-4. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: The answer here is both "Annual" and "More frequent" With the Direction of Organization of the Information Activities at the Prosecutor's Office of the Republic of Bulgaria, all indicators for the activity of the Prosecutor's Office of the Republic of Bulgaria are regulated, as well as the obligation of all prosecutor's offices to prepare only a statistical report for the first half of the year, as well as analytical annual reports for their activity. The Rules for Measuring the Workload of the Prosecutor's Offices and the Individual Workload of Each Prosecutor and Investigator, adopted by a Decision of the Supreme Judicial Council under Protocol No. 60/11.12.2014, are applied in all prosecutor's offices, investigation departments and in the National Investigation Service. The use of the Unified Information System of the Prosecutor's Office ensures that the data is retrieved in real time and allows for its verification and reliability. Data on the administrative and managerial workload of the administrative heads, their deputies and the heads of the investigation departments is also provided through the system. The ratio of the number of law enforcement acts to one administrative act at the levels of the prosecutor's offices is also taken into account. The analysis of this relation is important for the efficiency/resource ratio analysis.

Within the Prosecutor's Office's Annual Report, an analysis is made for the workload of the public prosecutor's offices and the investigative bodies and it is compared to the workload of authorities of the same type and degree.

Data on the workload of public prosecutor's offices and investigative bodies is also collected every six months.

Ordinance No. 3 of 23.02.2017 on the Indicators and Methods for Assessment and the Criteria for Reporting the Workload Degree of Prosecutors, Investigators, Administrative Heads and Their Deputies can also be mentioned (adopted by a decision of the Plenum of the Supreme Judicial Council under Protocol No. 7 of 23.02.2017, promulgated in SG 21/10.03.2017). Workload reporting is designated to ensure fairness of the assessment in terms of the volume of actual work. (The evaluation takes into account the actual workload of the relevant judicial authority, as well as the individual workload of the assessed prosecutor, investigator, administrative head, deputy administrative head and head of department. The workload of the respective judicial authority is compared to the workload of the bodies of the same type and degree, and the individual workload is compared to the set out workload norm and the workload of other prosecutors or investigators from the same body of the judiciary).

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

(X) Yes

() No

Comments The implementation of optimization within the Prosecutor's Office is in view of the data on the volume of prosecutorial activity, the workload of prosecutors, as well as the territorial scope and specifics of the region served by the respective prosecutor's office. Decisions on this optimization are made by the Supreme Judicial Council (SJC) on the basis of information periodically provided by the prosecution. On the basis of an analysis of the above indicators, the staff for the respective prosecutor's office is determined (in case of need for increase or reduction of staff, resp. in case of transfer of a full-time position from one to another prosecutor's office). The answer to questions 73-5 and 73-6 for 2020 takes into account the process of optimization of the court card started on 01.01.2019, as the Prosecutor's Office started the transformation of district prosecutor's offices into territorial divisions to district prosecutor's offices in the regional centers. Out of a total of 113 district prosecutor's offices at the end of 2018 - 11 were transformed into territorial departments from 01.01.2019, 28 were transformed into territorial departments from 01.01.2020, and as of January 1, 2021 another 38 district prosecutor's offices have been transformed into territorial divisions. The data on the workload and a set of other indicators were used for decision-making by the SJC for the indicated consolidation.

073-6. If yes, which courses of action are taken?

- Identifying to the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance (treatment))
- Reengineering of internal procedures to increase efficiency (treatment)
- Other (please specify):

Comments

=

079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?

- High Judicial Council
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify): Inspectorate to the Supreme Judicial Council

Comments "Other": Inspectorate to the Supreme Judicial Council

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?

- Public Prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchically superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify):

Comments

3.6.3 Measuring courts' / public prosecution services activity

070. Do you regularly monitor court activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- civil law cases
- criminal law cases

[X] administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	()	(X)
within the public prosecution services	()	(X)

Comments

3.6.4 Information regarding courts /public prosecution services activity

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

(X) Yes (please indicate the name and the address of this institution):Supreme Judicial Council, 1000 Sofia, 12 Ekzarh Yosif str.

() No

Comments Supreme Judicial Council, 1000 Sofia, 12 Ekzarh Yosif str.

080-1. Are the statistics on the functioning of each court published?

(X) Yes, on the internet

() No, only internally (on an intranet website)

() No

Comments

=

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

(X) Yes (please indicate the name and the address of this institution):the Supreme Prosecutor's Office of Cassation -1061 Sofia, 2 Vitosha Blvd

() No

Comments the Supreme Prosecutor's Office of Cassation -1061 Sofia, 2 Vitosha Blvd

080-3. Are the statistics on the functioning of each public prosecution service published?

(X) Yes, on the internet

() No, only internally (on an intranet website)

() No

Comments

=

081. Are individual courts required to prepare an activity report (that includes, for example, data

on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments

=

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): In accordance with Art. 138a, Para. 1 of the Judicial System Act, the Prosecutor General has to annually submit before 30 April an annual report on the application of the law and the activity of the Prosecutor's Office and the investigative bodies to the Plenum of the Supreme Judicial Council. The report is published on the website of the Prosecutor's Office. The Plenum of the Supreme Judicial Council examines and accepts the report of the Prosecutor General and submits it to the National Assembly for discussion with a hearing of the Prosecutor General (Art. 138a, Para. 3 and 4 of the Judicial System Act).

Each prosecutor's office prepares an annual analytical report on its activities in accordance with the instructions of the Prosecutor General; which are issued in pursuance of his powers under Art. 138 of the Judicial System Act.

The Prosecutor General's report summarizes the reports of the Supreme Prosecutor's Office of Cassation, the National Investigation Service, the Bulgarian National Bureau at Eurojust, the Supreme Administrative Prosecutor's Office, the national prosecutor's offices, including the investigative departments to the district prosecutor's offices, as well as non-judicial investigation authorities (investigating police officers, military investigating police officers and investigating customs inspectors).

The Prosecutor General's report reflects the work of the Prosecutor's Office and the investigative bodies in the pre-trial and judicial phase, the international legal cooperation, the workload, the activity of the administrative judicial supervision and the legality supervision, the enforcement of penalties and the priorities of the work of the Prosecutor's Office of the Republic of Bulgaria for the next year. Subject of the analysis are also the reasons for returning cases from the court for further investigative actions and for the acquittals entered into force.

Measures are proposed, including concrete proposals that can lead to legislative amendments (the prosecutor's office does not have a legislative initiative), for overcoming the identified difficulties at the law enforcement, taking into account the current legal provisions. Data is also being analysed, presenting problems related to the cases of high public interest (for corruption offences and organized crime,

crimes related to the infringement of the financial interests of the European Union and other serious offences – trafficking in human beings and drugs, tax and financial offences, crimes committed by juveniles and with victims who are minors and juveniles, etc.) by taking into account the findings of the European Commission’s reports and the measures of jurisdiction of the Prosecutor’s Office, resulting from the decision of the European Court of Human Rights.

In accordance with Art. 138, it. 12 of the Judicial System Act, the Prosecutor General submits every 6 months to the Prosecutor’s College of the Supreme Judicial Council, the Inspectorate to the Supreme Judicial Council and the Minister of Justice a summarized information for the initiation, examination and decision of the files at the Prosecutor’s Office.

According to Article 138a, para. 2 of the Judiciary Act, at the request of the National Assembly or on his own initiative, the Prosecutor General shall submit to the National Assembly other reports on the activity of the prosecution on the application of the law, the counteraction to crime and the implementation of penal policy. When discussing the reports, the MPs may also ask written questions received from citizens, institutions and non-governmental organizations in connection with the reports to which the Prosecutor General responds. Such a report (for the first time since the introduction of this legal requirement for "other reports") was presented in 2020 to the 44th National Assembly – Report on the activities of the prosecution on the implementation of the law in the period January – August 2020, adopted by a Decision of the National Assembly of 15.10.2020 (Prom. SG, no. 90 of 20.10.2020).

081-4. If yes, please specify in which form this report is released:

- Internet
- Intranet (internal) website
- Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

- Annual
- Less frequent
- More frequent

Comments Annual and more frequent

3.6.5 Courts administration

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

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments - If yes, please specify:

3.6.6 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

- Yes
- No

Comments

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

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example the High Judicial Council, Supreme Court)
- President of the court
- Other (please specify):
- NAP

Comments

114. Is there a system of qualitative individual assessment of the judges' work?

- Yes
- No

Comments

114-1. If yes, please specify the frequency of this assessment:

- Annual
- Less frequent
- More frequent

=

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

- Yes
- No

Comments

083-3. Who is responsible for setting the individual targets for each public prosecutor

- Executive power (for example the Ministry of Justice)
- Prosecutor General /State public prosecutor
- Public Prosecutorial Council
- Head of the organisational unit or hierarchically superior public prosecutor
- Other (please specify):
- NAP

Comments

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

Yes

No

Comments

120-1. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

Comments

C4. Please indicate the sources for answering the questions in this part

Sources: the Judicial System Act Ordinance No. 3/23.02.2017 on the Indicators and Methods for Assessment and the Criteria for Reporting the Workload Degree of Prosecutors, Investigators, Administrative Heads and Their Deputies
Supreme Cassation Prosecutor's Office

4.Fair trial

4.1.Principles

4.1.1Principles of fair trial

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

[]

NA

NAP

Comments - Please add methodology for calculation used.

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

Yes

No

Comments - Please could you briefly specify:

085-1. If yes, what is the ratio between the total number of initiated procedures and the total number of recusals pronounced (in the reference year):

[]

NA

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

- For civil procedures (non-enforcement)
- For civil procedures (timeframe)
- For criminal procedures (timeframe)
- NAP

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

086-1. 1 Is there in your country a possibility to review a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

- Yes
- No
- NAP

Comments Code of Civil Procedure:

Article 303. (1) The interested party may move for a reversal of an enforceable judgment where:

.....

7. (new, SG No. 42/2009) the European Court of Human Rights has, by final judgment, found that there has been a violation of the Convention for the Protection of Human Rights and Fundamental Freedoms, done at Rome on 4 November 1950 (ratified by a law, State Gazette No. 66 of 1992) ([Convention promulgated in the] State Gazette No. 80 of 1992; as amended by Protocol No. 11 of 1994), or of the Protocols thereto and the new examination of the case is necessary in order to eliminate the consequences of the violation.

Criminal Procedure Code:

Article 422

(1)A criminal case shall be re-opened where:

.....

4. by virtue of a judgement of the European Court of Human Rights a violation of the European Convention for the Protection of Human Rights and Fundamental Freedoms has been established that has a considerable importance for the case;

Code of Administrative Procedure:

Article 99. Any effective individual or general administrative act, which has not been contested before the court, may be revoked or modified by the immediately superior administrative authority, and if the act was not subject to administrative contestation, by the authority which issued the said act:

.....

7. if the European Court of Human Rights has found, by judgment, any violation of the Convention for the Protection of Human Rights and Fundamental Freedoms.

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

Sources: Judiciary System Act, Code of Civil Procedure, Code of Criminal Procedure and Code of Administrative Procedure

4.2. Timeframe of proceedings

4.2.1 General information



087. Are there specific procedures for urgent matters regarding:

- civil cases
- criminal cases
- administrative cases
- There is no specific procedure for urgent matters

Comments - If yes, please specify: For example:

- Code of Civil Procedure: Acting on a petition by any of the parties, the court wherebefore the action for divorce or for marriage annulment has been brought shall rule on interim measures regarding the maintenance, the matrimonial home and the use of the property acquired during the marriage, as well as regarding the care of the children and the maintenance thereof. The court shall pronounce on any such petition during the hearing during which the said petition is submitted, unless additional evidence has to be taken. (Art. 323)
- Criminal Procedure Code: At the request of the prosecutor, the competent court of first instance shall apply the measure of remand in custody in the context of pre-trial proceedings. The Court, sitting in a panel of one, in a public hearing, at which the prosecutor, the accused party and his/her defence counsel are present, shall immediately proceed to hear the case. (Art. 64)
- Administrative Procedure Code: The administrative act shall include a direction on the anticipatory enforcement thereof, where this is required in order to ensure the life or health or individuals, to protect particularly important State or public interests, to prevent a risk of the frustration or material impediment of the enforcement of the act, or where delay in enforcement may lead to a significant or irreparable detriment, or at the request of some of the parties in protection of a particularly important interest thereof. In the latter case, the administrative authority shall require a relevant guarantee. (Article 60)

088. Are there simplified procedures for:

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

Comments - If yes, please specify: For example:

- Civil Procedure Code - Chapter Fifty-Seven "a" -Proceedings pursuant to Regulation (EC) No. 861/2007 of the European Parliament and of the Council of 11 July 2007 Establishing a European Small Claims Procedure- Art. 624. - Criminal Procedure Code Chapter twenty-seven - Reduced judicial trial in proceedings before the first instance (Art. 369 – Art. 374).
- Chapter twenty-eight - Exemption from criminal responsibility with the imposition of an administrative sanction (Art. 375 – Art. 380)
- Chapter twenty-nine - Disposing of the case by virtue of an agreement (Art. 381 – Art.384).

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify: In Bulgaria, the judges cannot deliver an oral judgement with a written order and without the full reasoning of the judgement

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

- Yes
- No

4.2.2 Case flow management – first instance

091. First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	95 459 [] NA [] NAP	312 117 [] NA [] NAP	314 849 [] NA [] NAP	92 727 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	9 999 [] NA [] NAP	29 349 [] NA [] NAP	29 388 [] NA [] NAP	9 960 [] NA [] NAP	[X] NA [] NAP

4. Other cases	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments As it is impossible to distinguish between litigious and non-litigious cases for the present, for 2020 the following data is available as to the sum of all civil and commercial litigious and non-litigious cases: pending at the beginning 85 460; incoming 282 768, resolved 285 461 and pending at the end of the year 82 767. It is noteworthy that since 2020, the Unified Court Information System (UIS) has been gradually introduced in all courts, developed within the project “Creating a Model for Optimizing the Court Card of Bulgarian Courts and Prosecutor's Offices and Developing a Unified Court Information System” with the financial support of Operational Program "Good Governance" 2014-2020. Depending on the functionalities of the system, it is possible to collect information on the next cycle according to the indicators in question 91.

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

. Non-adversarial civil and commercial cases are initiated mainly on applications for issuance of a warrant for performance of a pecuniary obligation / order cases /, and in security proceedings /e.g. registrations of political parties, religions, claims for change of name, etc./.

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

.-

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	21 184 <input type="checkbox"/> NA <input type="checkbox"/> NAP	130 282 <input type="checkbox"/> NA <input type="checkbox"/> NAP	128 186 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 280 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify It should be noticed that since 2020, the Unified Court Information System (UIS) has been gradually introduced in all courts, developed within the project

“Creating a Model for Optimizing the Court Card of Bulgarian Courts and Prosecutor’s Offices and Developing a Unified Court Information System” with the financial support of Operational Program "Good Governance" 2014-2020.

Depending on the functionalities of the system, it may be possible to collect information on the next cycle according to the indicators mentioned in question 94.



4.2.3 Case flow management – second instance

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	15 876 <input type="checkbox"/> NA <input type="checkbox"/> NAP	56 644 <input type="checkbox"/> NA <input type="checkbox"/> NAP	53 814 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 706 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

3. Administrative law cases	2 264 [] NA [] NAP	12 717 [] NA [] NAP	12 744 [] NA [] NAP	2 237 [] NA [] NAP	[X] NA [] NAP
4. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If "Other cases" please specify "Total": the decreases in the number of pending cases is due to growth in civil and commercial cases in 2019 which continued in 2020, but at a slower pace. As it is impossible to distinguish between litigious and non-litigious cases for the present, for 2020 the following data is available as to the sum of all civil and commercial litigious and non-litigious cases: pending at the beginning 13 612; incoming 43 927, resolved 41 070 and pending at the end of the year 16 469.

098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	1 611 [] NA [] NAP	11 268 [] NA [] NAP	11 174 [] NA [] NAP	1 705 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. The specified sum does not include proceedings for which no penalties are imposed (pre-trial proceedings, enforcement proceedings). These proceedings are within the competence of other bodies in the Republic of Bulgaria.

4.2.4 Case flow management – Supreme Court

099. Highest instance courts (Supreme Court): Number of "other than criminal law" cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	8 988 [] NA [] NAP	20 862 [] NA [] NAP	22 473 [] NA [] NAP	7 375 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	4 048 [] NA [] NAP	6 693 [] NA [] NAP	6 876 [] NA [] NAP	3 863 [] NA [] NAP	[X] NA [] NAP

2. Non litigious cases (2.1+2.2+2.3)	3 [] NA [] NAP	139 [] NA [] NAP	139 [] NA [] NAP	3 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	4 937 [] NA [] NAP	14 030 [] NA [] NAP	15 458 [] NA [] NAP	3 509 [] NA [] NAP	53 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other cases", please specify The number of pending administrative cases decreased meaningfully because of reorganization of work in the Supreme Administrative Court (SAC). By issuing an internal order The Chairman/President of the SAC increased the workload of each judge to achieve these results.

The difference of two cases in the horizontal calculation/consistency (indicated by the SCC 3863 cases instead of 3865- Pending cases on 31 Dec. ref. year) is due to two cases found in 2020, which were completed in the SCC in a previous period (before 2020), but were not correctly filled in then with all the details needed by the software to report the cases as completed. The adjustment was made in 2020, which actually reduces the number of cases for consideration by two, and the number of completed cases does not increase because the cases were completed in a previous period - before 2020.

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

(X) Yes, please indicate the number of cases closed by this procedure: Please see below

() No

Comments Supreme Administrative Court- number of cases closed by the procedure- 1235
Supreme Court of Cassation of Bulgaria - The answer is NO

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	293 [] NA [] NAP	1 035 [] NA [] NAP	1 062 [] NA [] NAP	266 [] NA [] NAP	4 [] NA [] NAP
1. Severe criminal cases	231 [] NA [] NAP	525 [] NA [] NAP	541 [] NA [] NAP	215 [] NA [] NAP	4 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	22 [] NA [] NAP	88 [] NA [] NAP	81 [] NA [] NAP	29 [] NA [] NAP	0 [] NA [] NAP
3. Other criminal cases	40 [] NA [] NAP	422 [] NA [] NAP	440 [] NA [] NAP	22 [] NA [] NAP	0 [] NA [] NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories.. If “Other criminal cases”, please specify

4.2.5 Case flow management and timeframes – specific cases

101. Number of specific litigious cases received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
Litigious divorce cases	2 371 [] NA [] NAP	4 830 [] NA [] NAP	4 629 [] NA [] NAP	2 572 [] NA [] NAP	[X] NA [] NAP
Employment dismissal cases	749 [] NA [] NAP	1 301 [] NA [] NAP	1 121 [] NA [] NAP	929 [] NA [] NAP	[X] NA [] NAP
Insolvency	750 [] NA [] NAP	1 293 [] NA [] NAP	1 154 [] NA [] NAP	889 [] NA [] NAP	[X] NA [] NAP
Robbery case	165 [] NA [] NAP	543 [] NA [] NAP	523 [] NA [] NAP	185 [] NA [] NAP	[X] NA [] NAP
Intentional homicide	73 [] NA [] NAP	78 [] NA [] NAP	79 [] NA [] NAP	72 [] NA [] NAP	[X] NA [] NAP

Comments The Supreme Judicial Council does not only collect separate statistics for "Employment dismissal cases", but also adds claims for revocation of the imposed penalty "remark" and "dismissal warnings". If this overall statistic will be useful for this row in the table of Q101, then the data for it are the following:

1. Pending cases on 1 January of the reference year - 749
2. Incoming cases - 1301
3. Resolved cases - 1121
4. Pending cases on 31 December of the reference year - 929

The increased number of pending “employment dismissal cases” and “insolvency cases” could be the result of the epidemiological situation in the country related to the spread of COVID - 19, as well as to the emergency measures introduced by the Government of the



=

101-0. Number of procedures/cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
Non-court procedures relating to asylum seekers (refugee status under the 1951 Geneva Convention)	1 101 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 525 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 044 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 582 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Non-court procedures relating to the right of entry and stay for aliens	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	43 921 <input type="checkbox"/> NA <input type="checkbox"/> NAP	43 185 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP	564 <input type="checkbox"/> NA <input type="checkbox"/> NAP	531 <input type="checkbox"/> NA <input type="checkbox"/> NAP	146 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Court cases relating to the right of entry and stay for aliens	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP	77 <input type="checkbox"/> NA <input type="checkbox"/> NAP	106 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Non-court procedures relating to the right of entry and stay for aliens: the initiated non-judicial procedures for residence of foreigners in the Republic of Bulgaria for 2020 are 43,921, of which 43,185. have completed the granting of a residence permit. These data cover the applications submitted to the Migration Directorate and the regional directorates of the Ministry of Interior in the country for short-term, long-term, long-term and permanent residence of foreigners in the Republic of Bulgaria in 2020. The Migration Directorate does not have statistics on pending procedures for the reference year. The number of 3525 incoming cases for "Non-judicial proceedings related to asylum seekers (refugee status under the Geneva Convention of 1951)" corresponds to the number of foreign nationals seeking international protection (refugee status and humanitarian status) in the Republic of Bulgaria in 2020.

"Court cases": data for 2018 and for 2019 was provided by the Supreme Administrative Court, this cycle the data is provided by the State Agency for Refugees at the Council of Ministers. The number of persons seeking international protection in 2018 is 2536 persons, in 2019 - 2152 persons, and in 2020 - 3525 persons. For the first 9 months of 2021, the number of persons seeking international protection was 5,961. According to data provided by the Supreme Administrative Court in the framework of the Information Board of the European Union (EU) in the field of justice for 2019, the number of incoming court cases in 2018 is 217 cases, and in 2019 - 98 cases. According to the State Agency for Refugees at the Council of Ministers, the number of incoming court cases for 2020 is 564 cases. From the above information there is a pattern between the number of persons seeking international protection and the number of incoming court cases in the year. The number of asylum seekers in 2019 has decreased compared to 2018. The number of asylum seekers and the number of incoming lawsuits in 2020 have increased compared to 2018 and 2019. There is a significant increase in the number of incoming court cases in 2020 compared to 2018 and 2019. A possible explanation for the significant increase in incoming court cases are the individual circumstances of the applicants for granting international protection for the specified period. Each application for international protection is considered individually according to the personal circumstances of the applicant and it is possible that in 2020 a larger number of international protection proceedings have been the subject of legal proceedings.

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

. •Asylum seekers (refugee status under the 1951 Geneva Convention)
The statistics under question 101-0 includes a summary for procedures, related to proceedings for refugee status under the 1951

Geneva Convention and Directive 2011/95/EU (of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted) and subsidiary protection under the same Directive.

The decisions which may be appealed against before the first instance administrative courts within 14 days of delivery are those which:

- refuse to grant refugee status
- refuse to grant refugee status and subsidiary protection
- refuse to allow family reunification on the request of a foreigner with granted international protection
- suspend the proceedings for granting of international protection
- end granted international protection
- revoke granted international protection
- accommodate applicants for international protection in a closed accommodation centre

The decisions of the first instance administrative courts in these cases, except the decisions for accommodation of an applicant for international protection in a closed accommodation centre, can be appealed against before the Supreme Administrative Court. The decisions of the Supreme Administrative Court are final.

The decisions which may be appealed against before the first instance administrative courts within 7 days of delivery are those which:

- end proceedings for international protection
- reject applications for international protection as manifestly unfounded
- reject subsequent applications for international protection as inadmissible
- allow or refuse the transfer of an applicant for international protection in the responsible Member State
- refuse the accommodation of an applicant for international protection in the reception centres of the State Agency for Refugees with the Council of Ministers
- refuse to allow accommodation of an applicant for international protection on a residential address

In the appeal proceedings for procedures for international protection foreigners are exempted from paying court fees and other expenses except expenses for expert reports. Expenses for expert reports are not due if the foreigner does not have enough funds to cover their basic living needs.

In the appeal proceedings foreigners have a right to a gratuitous translator and interpreter and a right to legal assistance.

The national system for legal remedies in the field of international protection is in accordance with the requirements of:

- Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection;
- Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast);
- Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person;

- The right of residence in the Republic of Bulgaria is granted after an application submitted by the foreigner to the services for administrative control of foreigners - Directorate "Migration", department / sectors / groups "Migration" at the Sofia Directorate of Interior and regional directorates of the Ministry of the interior. The administrative proceedings end with the issuance of an individual administrative act, which is subject to administrative and judicial control. In the proceedings for its issuance, as well as in its contestation, all legal remedies for protection, regulated in the Administrative Procedure Code, shall be applied.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Child sexual abuse	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Child pornography	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: 1. Child pornography – in compliance with the Bulgarian legal system and legislation drafting technique, child pornography is derived based on the general definition of pornographic material (Art. 93. Point 28) in conjunction with the relevant paragraphs of Art. 159 of the Criminal Code (CC), which refer to underaged persons and minors:

Article 93

The words and expressions indicated below shall be construed for the purpose of this Code to mean the following:

.....

28. "Pornographic material" is material, produced in any way, which is indecent, unacceptable or incompatible with the public moral, with contents that expresses real or simulated molestation, copulation, sexual intercourse, including sodomy, masturbation, sexual sadism or masochism, or lascivious exhibition of the sexual organs of a person;

.....

Section VIII

Debauchery

Article 159

(3) An individual who displays, presents, offers, sells, rents or distributes in another manner a pornographic material to a person who has not turned 16 years of age, shall be punished by imprisonment of up to three years and a fine of up to BGN 5,000.

(4) For acts under Paragraphs 1 - 3, the punishment shall be imprisonment for up to six years and a fine of up to BGN 8,000, where:

1. a person who has not reached 18 years of age (or anyone who looks like such a person) has been used for the production of the pornographic material;

...

(6) Anyone who, by means of information or communication technology or otherwise, possesses or provides for himself/herself or to another person pornographic material for the production of which a person under 18 years of age (or anyone who looks like such a person) has been used shall be punished by imprisonment of up to one year or a fine of up to BGN 2,000. (7) The punishment under Paragraph 6 shall also be imposed on anyone who, by means of information or communication technology, has intentionally accessed pornographic material, for the production of which a person under 18 years of age (or anyone who looks like such a person) has been used.

2. In compliance with the Bulgarian legal system (and legislative technique), child sexual abuse represents all acts, criminalized below in the Criminal Code:

Article 93

The words and expressions indicated below shall be construed for the purpose of this Code to mean the following:

.....

30. "Pornographic performance" means a live or real-time exhibition aimed at an audience that entails a lascivious exhibition of the sexual organs of a person who has not reached 18 years of age, or the engagement of such a person in a real or simulated molestation, copulation, sexual intercourse, including sodomy, masturbation, sexual sadism or masochism.

.....

Section VIII

Debauchery

Article 149; Article 150; Article 151; Article 152; Article 154; Article 154a; Article 155; Article 155a; Article 155b; Article 155c; Article 156; Article 157; Article 158a; Article 158b (Criminal Code)

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of

cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	_____ Max numeric value allowed : 100 12 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Litigious divorce cases	_____ Max numeric value allowed : 100 5 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Employment dismissal cases	_____ Max numeric value allowed : 100 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Insolvency cases	_____ Max numeric value allowed : 100 39 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Robbery cases	_____ Max numeric value allowed : 100 21 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	125 [] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Intentional homicide cases	_____ Max numeric value allowed : 100 90 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	146 [] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP

Comments

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

. The Family Code regulates two ways of divorce due to marital disorder and divorce by mutual consent:
Article 49. (1) Either spouse may request divorce in the case of deep and irremediable breakdown of marriage.
(2) The court shall guide spouses to reconcile through mediation or another voluntary dispute resolution mechanism.
(3) In its judgment on granting a divorce, the court shall rule also on the fault for the breakdown of marriage, where either spouse has

requested this.

(4) In all stages of the proceedings, the spouses may submit to court an agreement on all or some effects of their divorce.

(5) The court shall approve the agreement under paragraph 4, having verified the protection of the interests of the children. The court may request an opinion from the Social Welfare Directorate.

Article 50. In case of serious and unswerving consent of the spouses to divorce, the court shall grant divorce without seeking their grounds for the dissolution of marriage.

Article 51. (1) In case of no fault divorce, spouses shall submit an agreement on the place of residence of the children, the exercise of parental rights, personal relations and the maintenance of children, as well as the use of the marital home, the maintenance of spouses and the family name. They may agree also on other effects of the divorce.

(2) The court shall approve the agreement under paragraph 1, having verified the protection of the interests of the children. The court may request an opinion from the Social Welfare Directorate.

(3) Where the agreement is incomplete or the interests of children are not well protected, the court shall rule on a time limit to remove deficiencies. Failing to remove deficiencies within the prescribed time limit, the court shall not grant a divorce.

(4) Any change in the place of residence of the children, the exercise of parental rights, personal relations and the maintenance of children may be requested in case of changed circumstances.

Article 52. (1) The right to divorce shall not be transferred to heirs.

(2) Summoned descendants or parents may continue the proceedings, where the claimant has requested a ruling on the fault in order to establish the justification of the claim on the basis of the fault of the surviving spouse indicated by the claimant.

(3) The court shall not grant the claim, where the surviving spouse has no fault for the breakdown of marriage.

Article 53. A spouse may restore his or her name before marriage after the divorce.

Article 54. (1) After the divorce, former spouses shall cease to be legitimate heirs to each other and lose the benefits ensuing from earlier will after death. These effects shall occur also where the justification of a divorce claim has been established under Article 52, paragraph 2.

(2) Paragraph 1 shall not apply to cases in which the testator has explicitly stated that the will shall have effect after divorce as well.

Article 55. Gifts made in connection or during marriage to a spouse may be cancelled after divorce in the cases prescribed by civil law or where the cancellation is envisaged in the gist agreement or matrimonial contract.

Article 56. (1) In granting a divorce, where the marital home cannot be used by the two spouses separately, the court shall award its use to one of the spouses provided he or she has requested that and is in need of housing. Where minors are children from the marriage, the court shall rule on the use of the marital home ex officio.

(2) Where minors are children from the marriage and the marital home is owned by one of the spouses, the court may award its use to the other spouse to whom the exercise of parental rights is awarded as long as he or she exercises these rights.

(3) Where minors are children from the marriage and the marital home is owned by kin of one of the spouses, the court may award its use to the other spouse to whom the exercise of parental rights is awarded for a period of up to one year.

(4) The use of the marital home shall be terminated earlier, where the housing need of the user becomes irrelevant and, in the cases under paragraphs 2 and 3, in case the user re-marries.

(5) Where the spouses are co-owners or have a shared right to use the marital home, the court shall award its use to one of them, taking into account the interests of minor children, the fault, the health condition and other circumstances.

(6) Where the circumstances relevant to the awarded use under paragraph 5 change, either former spouse may request change in the use of the marital home.

. 57. (1) By force of the court judgment awarding the use of the marital home under Article 56, paragraphs 1, 2, 3 and 5, a lease relation shall occur. The judgment may be entered into the property register and the registration shall have the effect under Article 237, paragraph 1 of the Obligations and Contracts Act. (2) Either party may request the court to rule on the amount of the rent in the divorce judgment. No rent shall be payable for the housing space used by minor children. The awarded amount of the rent may be changed in case of change in circumstances.

. 58. The provisions of Articles 54 to 57 shall apply, unless the matrimonial contract provides otherwise.

. 59. (1) In the case of divorce, the spouses shall reach mutual consent on the issues related to the upbringing and nurturing of minor children from the marriage in the best interests of the children. The court shall approve the agreement pursuant to the provisions of Article 49, paragraph 5.

- (2) Failing to reach an agreement under paragraph 1, the court shall rule ex officio on which parent the children will live with, on which parent will exercise parental rights, on the measures for the exercise of these rights, as well as on the regime of personal relations between children and parents and the maintenance of the children.
- (3) The establishment of the regime of personal relations between parents and children shall include the specification of a period or a day when the parent may see and take the children, including school holidays, public holidays and personal holidays of the child, as well as at other times.
- (4) The court shall rule on the issues under paragraph 2, having assessed all circumstances in the best interests of the children, such as: the nurturing capabilities of the parents, the care of and attitude to the children displayed hitherto, the willingness of the parents, the closeness of the children to their parents, the gender and age of the children, the opportunities for assistance by third parties who are kin to the parents, the social environments and the financial capabilities.
- (5) The amount of maintenance shall ensure the same living conditions which the child had before the divorce, unless this would create particular difficulties to the maintaining parent.
- (6) (Amended, SG No. 100/2010, effective 21.12.2010) The court shall hear the parents and the children pursuant to the provisions of Article 15 of the Child Protection Act, take the opinion of the Social Welfare Directorate and, if appropriate, hear other persons as well. In the case of suspected parental alienation, the court shall hear an expert psychologist.
- (7) (Amended and supplemented, SG No. 100/2010, effective 21.12.2010, amended, SG No. 24/2019, effective 1.07.2020 - amended, SG No. 101/2019) By way of exception, where the interests of the children warrant it, the court may rule on their living with grandparents or with the family of other kin with the consent of the latter. Failing that, the child shall be accommodated with a foster family or in a social or integrated health and social service for residential care designated by the Social Assistance Directorate. In all cases, the court shall grant an appropriate regime of personal relations between the child and its parents.
- (8) The court shall rule, if necessary, on appropriate protective measures to ensure the implementation of the judgment under paragraphs 2 and 7 such as:
1. conduct of personal relations in the presence of a designated person;
 2. conduct of personal relations at a designated place;
 3. covering the travelling costs of the child and, if necessary, of the accompanying person.
- (9) In case of change in the circumstances, the court may modify earlier measures and impose new ones at the request of either parent, at the request of the Social Welfare Directorate, or on an ex officio basis.
- (10) The judgment under paragraph 2 shall have no prejudice to the implementation of child protection measures pursuant to the provisions of the Child Protection Act.

104. How is the length of proceedings calculated for the six case categories of question 102?

Please give a description of the calculation method.

. Supreme Court of Cassation: The length of the proceedings for the specified type of case is calculated from the date of receipt of the incoming document until the date of the decision.

Supreme Judicial Council: In the approved forms for reporting to the courts, indicators have been introduced, according to which the period within which the cases are resolved is taken into account, namely:

For civil and commercial cases the first instance has two introduced reporting periods - completed up to 3 months, completed from 3 to 6 months and completed over 6 months, and for appellate civil cases it is up to 3 months and over 3 months. For criminal cases at first and second instance, the reporting periods are two - completed up to 3 months and completed over 3 months.

4.2.6 Case flow management – public prosecution



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

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

Comments Pursuant to the Constitution of the Republic of Bulgaria, the Prosecutor's Office shall ensure that legality is observed (Art. 127 of the Constitution of the Republic of Bulgaria) by exercising other powers as well:

.....

- by taking actions for revoking all unlawful acts;
- by participating in civil and administrative proceedings under the cases provided by the law.

In accordance with the Judicial System Act, in discharging the functions stipulated by the law (Art. 145 of the Judicial System Act), the prosecutor may:

- conduct checks in person;
- if there are data on criminal offences or legally non-conforming instruments and actions, assign the respective authorities to conduct checks and audits within a time limit set by the prosecutor, submitting thereto conclusions and, upon request, the full set of materials as well;
- transmit the materials to the competent authority, where establishing that there are grounds to enforce liability or to apply coercive administrative measures, which the prosecutor cannot implement in person;
- apply the measures provided for by the law if there are data that a publicly prosecutable offence or another breach of the law may be committed.
- within the competence thereof and in accordance with the law, a prosecutor may give binding written orders to the police authorities.
- the prosecutor shall appeal and motion for the reversal or modification of legally non-conforming instruments within the time limit and according to the procedure provided for by law. The prosecutor may stay the enforcement of an instrument until the appeal is examined by the authority concerned, if so provided for by law.

106. Does the public prosecutor also have a role in:

- [X] civil cases
- [X] administrative cases
- [X] insolvency cases

Comments - If yes, please specify: The submission of claims for the dissolution of non-profit associations and political parties, if the legal prerequisites for this are present.

In regard to insolvency cases – the prosecutor participates in the examination of commercial cases in the case of the termination of trading companies.

107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
1.Pending cases on 1 Jan. ref. year	4 695 [] NA [] NAP
2.Incoming/received cases	100 508 [] NA [] NAP
3.Processed cases (3.1+3.2+3.3+3.4)	142 299 [] NA [] NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	74 567 [] NA [] NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	[] NA [X] NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	74 567 [] NA [] NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	[] NA [X] NAP
3.1.4 Discontinued for other reasons	[] NA [X] NAP
3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	[] NA [X] NAP
3.3.Cases closed by the public prosecutor for other reasons	39 853 [] NA [] NAP
3.4.Cases brought to court	27 879 [] NA [] NAP
4.Pending cases on 31 Dec. ref. year	4 119 [] NA [] NAP

Comments Question 107:

- 1)"Pending cases on 1 Jan. ref. year" the unresolved pre-trial proceedings (PTPs) by a prosecutor as of 1 January of the reference year are reported.
- 2)"Incoming/received cases" are reported the closed PTPs (analogous to the previous questionnaires);
- 3)"Processed cases" are reported the decided PTPs by a prosecutor and is the total value of the data from four indicators (3.1 + 3.2 + 3.3 + 3.4), with reflected types of decisions under the PTPs;
- 3.1.)"Discontinued during the reference year" the terminated PTPs (including those by prescription) are reported and is the total value of the data from the next four indicators (3.1.1 + 3.1.2 + 3.1.3 + 3.1.4.), with reflected types of terminations;
- 3.1.1)"Discontinued by the public prosecutor because the offender could not be identified" indicates NAP (similar to the previous questionnaire);
- 3.1.2 "Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation" are reported the terminated PTPs, incl. those by prescription (similar to the previous questionnaires);
- 3.1.3)"Discontinued by the public prosecutor for reasons of opportunity " the NAP is indicated (analogous to the previous questionnaires);

- 3.1.4) the indicator "Discontinued for other reasons" indicates NAP (similar to the previous questionnaire);
- 3.2)"Concluded by a penalty or a measure imposed or negotiated by the public prosecutor " is indicated NAP (analogous to the previous questionnaires);
- 3.3)"Cases closed by the public prosecutor for other reasons" the suspended PTPs are reported, as well as the PTPs sent by competence (for the respective prosecutor's office, although these cases are essentially unresolved they are closed). It is not obligatory for the prosecutor's office, which sent the case within its competence, to conduct a full investigation. If a ground for the competence of another prosecutor's office is established under the rules of local, functional or special competence, the case shall be sent to the respective prosecutor's office for continuation of the investigation. The grounds for determining the competence are exhaustively specified in the CPC (Chapter Four, Section II of the CPC, Article 35 et seq. Of the CPC, Article 195 of the CPC, Articles 396-398 of the CPC, Article 411a of the CPC);
- 3.4) in the indicator "Cases brought to court" the submitted PDs in the court are reported (analogous to the previous questionnaires);
- 4) in the indicator "Pending cases on 31 Dec. ref. year" the unresolved PDs by a prosecutor as of December 31 of the reference year are reported;
- Concerning the increase in the number of processed cases between 2018 and 2020, the number of "cases closed by the prosecutor for other reasons", taken into consideration for this cycle, makes the difference.

107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
Total number of guilty plea procedures	19 155 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Before the main trial	8 934 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
During the main trial	10 221 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Question 107–1:

- the indicator "Total number of guilty plea procedures" indicates the total value of the next two indicators;
- in the indicator "Before the main trial" the agreements submitted by a prosecutor to the court are taken into account (analogous to the previous questionnaires);
- in the indicator "During the main trial" a value is indicated, which is the sum of the number of agreements under Article 384 of the Criminal Procedure Code (with a person or for any of the crimes), concluded by the prosecutors in a court phase (after an indictment has been filed), as well as by the number of procedures under the abbreviated court investigation under Article 371, item 2 of the CPC (under Chapter Twenty-eight of the CPC, pursuant to Article 373, para. 3, supra Article 372, para. 4, supra Article 371, item 2 CPC), under which there have been convictions and acquittals (similar to the previous questionnaires).

109. Do the figures provided in Q107 include traffic offence cases?

- (X) Yes
- () No

Comments

D2. Please indicate the sources for answering the questions in this part

Sources: Statistical reporting of the Prosecutor's Office of the republic of Bulgaria (PORB). The data are derived from the statistical reporting of the PORB, according to indicators and order, approved by the Prosecutor General with the Instruction for organization of the information activity in the PORB.

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1 Recruitment and promotion of judges

110. How are judges recruited?

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

Comments

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

- [] An authority made up of judges only
- [] An authority made up of non-judges only
- [X] An authority/authorities made up of judges and non-judges
- [] Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: Art. 183, para. 1 of the JSA - The respective college of the Supreme Judicial Council appoints five-member competition commissions for conducting the competitions for junior judges and for initial appointment in the district, regional and administrative courts. The members of the competition commission include one habilitated scholar in legal sciences in the relevant field, as well as four members with the status of an acting judge. The competition for transfer or promotion is conducted by five-member competition commissions, determined according to the competition subject. The members of the competition commission include one habilitated scholar in legal sciences in the respective field with the academic position of associate professor or professor, as well as four members with the status of acting judge - Art. 189, para. 5 of the JSA.

111-1. How many members compose this authority?

	Total	Male	Female
Members	5 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP	<input checked="" type="checkbox"/> [X] NA <input type="checkbox"/> [] NAP	<input checked="" type="checkbox"/> [X] NA <input type="checkbox"/> [] NAP

Comments – Please specify what is the status of this authority and who is proposing its members?

111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- (X) Yes
- () No

Comments – please specify which body is competent to decide on appeal?

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

- (X) Yes

() No

Comments

113. What is the procedure for the promotion of judges? (multiple answers possible)

Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination):
Art. 189. (1) JSA - The vacant positions in the courts, out of those under art. 178 of the JSA, are announced by the Judges' College of the Supreme Judicial Council separately for each body of the judiciary, and are taken after a competition. The competitions for the higher bodies of the judiciary are announced by a decision and are held before the announcement of the competitions for the lower bodies. In case the competitions for the higher bodies do not end within three months with a decision of the respective board of the Supreme Judicial Council, the competitions for the lower bodies are announced.

Promotion is a transfer to a higher rank in the same type of body of the judiciary.

Apart from the cases under Art. 194, para. 2 JSA, the transfer is a transfer to an equal or lower rank of the judge - in another court, of the prosecutor - in another prosecutor's office, and of the investigator - in another investigation department.

The transfer of the judge to the position of prosecutor or investigator, of the prosecutor to the position of judge or investigator, and of the investigator to the position of judge or prosecutor, takes place through a competition for promotion or transfer, including testing of knowledge for holding the respective position through a written exam. Candidates who have received a grade not lower than a very good "4.50" on the written exam are allowed to participate in the ranking.

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

Has an independent status as a separate entity among state institutions

Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)

Is part of the executive power (without functional independence)

Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)

Is part of the judicial power (without functional independence)

Is a mixed model (please explain)

Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if "mixed model" or "other", please specify. According to Art. 137 of the JSA, the prosecutor's office is a budget-supported legal entity based in Sofia.

115-1. Does the law or other regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?

Yes

No

Comments - If yes, please specify: The control exercised in the system of the prosecution is hierarchical (internal) and judicial. According to Article 143, para. 1 of the Judicial System Act (JSA), all acts and actions of the prosecutor may be appealed to the immediately superior prosecutor's office, if they are not subject to judicial control.

The prosecutor's acts of the pre-trial phase under certain legal preconditions are subject to control by the higher prosecutor's office (Article 46, Article 200, Article 213, Article 243 CPC), and in the cases explicitly indicated in the CPC by the General prosecutor (Article 46, paragraph 5, Article 195, paragraph 5, Article 213, Article 243, paragraph 10, last sentence, Article 420, paragraph 1, in conjunction with Article 422, paragraph 1, p. 4–6 of the CPC). In this respect it should be considered the powers of the prosecutor granted to him by the Criminal Procedure Code to object to the higher prosecutor's office in case he was given instructions by a higher prosecutor on a specific file/case. (Article 46, paragraphs 4 and 5 of the CPC).

In court proceedings, control over the acts of the prosecutor is exercised by the court in carrying out its judicial activity. However, this control does not restrict the free formation of the prosecutor's internal conviction as to whether or not to uphold the charge in a court hearing, and he himself decides whether to lodge a protest (also once lodged or withdraw it).

The supervision of legality exercised by the Prosecutor General and methodological guidance of all prosecutors (established in Article 126, para. 2 of the Constitution), regulated at the legal level in Article 136, para. 6 of the Judiciary System Act is general. These are organizational and methodological acts for the accurate and uniform application of laws and protection of the legal rights and interests of citizens, legal entities and the state. In terms of subject and scope, the methodological instructions can be very different, but they are characterized by common features: relate to an unlimited range of cases; they are mandatory for all prosecutors; have a permanent, repeated effect and do not have as their subject a specific proceeding, a specific prosecutor, a specific act or a specific prosecutor's action.

115-2. If you answered “Yes” to Q115-1, are there exceptions provided by the law/regulations?

Yes

No

Comments - Please describe these exceptions:

115-3. If you answered “No” to Q115-1, which authority can issue the specific instructions?

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

Comments - If “Other”, please specify:

115-4. What form these instructions may take?

Oral instruction

Oral instruction with written confirmation

Written instruction

Other

NAP

Comments - If “Other”, please specify:

115-5. In that case, are the instructions:

- Issued seeking prior advice from the competent public prosecutor
- Mandatory
- Reasoned
- Recorded in the case file
- Other
- NAP

Comments - If "Other", please specify:

115-6. What is the frequency of this type of instructions:

- Exceptional
- Occasional
- Frequent
- Systematic
- NAP

Comments

115-7. Can the public prosecutor oppose/report an instruction to an independent body?

- Yes
- No
- NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions.

116. How are public prosecutors recruited?

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

Comments

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

- An authority composed of public prosecutors only
- An authority composed of non-public prosecutors only
- An authority composed of public prosecutors and non-public prosecutors
- Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: 1/Competition commission
 2/ Commission on Professional Ethics to the Prosecutor's Chamber with the Supreme Judicial Council
 3/ Commission on Appraisal and Competitions with the Prosecutor's Chamber of the Supreme Judicial Council
 4/ Prosecutor's Chamber of the Supreme Judicial Council

117-1. How many members compose this authority?

	Total	Male	Female
Members	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please specify what is the status of this authority and who is proposing its members? 1. Competition commission:
The Prosecutor's Chamber/College of the Supreme Judicial Council appoints five-member competition commissions for the conduct of competitions for the announced positions for initial appointment in the regional and district prosecutor's offices.
The members of the competition commission include one habilitated scholar in legal sciences in the relevant field, as well as four members with the status of acting prosecutor or investigator.

2. Commission on Professional Ethics at the Prosecutors' Chamber/College of the Supreme Judicial Council
The Professional Ethics Commission is a standing committee of the Prosecutors' College and consists of five members of the Prosecutors' Chamber/College.

3. The Commission for Attestation/Appraisal and Competitions at the Prosecutors' College of the Supreme Judicial Council
The Commission for Attestation/Appraisal and Competitions is a standing committee of the Prosecutors' College of the SJC and consists of 5 (five) members of the Prosecutors' College, 1 (one) prosecutor elected directly by the General Assembly of the Supreme Administrative Prosecutor's Office, 4 (four) prosecutors elected directly by the General Assembly of the Supreme Cassation Prosecutor's Office and 2 (two) investigators, elected directly by the General Assembly of Investigators in the National Investigation Service.

4. The Prosecutors' Chamber of the Supreme Judicial Council
The Prosecutors' Chamber of the Supreme Judicial Council is an independent body of the SJC and carries out its activities within the powers granted to it by the Constitution of the Republic of Bulgaria and the Judiciary System Act, in accordance with the Rules of Organization of the SJC and its administration and current rules. The Prosecutors' Chamber of the Supreme Judicial Council consists of 11 members and includes the Prosecutor General, four members elected directly by the prosecutors, one member elected directly by the investigators and five members elected directly by the National Assembly.

117-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- Yes
- No

Comments - Please specify which body is competent to decide on appeal? The Supreme Administrative Court

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

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

Comments

119. What is the procedure for the promotion of prosecutors? (multiple answers possible)

- Competitive test / exam
- Other procedure (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination):

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

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

5.1.3Mandate and retirement of judges and prosecutors

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

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Article 165

(1) A judge, prosecutor or an investigating magistrate shall be released from office where:

1. the person attains the age of 65 years;
2. the person tenders resignation;
3. a sentence, whereby a penal sanction of deprivation of liberty for an intentional criminal offence has been imposed, becomes enforceable;
4. the person is continuously and actually unable to discharge the duties thereof for more than one year;
5. a disciplinary sanction of release from office on disciplinary grounds has been imposed on the person;
6. a decision of the respective chamber of the Supreme Judicial Council refusing the acquisition of tenure;
7. incompatibility with positions and activities under Article 195 (1); 8. (repealed, SG No. 33/2009); 9. reinstatement in office after wrongful release from a position.

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

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

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

Yes, duration of the probation period (in years):5

No

Comments

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

Yes, please indicate the compulsory retirement age:65 years of age (Art. 123, para. 3, item 1 of the Constitution of the Republic of Bulgaria and Art. 165, para. 1, item 1 of the JSA)

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: 65 years of age (Art. 123, para. 3, item 1 of the Constitution of the Republic of Bulgaria and Art. 165, para. 1, item 1 of the JSA).

Exceptions are possible in cases of resignation, entry into force of a sentence imposing a custodial sentence for an intentional crime, permanent real inability to perform duties for more than one year, imposed disciplinary sanction dismissal, incompatibility with positions and unity under Art. 195, para. 1 of the JSA, as well as a decision of the Prosecutors' College, refusing to grant tenure.

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

Yes, duration of the probation period (in years):5 years (Art. 196, para. 1, item 2 of the JSA: attestation is conducted for acquisition of tenure- upon completion of 5-year practice/service).

No

Comments 5 years (Art. 196, para. 1, item 2 of the JSA: attestation is conducted for acquisition of tenure- upon completion of 5-year practice/service).

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

[]

NA

NAP

Comments

125-1. Is it renewable?

Yes

No

NAP

Comments

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

[]

NA

NAP

Comments

126-1. Is it renewable?

Yes

No

NAP

Comments

E1. Please indicate the sources for answering the questions in this part

Sources: Constitution of the Republic of Bulgaria, Judiciary System Act

5.2. Training

5.2.1 Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in a court)	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in courts	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training on child-friendly justice	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments n-service training for management functions (e.g. Head of prosecution office, manager), In-service training for the use of computer facilities in office and In-service training on child-friendly justice - the specified groups of trainings are included in the column "Optional", as they are not a mandatory prerequisite for taking office or for performing certain judicial functions. After taking the relevant position, the NIJ organizes training in various formats - at the workplace (in-service, i.e. without separation from work), including self-training and work with electronic resources, and face-to-face training sessions (with separation from work). The trainings conducted in 2020 reflect the priorities in the training activities of the NIJ, set in the catalogue of the Institute for 2020, developed with the participation of the expert groups of the Programme Council and coordinated with the professional organizations of judges, prosecutors, investigators and court staff. Leading in the selection of topics are the current changes in the legislation, the findings in the annual reports of the Supreme Court of Cassation, the Prosecutor's Office, the Inspectorate of the Supreme Judicial Council, as well as measures within the NIJ competence arising from European and international commitments. The planning and development of the trainings is carried out in compliance with the guidelines of the European Judicial Training Network for practical orientation and compliance of the training objectives with the professional needs of the trainees.

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

	Frequency of the judges training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed

In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: In-service training for management functions (e.g. Head of prosecution office, manager), In-service training for the use of computer facilities in office and In-service training on child-friendly justice - these specified groups of trainings are included in the column "Optional", as they are not a mandatory prerequisite for taking office or for performing certain judicial functions. After taking the relevant position, the National Institute of Justice organizes training in various formats - at the workplace (in-service, i.e. without separation from work), including self-training and work with electronic resources, and face-to-face training sessions (with separation from work).

The development of managerial competence and ethical challenges in the work of the judiciary is a strategic priority in the training activities of the Institute. Issues of strategic management and the creation and development of working teams were discussed in the trainings for administrative heads and deputy administrative heads of courts across the country.

The NIJ consistently develops its vision for upgrading leadership skills and competencies not only through training, but also on the basis of individual work with self-learning resources and e-modules for self-preparation.

Materials for self-preparation, analysis, manuals and handbooks aimed at raising the qualification of judges, prosecutors and other representatives of the professional community are published in the virtual reading room of the NIJ in the NIJ e-learning Portal and are available 24 hours a day, 7 days during the week. 860 judges are registered as users in the Virtual Reading Room of the NIJ with free access to these publications.

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

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

In-service training on ethics	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training on child-friendly justice	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments In-service training for management functions (e.g. Head of prosecution office, manager), In-service training for the use of computer facilities in office, In-service training on child-friendly justice: The specified groups of trainings are included in the column "Optional", as they are not a mandatory prerequisite for taking office or for performing certain judicial functions. After taking the relevant position, the National Institute of Justice organizes training in various formats - at the workplace (in-service, i.e. without separation from work), including self-training and work with electronic resources, and face-to-face training sessions (with separation from work). The trainings conducted in 2020 reflect the priorities in the training activities of the NIJ, set in the catalogue of the Institute for 2020, developed with the participation of the expert groups of the Programme Council and coordinated with the professional organizations of judges, prosecutors, investigators and court staff. Leading in the selection of topics are the current changes in the legislation, the findings in the annual reports of the Supreme Court of Cassation, the Prosecutor's Office, the Inspectorate of the Supreme Judicial Council, as well as measures within the NIJ competence arising from European and international commitments.

The planning and development of the trainings is carried out in compliance with the guidelines of the European Judicial Training Network for practical orientation and compliance of the training objectives with the professional needs of the trainees.

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

	Frequency of the in-service training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in office	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training on ethics	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training on child-friendly justice	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: The effective protection of the European Union's financial interests in the context of the structuring of the European Public Prosecutor's Office has taken a strategic place on the judicial training agenda over the past year. A series of webinars addressed issues related to international legal cooperation in criminal matters between the Member States of the European Union - instruments based on the principle of mutual recognition. The

interactive training was conducted in cooperation with the Prosecutor's Office of the Republic of Bulgaria and was aimed at developing professional skills and competencies for work in cases related to the application of the instruments of international legal cooperation.

5.2.3 Training institutions

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

	Initial training only	Continuous training only	Initial and continuous training
Institution(s) for judges	<input type="checkbox"/> []	<input type="checkbox"/> []	<input type="checkbox"/> []
Institution(s) for prosecutors	<input type="checkbox"/> []	<input type="checkbox"/> []	<input type="checkbox"/> []
Institution(s) for both judges and prosecutors	<input type="checkbox"/> []	<input type="checkbox"/> []	<input checked="" type="checkbox"/> [X]

Comments

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

	Budget of the institution(s) for the reference year, in €
Institution(s) for judges	<input type="checkbox"/> [] NA <input checked="" type="checkbox"/> [X] NAP
Institution(s) for prosecutors	<input type="checkbox"/> [] NA <input checked="" type="checkbox"/> [X] NAP
Institution(s) for both judges and prosecutors	3 304 867 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP

Comments The public state budget of the NIJ in 2020 amounted to EUR 2,807,941.39. The funding under the European Structural and Investment Funds in 2020 amounts to EUR 473,523.77, financed under the Operational Programme "Good Governance" and EUR 23,401.83, financed under the Norwegian Financial Mechanism.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. NAP

5.2.4 Number of trainings

131-2. Number of in-service training courses available and delivered (in days) by the public institution(s) responsible for training

Number of in-person training courses available	Number of delivered in-person training courses in days	Online training courses available during the reference year (e-learning)

Total	131 [] NA [] NAP	204 [] NA [] NAP	101 [] NA [] NAP
1. For judges	35 [] NA [] NAP	53 [] NA [] NAP	44 [] NA [] NAP
2. For prosecutors	22 [] NA [] NAP	39 [] NA [] NAP	27 [] NA [] NAP
3. For other non-judge staff	23 [] NA [] NAP	56 [] NA [] NAP	33 [] NA [] NAP
4. For other non-prosecutor staff	7 [] NA [] NAP	21 [] NA [] NAP	14 [] NA [] NAP
5. Training for other professionals	84 [] NA [] NAP	99 [] NA [] NAP	21 [] NA [] NAP

Comments – please specify if there are training courses of judges and/or prosecutors that include other professionals in the field of justice. Number of in-person training courses available -the indicated number includes face-to-face trainings with duration from 0.5 working days (4 astronomical hours) to 3 working days.

The pandemic in 2020 significantly changed the agenda of judicial training - such as training content, methodology, technological support, conduct and evaluation of training. The National Institute of Justice met this test prepared - with the established information technology structure, with its multifunctional and easily accessible e-learning system - the e-learning portal developed on the Moodle platform, with the introduced information system for management of the learning process (ISUPO), with the accumulated experience in working with e-learning platforms and developing e-resources.

The Institute has focused its efforts on adapting the educational content, curricula and plans in an online format to change conventional approaches to communication with learners and to provide ongoing logistical and technical support to trainers and learners 24/7.

44 e-learning courses for judges were conducted in 992.5 days.

27 e-learning courses for prosecutors were conducted in 695.5 days

33 e-learning courses For non-judge staff were conducted in 866.5 days.

14 e-learning courses for non-prosecutor staff were conducted in 544.5 days.

21 e-learning courses for other professionals were conducted in 485.5 days.

Representatives of the category "other professionals in the field of justice" participated in 33 courses for judges and prosecutors - e.g. registry judges, state bailiffs, lawyers, jurors, employees of the Ministry of Justice, etc.

During the trainings in 2020, the National Institute of Justice continues implementing the adopted methodology for profiling the training in accordance with the procedural roles, competence and professional experience of the participants. In part of the trainings, intended for judges, prosecutors and court clerks, the participation of representatives of the category "other professionals in the field of justice" is allowed.

131-3. Number of participants of the training courses during the reference year

	Number of participants in in-person training courses	Number of participants in online training courses (e-learning)
Total	3 161 [] NA [] NAP	2 636 [] NA [] NAP
Judges	583 [] NA [] NAP	639 [] NA [] NAP

Prosecutors	383 [] NA [] NAP	501 [] NA [] NAP
Non-judge staff	483 [] NA [] NAP	813 [] NA [] NAP
Non-prosecutor staff	140 [] NA [] NAP	280 [] NA [] NAP
Other professionals	1 572 [] NA [] NAP	403 [] NA [] NAP

Comments Report on the activity of the NIJ for 2020, adopted by a decision of the Management Board of the NIJ from Protocol 119 / 22.2.2021; NIJ regulatory framework, statistical data on NIJ training activities.

5.3.Practice of the profession

5.3.1Salaries and benefits of judges and prosecutors



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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	24 990 [] NA [] NAP	22 491 [] NA [] NAP	48 876 [] NA [] NAP	43 988 [] NA [] NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	44 214 [] NA [] NAP	39 793 [] NA [] NAP	86 476 [] NA [] NAP	77 828 [] NA [] NAP
Public prosecutor at the beginning of his/her career	24 990 [] NA [] NAP	22 491 [] NA [] NAP	48 876 [] NA [] NAP	43 988 [] NA [] NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	44 214 [] NA [] NAP	39 793 [] NA [] NAP	86 476 [] NA [] NAP	77 828 [] NA [] NAP

Comments In 2019, with a decision of the Plenum of the SJC under item 6 of Protocol 2 / 24.01.2019, an updated Table 1 of the SJC was approved to determine the maximum basic monthly salaries of judges, prosecutors and investigators pursuant to Art. 218, para 2 and para 3 of the JSA with an increase of 10%, as of 01.01.2019. With the same decision the ranks for magistrates were increased by BGN 100 per rank, as of 01.03.2019.

In 2020, with a decision of the Plenum of the SJC under item 2 of Protocol 2 / 30.01.2020, an updated Table 1 of the SJC was approved for determining the maximum basic monthly salaries of judges, prosecutors and investigators on the grounds of Article 218. , para 2 and para 3 of JSA with an increase of 10%, as of 01.01.2020. With the same decision the ranks for magistrates were increased by BGN 50 per rank, as of 01.03.2020.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	() Yes (X) No	() Yes (X) No
Housing	(X) Yes () No	(X) Yes () No
Other financial benefit	(X) Yes () No	(X) Yes () No

Comments Pursuant to Article 223 of the Judiciary System Act, judges and prosecutors may use dwellings from the institutional housing stock of the judiciary

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

. Pursuant to Article 224 the compulsory social and health insurance of judges, prosecutors and investigating magistrates shall be covered by the Judiciary budget. Judges, prosecutors and investigating magistrates shall be compulsorily insured against accident for the account of the Judiciary budget

[] NAP

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

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

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. The positive answer given in "Other function" is related to the possibility for participation or management by the judges in / on

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

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

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify: The positive answer given in "Other function" is related to the possibility for participation or management by the prosecutors in / on European and other international projects in favor of the judiciary.

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

(X) Yes

() No

Comments - If yes, please specify the conditions and if possible the amounts: According to the amendments in Art. 233, para. 6 of the Judiciary System Act - SG No. 90 / 10.11.2017, the Supreme Judicial Council is given the opportunity, based on the degree of workload of the respective body of the judiciary, to determine additional remuneration of a judge, prosecutor or investigator.

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)

(X) Yes

() No

Comments

138-1. If yes, who are the members of this institution/body?

(X) Only judges

- Judges and other legal professionals
- Other, please specify:

Comments

138-2. Are the opinions of this institution / body publicly available?

- Yes
- No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

- Yes
- No

Comments

138-4. If yes, who are the members of this institution/body?

- Only prosecutors
- Prosecutors and other legal professionals
- Other, please specify:

Comments

138-5. Are the opinions of this institution / body publicly available?

- Yes
- No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

5.4. Disciplinary procedures

5.4.1 Authorities responsible for disciplinary procedures and sanctions

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

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court
- Disciplinary body (disciplinary prosecutor, investigator etc.)
- Ombudsman
- Parliament

Executive power (please specify):see comments

Other (please specify):see comments

This is not possible

Comments

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

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General /State public prosecutor

Public prosecutorial Council (High Judicial Council)

Disciplinary court

Disciplinary body (disciplinary prosecutor, investigator etc.)

Ombudsman

Professional body

Executive power (please specify):see comments

Other (please specify):see comments

This is not possible

Comments

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

Court

Higher Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify):

Other (please specify):see comments

Comments

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

Supreme Court

Head of the organisational unit or hierarchical superior

Prosecutor General /State public prosecutor

Public prosecutorial Council (High Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):

Comments

5.4.2 Number of disciplinary procedures and sanctions

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

	Judges	Prosecutors
Total number (1+2+3+4)	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Criminal offence	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Others - 2 / two / disciplinary proceedings have been instituted for culpable non-fulfillment of official duties, expressed in systematic non-observance of the terms, provided in the procedural laws; 1 / one / disciplinary proceeding is instituted for action or inaction, which damages the prestige of the judiciary and 1 / one / disciplinary proceeding is instituted for action or inaction, which unjustifiably delays the proceedings and non-fulfillment of other official duties.

Others - "systematic non-compliance with the time limits provided for in the procedural laws"; "action or inaction that unjustifiably delays the proceedings"; "action or inaction that damages the prestige of the judiciary"; "Failure to perform official duties".

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

	Judges	Prosecutors
Total number (total 1 to 10)	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Temporary reduction of salary	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Position downgrade	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
9. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. In 2020 a total of 11 / eleven / disciplinary proceedings, initiated in previous periods, have been completed, and the Judges' College of the SJC has ruled as follows:

- imposed penalty "remark"/"reprimand" - 4 / four / disciplinary proceedings /;
- imposed penalty "disciplinary dismissal" - 1 / one / disciplinary proceedings;
- 6 / six / disciplinary proceedings have been terminated.

In 2020, a total of 9 (nine) disciplinary proceedings were completed, on which the Prosecutors' College of the SJC ruled as follows:

- Imposed disciplinary sanction "remark" /"reprimand"- 4;

(The PC of the SJC has ruled, on the basis of Article 314, paragraph 4 of the JSA, on 3 (three) orders of administrative heads for imposing a disciplinary sanction "remark", and 1 (one) disciplinary proceedings on the list of the Supreme Judicial Council was completed with a decision of the PC of the SJC to impose a disciplinary sanction "remark"/"reprimand")

- 2 (two) disciplinary proceedings have been terminated due to dismissal of the magistrate and death of the magistrate;
- in 2 (two) disciplinary proceedings the college did not impose disciplinary sanctions by assuming that in one case the magistrate had not committed a disciplinary violation, and, on the other, that the subjective element of the infringement was missing, since the magistrate could not understand the nature and significance of what had committed and direct his actions during the period in which the acts had been committed;
- imposed disciplinary sanction "reduction of the basic salary by 20 percent for a period of one year" -1.

E3. Please indicate the sources for answering the questions in this part

Sources: Internal Register for the Disciplinary Proceedings of the SJC, Summary Report of the Commission "Disciplinary Activity and Interaction with the ISJC" to the Judicial College of the SJC on the Disciplinary Proceedings Against Judges and the Disciplinary Penalties Imposed for the Period 01.01.2020 - 31.01.2020 and Summary Report of the Commission "Disciplinary Activity and Interaction with the ISJC" at the PC of the SJC regarding the initiated disciplinary proceedings against prosecutors and investigators and the imposed disciplinary sanctions for the period 01.01.2020 - 31.12.2020

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	13 964 <input type="checkbox"/> NA	6 597 <input type="checkbox"/> NA	7 367 <input type="checkbox"/> NA

Comments

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

Yes ()

No (X)

Comments

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

[]

[] NA

[X] NAP

Comments

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always (X) Yes in some cases () No <input type="checkbox"/> NAP
Dismissal cases	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always (X) Yes in some cases () No <input type="checkbox"/> NAP
Criminal cases – Defendant	() Yes always (X) Yes in some cases () No <input type="checkbox"/> NAP	() Yes always (X) Yes in some cases () No <input type="checkbox"/> NAP	() Yes always (X) Yes in some cases () No <input type="checkbox"/> NAP
Criminal cases – Victim	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP	() Yes always () Yes in some cases (X) No <input type="checkbox"/> NAP

Administrative cases	<input type="checkbox"/> Yes always	<input type="checkbox"/> Yes always	<input type="checkbox"/> Yes always
	<input type="checkbox"/> Yes in some cases	<input type="checkbox"/> Yes in some cases	<input type="checkbox"/> Yes in some cases
	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights:

149-0. If other than lawyers may represent a client in court, please specify who:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Family member	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Self-representation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Trade union	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s): in-house legal advisor, legal entities' representatives

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

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

Comments

149-2. What are the statuses for exercising the profession of lawyer?

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments

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

Yes

No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering the questions in this part

Sources: Activity report of the Supreme Bar Council for 2020

6.1.2 Practicing the profession



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

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

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

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules



6.1.3 Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

- Yes
- No

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

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

- the bar association
- the Parliament
- other (please specify):

Comments

159. Is it possible to file a complaint about:

- the performance of lawyers
- the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

- a judge
- Ministry of Justice
- a professional authority
- other (please specify):

Comments

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

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

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

7. Court related mediation and other alternative Dispute Resolution

7.1. Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

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

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Family cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Labour cases including employment dismissals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Consumer cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

- Yes
 No
 NAP

Comments - If yes, please specify (only one or both options)::

=

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The information about the number of registered court-related mediators is not available (NA). As of July 2021 the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 2767 (for 2020 the number of newly registered is 233).

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Labour cases including employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
6. Consumer cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source:

=

168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify): please see the General comments

Comments

G1. Please indicate the sources for answering the questions in this part

Source: Ministry of Justice

8. Enforcement of court decisions

8.1. Execution of decisions in civil matters

8.1.1 Number of enforcement agents, status and mandate

169. Number and type of enforcement agents in your country.

	Total	Male	Female
Total (1+2+3+4)	401 [] NA [] NAP	[X] NA [] NA [] NAP	[X] NA [] NA [] NAP
1. Private professionals under the authority (control) of public authorities	192 [] NA [] NAP	94 [] NA [] NAP	98 [] NA [] NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	209 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Judges	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If other, please specify their status and competences:

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other

Comments - If "other", please specify: NB! appointment procedure by the State - with a specific exam private enforcement agents and state bailiffs

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

- Yes, please indicate the age of retirement: 65
- No, please specify the duration of the appointment:

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: There is no term for appointment to office for private professionals. The JSA and the Private Enforcement Act apply to the private enforcement agents. The Judiciary System Act (JSA) and the Labor Code apply to enforcement agents who are civil servants/ bailiffs working in a public institution. In the legislation there are regulations concerning the termination of the powers of the private enforcement agents, respectively the state bailiffs.

8.1.2 Activities/scope of competence

171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

	Access to information	Direct electronic access to information
Address	(X) Yes () No	(X) Yes () No
Date of birth	(X) Yes () No	(X) Yes () No
Civil status	(X) Yes () No	(X) Yes () No
Cohabitant	() Yes (X) No	() Yes (X) No
Employer	(X) Yes () No	(X) Yes () No
Motor vehicle	(X) Yes () No	() Yes (X) No
Movable property	() Yes (X) No	() Yes (X) No
Immovable property	(X) Yes () No	(X) Yes () No
Bank account	(X) Yes () No	(X) Yes () No
Other enforcement proceedings underway	(X) Yes () No	(X) Yes () No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	(X) Yes () No	(X) Yes () No
Other	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify:

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

	Option
Seizure of movable tangible properties	() Yes, exclusively performed by enforcement agents (X) Yes, but not exclusively performed by enforcement agents () No [] NAP
Preventive seizure of movable tangible properties	() Yes, exclusively performed by enforcement agents (X) Yes, but not exclusively performed by enforcement agents () No [] NAP

Seizure of immovable properties	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Preventive seizure of immovable properties	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizures of boats and ships	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of aircrafts	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Seizure of electronic assets (e.g cryptocurrency)	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Sale of shares	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

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

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

Comments Some special / additional functions are also provided to private bailiffs. Pursuant to Art. 18, para 2 - 4 of the Private Enforcement Agents Act the rights and obligations of a depositary, in cases when it concerns pledged property under the Special Pledges Act (PPA), to serve any invitations, notices and responses in connection with civil law relations, and by court order - notices and subpoenas in civil matters. cases, to assign to a private bailiff from another region the performance of actions under para. 1, 2, 4 and 5

under the same conditions.

8.1.3 Training and ICT

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

Yes

No

Comments Regarding private professionals the answer of the Chamber of Private Enforcement Agents is yes .

Regarding enforcement agents working in a public institution the answer of the Inspectorate of the Minister of Justice under Judiciary System Act is negative.

172-2. Do you have an e-learning training system established for enforcement agents?

Yes

No

Comments - If yes, please specify: Online training from the European Enforcement School at the Chamber of Private Enforcement Agents

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

Yes

No

Comments - If yes, please specify: enforcement information systems

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

Yes

No

Comments he introduction of a system for early service is forthcoming

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

Yes

No

Comments - Please explain: he introduction of a system for early service is forthcoming

8.1.4 Fees

174. Are enforcement fees easily established and transparent for parties?

Yes

No

Comments

175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?

Yes

No

Comments

175-2. Who has to pay these fees if the enforcement proceedings are successful?

The debtor

The creditor

Other – please specify

Comments

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

Yes

No

Comments

H0. Please indicate the sources for answering the questions in this part

Source: Bulgarian Chamber of Private Enforcement Agents and Ministry of justice
legal source: "Tariff for Fees and Costs of the Private Enforcement Agents Act" and Section II - Fees for Court Enforcement, collected by the state bailiffs in the "Tariff for State Fees, which are collected by the courts under the Code of Civil Procedure"

8.1.5 Organisation of profession and efficiency of enforcement services



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

Yes

No

Comments

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

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments

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

Yes

No

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

Yes

No

Comments - If yes, please specify: It is carried out by the Inspectorate of the Minister of Justice under the JSA - Art. 372 JSA in connection with Art. 75 of the Private Enforcement Agents Act and by financial inspectors from the Ministry of Justice - Art. 75 PEA. The Council of the Chamber of Private Enforcement Agents - Art. 59, para. 1, item 6 of the Private Enforcement Agents Act. According to Art. 77 Private Enforcement Agents Private Enforcement Agents submit to the Ministry of Justice a 6-month and annual report on their activities. The requirements for the reports are determined by an ordinance of the Minister of Justice. The six-month reports shall be submitted to the Ministry of Justice within one month from the end of the 6-month period, and the annual reports - within two months after the end of the year.

In Art. 77a of the Private Enforcement Agents Act stipulates that the Ministry of Justice builds, maintains and develops an information system of judicial enforcement. The Ministry of Justice collects fees for the use of this system in an amount determined by a tariff approved by the Council of Ministers. Access to the system ex officio of state bodies, local self-government bodies and local administration and the persons entrusted with the exercise of a public function is free of charge.

The state bailiffs also submit to the Ministry of Justice a 6-month and annual report on their activity on the grounds of Art. 80, para. 1, item 14 of the Judiciary Act.

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

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

unethical behaviour of enforcement agent

other (please specify):

Comments Private enforcement agents: non execution of court decisions against public authorities, excessive length, excessive cost

State bailiffs: excessive length, unlawful practices, excessive cost

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

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

Comments According to Art. 80, para. 1, item 13 of the Judiciary Act, the chairman of the district court at the end of each six-month period shall provide to the Minister of Justice information on the formation, movement and closing of the files and cases of the state

enforcement agents. The provided statistical forms do not contain summary information on the duration of the enforcement procedures.

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

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

Comments source: The Chamber of Private Enforcement Agents

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

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	[X] NA [] NAP
1. For breach of professional ethics	[X] NA [] NAP
2. For professional inadequacy	[X] NA [] NAP
3. For criminal offence	[X] NA [] NAP
4. Other	[X] NA [] NAP

Comments - If "other", please specify: 1. The following information is from the activity of the Inspectorate of the Minister of Justice under the JSA:

In 2020 at the initiative of the Ministry of Justice there is a request for the formation of 20 disciplinary proceedings under the Private Enforcement Agents Act and 3 on Judicial System Act.

From the beginning of 2021. at the initiative of the Ministry of Justice there is a request for the formation of 13 disciplinary proceedings under the Private Enforcement Agents Act and 1 under JSA.

2. The following information is from The Chamber of Private Enforcement Agents: Total number of initiated disciplinary proceedings- 457, For breach of professional ethics: 80, For professional inadequacy 76, Others: 301

3. The following information is from the Directorate "Interaction with the judiciary" at the Ministry of Justice. Regarding the activity of the financial inspectors under the Private Enforcement Agents Act in 2020, the financial inspectors of the Private Enforcement Agents issued 6 mandatory instructions for elimination of established violations and improvement of the activity of the private enforcement agents, as well as gave 2 proposals for imposing disciplinary liability.

188. Number of sanctions pronounced against enforcement agents:

Number of sanctions pronounced

Total number of sanctions (1+2+3+4+5)	28 [] NA [] NAP
1. Reprimand	5 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	16 [] NA [] NAP
5. Other	7 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: The information from the The Chamber of Private Enforcement Agents is as follows: The decisions that came into force in 2020. are 33, the result of which is as follows:

1. Reprimand: 5.
 2. Fines - 16, including:
 - up to BGN 1,000.00. - 7;
 - over BGN 1,000. - under BGN 5,000.00. - 4;
 - over BGN 5,000.00. - 5;
 3. Deprivation of legal capacity - 2;
 4. Combined punishment - 1.
 5. Rejected requests for DP - 6.
 6. Returned to the Disciplinary Commission - 1.
 7. Abolished imposed disciplinary sanction - 2
- (3. and 4. are calculated in "Other")

Information on disciplinary sanctions imposed on state enforcement agents: in 2020 the Minister of Justice issued 2 disciplinary orders "Remark" to two state enforcement agents, 1 disciplinary order "Dismissal" to one state enforcement agent and 1 disciplinary order "Reduction" of the basic remuneration by 15 per cent for a period of 9 month" of one state enforcement agents. All sanctions on state enforcement agents are calculated in "Other"

H1. Please indicate the sources for answering the questions in this part

Source: The Chamber of Private Enforcement Agents
Ministry of Justice

8.2. Execution of decisions in criminal matters

8.2.1 Functioning of execution in criminal matters

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

- Judge
- Public prosecutor
- Prison and Probation Services
- Enforcement agent
- Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). The functions and powers of the penitentiary authorities are set out in detail in the Code of Criminal Procedure, the Law on the Execution of Sentences and Detention in Custody and the Law on Administrative Violations and Penalties.

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

- Yes
- No

Comments

191. If yes, what is the recovery rate?

- 80-100%
- 50-79%
- less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Male	Female
TOTAL (1+2+3+4)	720 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Holders of public offices appointed by the State	720 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Civil servants (paid by the State)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure: According to the current Bulgarian legislation, notaries carry out activities that are

explicitly assigned to them through a legal delegation by the state. According to Art. 2, para. 1 of the Law on Notaries and Notarial Activity "the notary is a person to whom the state assigns the performance of the notarial actions provided for in the laws". They are private professionals, who perform their activity independently, with a public function that is given to them by the State. Notaries in Bulgaria are appointed after a national competition organized by the Ministry of Justice and on the basis of an Order of the Minister of Justice. The ministry that is mainly engaged in the procedure is the Ministry of Justice.

192-1. What are the access conditions to the profession of notary (multiple replies possible):

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify):

Comments appointment procedure by the State: through a competition organized by the Ministry of Justice

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- yes, please indicate the age of retirement: no such age
- no, please specify the duration of the appointment:

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

9.1.2 Activities/scope of competences

194. What kind of activities do notaries perform (multiple options possible):

	Please select one option
Authentication	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Legalisation of signatures / Apostille	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Legality control of documents	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Taking of oaths	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Act as civil servant (for example performing marriage, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other judicial functions (for example, payment orders)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Public auctions	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other (for example collect taxes, run registers etc.)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities.

194-2. In which areas of law do notaries perform their activities (multiple options possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments

9.1.3 ICT, organisation of the profession and training

194-3. Do notaries use specialised ICT systems in their activity?

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)
- In their relations with their clients
- In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

194-4. Which computerised registries can notaries consult?

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify) please see comments
- None

Comments

194-5. Are there registries/ registry infrastructures run by the notaries?

- Yes
- No

Comments - If yes, please specify:

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Business registry	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Civil status/ Population registry	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Succession / Family law registry	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Any other registry (please specify)	(X) Yes () No [] NAP	() Yes (X) No [] NAP
None	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments

194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify
- None

Comments

194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify)

Comments

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

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

- professional body
- court
- Ministry of Justice
- public prosecutor

[] other (please specify):

Comments

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

(X) Yes

() No

Comments

196-2. Do notaries have training on:

	Yes	No
European law	(X)	()
Law of another Member State (cross-border training programmes)	(X)	()

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities:

II. Please indicate the sources for answering the questions in this part

Sources: The Notary Chamber of the Republic of Bulgaria

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1 Status of court interpreters



197. Is the title of court interpreters protected?

(X) Yes

() No

Comments

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

(X) Yes

() No

Comments

199. Number of registered court interpreters:

[]

[X] NA

[] NAP

Comments

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

Yes

No

Comments - If yes, please specify (e.g. having passed a specific exam): Lists of court interpreters shall be approved in accordance with a special procedure provided for in Ordinance -1 of 16 May 2014 on the court interpreters.

201. Are the courts responsible for selecting court interpreters?

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

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

No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering the questions in this part

Sources: Judiciary System Act, Civil Procedure Code, Criminal Procedure Code and Ordinance -1 of 16 May 2014 on the court interpreters.

11. Judicial experts

11.1. Profession of judicial expert

11.1.1 Status of judicial experts



202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):

Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case.

202-1. Are there lists or any other form of official registration for judicial experts?

Yes

No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

national

administrative district or federal entity

judicial district

other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?):

202-1-2. Are these lists publicly available?

Yes, available on the internet

Yes

No

Comments

202-2. Which authority is competent for the registration of judicial experts?

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria:

202-3. Is the registration of judicial experts limited in time?

Yes, for how long

No

Comments

202-4. Can an expert who is not on the list or not registered be appointed in a case?

Yes

No

Comment - If yes, please specify in which cases:

203. Is the title of judicial experts protected?

Yes

No

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

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

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

Comments For candidates for inclusion in the list of experts who are employees of the Ministry of Interior - documents for completed special training at the Academy of the Ministry of Interior or the Research Institute of Criminology of the Ministry of Interior is needed (obligatory initial training for them)- Art.11, para 1, point 4- ORDINANCE 2 of 29.06.2015 on the registration, qualification and remuneration of experts

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

- judicial proceedings
- the profession of expert
- other

Comments

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

- Yes
- No

Comments

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

- Yes
- No

Comments - If yes, please specify:

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1.Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

4. Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments

205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Defined by the court/judge	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Defined by Ministry of Justice or another ministry (setting a tariff for example)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Freely agreed between expert and the parties	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	(X)	()
Quality of expertise	(X)	()
Other	()	(X)

NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions:

207-1. Does the judge or another body control the progress of the expertise?

(X) Yes

() No

If yes, please specify:

207-2. Are judicial experts' associations involved in:

Selection processes

Initial or continuous training

Disciplinary procedures

NAP

Comments

K1. Please indicate the sources for answering the questions in this part

Sources: Supreme Judicial Council

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-2. Budget

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Reform of the Judicial Map:

Reforms of key elements of the judiciary are among the strategic priorities of Bulgaria and the optimization of the judicial map and the introduction of e-Justice are placed in the foreground. In order to achieve some of these goals, the SJC is a beneficiary of the project "Development of a Model for Optimization of the Judicial Map of Bulgarian Courts and Prosecutor's Offices and of a Unified Information System for Courts ", funded by a grant agreement BG05SFOP001- 3.001-0001-C01 / 26.08.2016, procedure BG05SFOP001-3.001, under Priority Axis 3 "Transparent and efficient judiciary", Operational Program "Good Governance" 2014-2020 (OPGG), co-financed by the European Union through the European Social fund. The project aims to create a model for reorganization of the judicial map of the regional courts and prosecutors' offices and to provide a road map for rationalization in general of courts and prosecutors' offices at all levels in order to improve the quality and efficiency, including redirecting resources, where appropriate, based on a comprehensive analyses of the workload of the different judicial structures and the specific socio-economic factors, while providing the relevant technological solutions as well.

With a decision of the Judges' college of the SJC under protocol 1 / 19.01.2021, item 2 were accepted for review results in implementation of Activity 1 "Development of a model for optimization of the judicial map of the Bulgarian courts and prosecutor's offices" - sub-activities 1.5, 1.6 and 1.7, from the scope of the project, including: detailed reports for reorganization of regional courts, determined by a decision of the Plenum of the SJC under Protocol 29 / 05.12.2019, item 54 and report - proposals for optimization of courts, prepared in implementation of sub-activity 1.6. "Development of proposals for optimization of the judicial map" of the project. With this decision, the Judges' college of the SJC chose Model 4 from among four proposed models for optimization of the judicial map for the courts. The chosen model for reform combines not only a change in the judicial geography, but also radical changes in structural and functional plan of all courts in the country.

By decision of 2 February 2021, the Judges' college of the SJC approved a Roadmap with an action plan for reorganization of the judicial structures at district and appellate levels, including the opening of territorial divisions at the regional courts, as well as to adopt a decision to analyse the regional courts in the district areas, in which territorial divisions could be opened and submitted to the Judges' college. According to this model, the constitutionally established model of the judicial system in the country will be preserved, which will continue to function in the operation of regional, district, appellate general courts and the Supreme Court of Cassation in optional three-instance court proceedings.

It is envisaged to change only the generic jurisdiction of some of the cases considered by the courts, while the existing local jurisdiction will remain unchanged.

It is envisaged to unite regional courts, as part of the existing judicial bodies continue to function as territorial divisions (of the nearest larger or equal regional court). It is envisaged that the number of cases to be heard in the regional courts will be significantly reduced, as they (under all the conditions existing in assessing the complexity and time of consideration) will imply faster development and will require less time for considering them. The model envisages the staff of the regional courts to be divided into permanent and non-permanent, as the permanent staff judges will work only in the regional court, and the others will be part of the numerical composition of the upper district court (with the respective gender competence and remuneration) and for a certain period of time, on average up to three weeks of the year, they will work as judges in a regional court in the judicial district of the district court where their usual place of work is. The permanent regional judges will be those with less experience, who are at the beginning of their careers and who, after a much shorter period than now, will have the opportunity for career development.

The number of judges in the district and appellate courts will increase significantly, as in the case of a partial change of generic jurisdiction, the district courts will hear some of the cases currently heard by the regional courts, and the appellate courts - a large part of the appellate proceedings (virtually all but those in court cases which are within the jurisdiction of the regional courts as first instance). This increase will be made on the basis of a reduction in the number of judges in a regional court in the absence of an overall increase in the number of judges in the country (as indicated above from 1004 to no more than 733). Regarding the judges in regional, district and appellate courts, a workload norm shall be introduced, which shall be applicable on a national scale, shall be updated every year on the basis of real workload data and shall make possible to plan the needs of the system of judges by region.

With regard to the Supreme Court of Cassation, no change is envisaged either in the existing staff or in the number and type of cases under consideration, as the change of the generic jurisdiction is changed only for a district and appellate court. (For example, for part of the criminal proceedings for certain types of crimes, the confirmatory judicial acts of an appellate court will be final).

The concept of the model offers a solution to the existing problems with the uneven workload between the courts in the country of one level, the specialization of judges, the efficiency and quality of the administration of justice, personnel planning and optimization of budget costs of the judiciary, predictability in judges' career development, namely: There shall be an opportunity for full specialization with regard to all judges in the regional courts. The number of judges allows for the establishment of at least two divisions on the matter, which will increase the speed of justice and the quality of work. The main indicator in assessing the preservation of a first-level regional court as an independent and not a territorial division of another is the number of magistrates required for its normal functioning. The principle that has been followed is for at least six judges to work in it (with the adjacent territorial divisions, if any), which allows for the creating of two divisions. The creation of district and appellate courts with a significantly larger number of judges allows for specialization not only in matters (criminal, civil and commercial law), but also for additional narrow specialization within one matter (for example, the establishment of a bankruptcy department). When assessing the number of judges who should adjudicate in courts of equal level, the estimated number of cases that will be considered in case of change of jurisdiction, the number of cases that should be considered per month by one judge and the possibility of specialization in matters are taken into account. Under these preconditions, a model is proposed in which judges in a regional court should hear between 43-46 cases per month, and those in a district and appellate court between 8.3 and 8.5 cases per month (including first instance and appellate cases for the district judges). This model guarantees an equal workload for all judges who sit in courts of the same level at national level, respectively equal remuneration for similar workload and approximately equal value, which is spent from the budget for one case, regardless of which court it is considered. When creating the above-mentioned workload norm of a judge in a court of first instance or appellate court, it will be possible to make not only a short-term but also a medium-term forecast of the need to appoint new judges (either through a competition for junior judges, a competition for initial appointment or one for relocation). The establishment of larger regional courts and the presence in them of a permanent and non-permanent composition of judges will allow in case of a sharp change in the workload the crisis to be resolved with the capabilities of judges in the respective judicial district, and will not require a change of staff of the courts. The set workload norm and the structure of the cases heard in the regional courts will allow them to be heard by a much smaller number of regional judges, respectively the time during which they will work in the lowest level court will be significantly reduced.

This will give a real and predictable chance for career growth, which is an additional motive for the quality of work. With a decision under Protocol 14 / 27.04.2021 of the Judges' College of the SJC, the interested members of the Partnership Council of the SJC were given the opportunity to participate online in the meeting of the Judges' College of the Supreme Judicial Council, where the activities on implementation of Model 4 will be discussed, including the preparation of a package for amendment and supplementation of the current legislation for introduction of an optimized judicial map, under Activity 1.8 of the project "Development of a Model for Optimization of the Judicial Map of Bulgarian Courts and Prosecutor's Offices and of a Unified Information System for Courts", implemented by the SJC under the Operational Program "Good Governance" 2014-2020. The same decision provided an opportunity for magistrates, representatives of the legal profession, representatives of legal science, as well as local authorities to participate in a public debate on these issues also with written proposals and opinions sent to the Judges' college of the SJC. At a meeting of the Judges' college of the SJC, held on 15.06.2021, a discussion was held on the issues raised in connection with the report on Model 4, according to a decision of the Judges' college of the SJC under protocol 16 / 18.05.2021. According to the latter, it was agreed that the report on Model 4 should be published on the SJC website, together with all materials on it, and the administrative heads of the courts were instructed to publish on their websites a notice that the Model 4 report with its annexes had been published on the website of the SJC and they would have the opportunity until 10.06.2021 to express opinions and ask written questions on it, as well as the interested parties until 10.06.2021 are given the opportunity to express written opinions and ask questions on the published report and the annexes to it which would be published on the SJC website.

Information regarding the construction and repair of buildings of the bodies of the judiciary:

I. Major repairs of the existing building stock and new construction in 2020

1. In 2020 the following sites were completed and put into operation:

Building for the needs of the Administrative Court of Veliko Tarnovo, 1 Ivan Vazov Str. - Construction and installation works /CIW/ were carried out on the reconstruction and repair of an existing three-storey administrative building, located at 1 Ivan Vazov Street, for the needs of the Administrative Court of Veliko Tarnovo. The cost of the repairs amounts to BGN 1,419,177.23, including for design, construction supervision and investor control, and author's supervision.

Building for the needs of the Bureau for Protection at the Prosecutor General - Design and construction works have been carried out for the reconstruction of buildings for the needs of the Protection Bureau, located at 21 Podpolkovnik Kalitin Blvd., Sofia. The total cost for the site amounts to BGN 3,373,649.07 and includes: preparation of an investment project and conformity assessment; CIW; exercising author's supervision, construction supervision and investor control, fees to state institutions and operating companies related to the implementation of the reconstruction contract.

The building of the Regional Court - Ardino - Implemented project under measure M01 "Improvement of the public environment in the

settlements - carrying out construction activities on the site of the Regional Court of Ardino under the project " Beautiful Bulgaria ". The budget of the implemented project amounts to BGN 83,294.00, of which BGN 78,296.00 for CIW on the site, and the Supreme Judicial Council has provided co-financing in the amount of BGN 41,647.00 VAT included.

Construction of fire alarm systems / FIS / in buildings of bodies of the judiciary: Regional Court - Elhovo, Regional Court - Sredets, Regional Court - Varna, District Court - Gabrovo - FIS and evacuation lighting, Regional Court - Teteven, Regional Court - Cherven Bryag, Regional Court - Kneja - gas installation and FIS. The total value of the repairs amounts to BGN 164,836.

Regional Court - Svilengrad - Design and construction of a car park for the building of the court. The cost of the repair amounts to BGN 82,000.

Major repairs of court buildings with a grant financial assistance under the Operational Program "Regions in Growth" 2014-2020 under procedure BG16RFOPOO 1-2.002 "Energy efficiency in peripheral areas - 2", have been made:

Regional Court - Ivaylovgrad - The value of the site amounts to BGN 136,346.00 VAT included and involves: preparation of an investment project, construction and installation works, implementation of author's supervision, implementation of construction supervision, preparation of conformity assessment of investment projects and design.

Regional Court - General Toshevo - The value for the repair amounts to BGN 108,035.80 VAT included and involves: inspection for establishment of technical characteristics of the building, related to the requirements of Article 169, para 1, items 1-5 and para 2 of the Spatial Development Act and technical passport; development of a working project; author's supervision; conformity assessment part EE; construction and installation works and exercising construction supervision.

2. Sites included in the investment policy of the Supreme Judicial Council, the implementation of which has started in 2020: "Execution of construction works - fifth stage of reconstruction of the IV floor of the Palace of Justice, 2 Vitosha Blvd."; "Design and implementation of major repairs and reconstruction of heating, plumbing and electrical installations in the Training Base "Tsigov Chark ", Batak"; "Construction of a new administrative building for the bodies of the judiciary in the town of Byala, Regulated Land IX-951, 952, quarter 176 according to the current regulation plan of the town of Byala / land with identifier 07603.501.2813 under cadastral map and cadastral registers"; Major renovation, reconstruction and extension with an elevator to a building located in Blagoevgrad, 2 Krali Marko str. for the needs of the Administrative Court - Blagoevgrad and the Regional Prosecutor's Office – Blagoevgrad

II. Ongoing renovations of the existing building stock in 2020

Given the building stock available to the judiciary - about 400 buildings and individual sites in buildings, in order to meet the needs for maintenance of the building stock, the necessary actions have been taken to provide funds for 72 regular maintenance and emergency repairs in 2020. The total value of the allocated funds for the repairs amounts to BGN 1,608,464.00 VAT included.

208-4. Access to justice and legal aid

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-5. High Judicial Council

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: With the Law for amendment and supplement of the Judiciary Act (promulgated, SG, issue 11 of 07.02.2020), the regulation from 2016 is improved in the following more important directions:

- The removal of judges, prosecutors and investigators;

The aim was to bring the regulation of the removal of judges, prosecutors and investigators in line with Decision 2 of the Constitutional Court of 2019, as well as with the recommendations of the Venice Commission in this regard, set out in Opinion 855/2016 of 9 October 2017

According to the said decision of the Constitutional Court, “to deprive the respective colleges of the SJC of the opportunity to assess whether the magistrate should be temporarily removed from office or not, as they are obliged to fulfill the prescription of Art. 230, para. 1 of JSA, is incompatible with the principle of independence of the judiciary, due to which this text, as well as part of the provision of para. 2 have been declared unconstitutional. According to the Constitutional Court, it is appropriate and constitutional to provide the SJC with the opportunity to assess whether or not the specific protection of the prestige of the judiciary should be put into effect in each specific case.

In its opinion 855/2016, the Venice Commission recommended that when removing a judge of the SJC, it should assess whether the evidence presented was sufficiently convincing (without necessarily being "beyond reasonable doubt") and whether it required removal... (§46). With regard to the time limit for removal, it is recommended that the SJC be able to set a relatively short time limit for the investigation.

In view of the above, the new wording of Art. 230 provides in all cases for an assessment to be made by the relevant college to allow the removal from office and for it to be obligatory to provide an opportunity to hear or file a written statement by the respective magistrate, thus introducing an element of adversarial proceedings. It is envisaged that the term for removal in the pre-trial phase of the criminal proceedings shall not be longer than that under Art. 234, para. 8 of the PPC, and in case of change of the circumstances both during the pre-trial and in the court proceedings the removed magistrate may request restoration of the occupied position. A special rule for automatic removal is provided only when the magistrate has been remanded in custody or house arrest, and in case of change of these measures the continuation of the removal is again subject to assessment by the respective college. Removal from office is subject to judicial review in all cases, and both the removed magistrate and the prosecutor's office have the right to appeal.

- Elimination of the obligation of magistrates to declare membership in professional organizations;

- The establishment of auxiliary attestation commissions to the courts, which will provide valuable and significant assistance to the SJC in the attestation process with guaranteed speed in the implementation of the attestation procedures in the country. The proposed change in the regulation for reducing the powers of the acting magistrates in the composition of the commissions for attestation and competitions at the judicial and prosecutorial colleges of the SJC only until the attestation, assisted by auxiliary attestation commissions at the ad hoc courts, is in line with the international standard on the current principle (on the principle in force) - the magistrates to be attested by acting magistrates, and the attestations to be accepted by a body, which includes acting magistrates (Opinion 751/2013 of the Venice Commission).

- It is planned to reduce the types of attestations. The meaning, reason and purpose of the attestation is to establish the actual qualifications, abilities and achievements of the judge, and not a constant load of inspections outside the instance control. The aim is not to put pressure on the magistrates through the system and frequency of the attestation. This is in line with Opinion 855/2016 of the Venice Commission on amendments to the Judiciary Act on attestation, which states that it is important with the frequency and number of attestations “not to jeopardize the independence of the individual magistrate and the judiciary as a whole. “.

In order to respond to the recommendations of the Venice Commission cited in the Rule of Law Report 2020 in Section I. Judicial System, Independence Sector in relation to improving the work and independence of the Inspectorate at the Supreme Judicial Council (ISJC) and pursuant to Measure 2, Section I "Judicial System" of Council of Ministers Decision 806 of 6 November 2020 approving the Implementation Plan in response to the recommendations and challenges set out in the September 30, 2020 on the rule of law for 2020, Situation in the field of rule of law in Bulgaria, a working group was formed to discuss and analyze the proposals of the ISJC.

208-7. Gender balance

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1.The Law for amendment and supplement of the Civil Procedure Code/Code of civil procedure, which creates rules for exercising procedural rights in electronic form within the civil process and the criminal process, is promulgated in SG, no. 110 of 29 December 2020

The continuation of the reform of the judiciary is unconditionally linked to the introduction of e-justice.

The General Rules on Certificate Statements and Procedural Actions in Electronic Form were regulated in the substantive law by the Law on Amendments to the Judiciary Act (promulgated, SG No. 62/2016).

In the procedural laws - the Code of Civil Procedure and the Code of Criminal Procedure, the basic legal norms regulating the rules for exercising procedural rights in electronic form should find a place.

. The amendments to the Civil Procedure Code regulate:

• Rules for service of notices and summons to e-mail address:

The proposed regulation stipulates that the service of court acts may be performed at an electronic address chosen by the party for service:

- through the single portal for e-justice;

- through a qualified electronic registered mail service in accordance with Regulation (EU) 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and certification services for electronic transactions in the internal market and repealing Directive 1999/93 / EC (OJ L 257, 28 August 2014), 'Regulation (EU) 910/2014'.

In case the party is not registered in the Single portal for e-justice or has not chosen a qualified service for electronic registered mail, but has indicated an e-mail address, the service is carried out at the specified address. If it is impossible to serve in the specified ways, the current address of the party shall be served, and in the absence of such - to the permanent one.

On the other hand, no electronic service is introduced in respect of a party who has not provided an electronic address, ie. a party who is not interested in service under this procedure would not be bound by negative legal consequences.

The amendments to the Civil Procedure Code stipulate that the service of credit and financial institutions, including those collecting receivables from consumers, insurance and reinsurance companies and traders who supply energy, gas, or provide postal, electronic communications or water supply and sewerage services of notaries and private bailiffs, government agencies and municipalities is carried out only by e-mail.

The service of a lawyer shall take place through the single e-Justice portal or at any place where he is on duty outside his office.

An obligation is introduced for the plaintiff to indicate in the statement of claim an e-mail address, as well as an obligation for the defendant in the answer to the statement of claim to indicate an e-mail address, if any.

• The possibility to pay fees and other obligations to the court electronically:

In case the request for protection and assistance is made in electronic form according to art. 102f in the Single portal for e-justice, the due state fee is reduced by 15 percent. Upon withdrawal of the consent for service in this way, the difference up to the full amount of the due state fee shall be replenished by the plaintiff within one week. The reduction of the due state fee would motivate the parties to choose this way of performing procedural actions in electronic form, which would significantly accelerate the introduction of e-justice.

• The performance of procedural actions in electronic form are regulated in a new chapter eleven "a" of the Civil Procedure Code "Procedural actions and acts in electronic form";

• The creation of a legal definition of the term "e-mail address", according to which "e-mail address" is a personalized space in the single

portal for e-justice, through which individuals receive electronic statements, messages, summonses and papers from the courts, qualified e-mail address, as well as an e-mail address.

II. The amendments to the PPC regulate:

The preparation of judicial acts in electronic form:

- It is envisaged that the court acts will be prepared as an electronic document in the unified information system of the courts and will be signed with a qualified electronic signature.

- The exercise of procedural rights and the performance of procedural actions in electronic form by the parties:

It is envisaged that the victim, the private prosecutor, the private plaintiff, the civil plaintiff, the civil defendant, as well as the defense counsel will be able to make requests, remarks and objections, as well as to be able to appeal against court acts electronically.

- The rules for summoning and notifying the victim about the course of the criminal proceedings:

It is possible for the body initiating the pre-trial proceedings to notify the victim if he / she has indicated, in addition to an address for summons in the country, an e-mail address.

- The rules for service of summonses, notices and papers in the trial phase of criminal proceedings:

A basic principle in the e-summons system is the principle of voluntariness on the part of the participants in the process: they should express their consent to receive summonses, messages and papers electronically, and the consent can be withdrawn at any time. Service may be effected by means of an electronic address for service in the Single portal for e-justice, certified by a copy of the electronic record, stamped with a qualified electronic time stamp of the court.

In case of service via a qualified registered e-mail service, the service will be considered completed with the withdrawal of the sent papers from the addressee. Confirmation of receipt is not required, and the electronic identification of the person will be performed in accordance with the procedure set out in the Judiciary Act.

In the court phase the service of summonses, notices and papers of the victim of the crime, the aggrieved legal entity, the private plaintiff, the private prosecutor, the civil plaintiff, the civil defendant and their attorneys, as well as of a witness, expert, translator, interpreter or technical assistant. Service may be effected by e-mail for service in the Single portal for e-justice, by a qualified e-mail registered service or by e-mail.

Rules for sending a report of a crime:

- A regulation has been created for sending a message for a committed crime electronically, if it is signed with a qualified electronic signature in compliance with the requirements of the law. With the message the person has the opportunity to express his consent to be summoned and to receive messages at the e-mail address indicated by him.

- A legal definition of the term "e-mail address" has been created, according to which "e-mail address" is a personalized space in the unified e-justice portal, through which individuals receive electronic statements, messages, subpoenas and papers from the courts, qualified e-mail address, as well as an e-mail address.

Legislative changes related to e-Justice should ensure equal effectiveness of the judiciary and their administrations in exercising their competences. At the same time, they must provide at least the same level of security for the realization of procedural rights of citizens and security of turnover in general, which has been achieved so far with the existing rules for the exchange of information and documents on paper.

The proposals made are in line with the specifics of the electronic notification of the parties, while sufficient guarantees have been created both for ensuring the proper service of notices and for the implementation of procedural actions and acts in electronic form.

In this way the desired effect will be achieved - on the one hand related to the use of information and communication technologies to improve access to justice, and on the other - leading to optimization and acceleration of the judicial process, but with the mandatory observance of all guarantees for protection of the rights of the participants in the proceedings.

2. The amendments to the Code of Civil Procedure (CPC) (promulgated, SG No. 98/2020), as well as the amendments to its final provisions in the Administrative Procedure Code (APC) and in the Criminal Procedure Code (CPC), created a legal framework for the use of videoconferencing in civil and administrative proceedings, as well as expanding the possibilities for using videoconferencing in criminal proceedings.

In particular, the amendments to the Civil Procedure Code and the Administrative Procedure Code regulate the use of videoconference during interrogations and hearings in civil and administrative proceedings, in which the administrative body or the court and witnesses, experts, parties or translators are physically located in different places on the territory of the country.

The possibilities for using videoconferencing as a method of collection/ gathering evidence have been expanded. The changes in the Civil Procedure Code, the APC and the PPC in the field of videoconferencing are a consequence of the need to speed up the civil, administrative and criminal proceedings and reduce the costs of their implementation. Last but not least, there is a need to update the legislation on the tools for gathering evidence. In view of the global processes and the workload of our judicial system, the application of videoconferencing in civil, administrative and criminal cases has a serious potential.

3. Draft Law on Supplementing the Civil Procedure Code - submitted to the National Assembly with signature 102-01-7 of January 21, 2021.

The bill regulates the electronic information system "National Register of Seizures" in the Republic of Bulgaria, through which the information on movable property with registration regime, on which seizures have been imposed in enforcement cases will be centralized in one database. The system will be available to the eligible authorities and persons on the territory of the country or abroad.

4. With the Law for supplementation of the Judiciary Act (promulgated, SG, issue 86 of 2020) a normative regulation of:

(a) the automated information system (AIS) "Unified Register of Experts", which contains the data entered in the lists of specialists approved as experts. AIS "Unified Register of Experts" creates an opportunity for the bodies of pre-trial and court proceedings to quickly and easily find experts with a suitable specialty to prepare the necessary expertise. Through the establishment and implementation of a single national register, a convenient interface is created for the selection of experts on the basis of set criteria in case of need for specific expertise and level of knowledge;

The issuance of an Ordinance amending and supplementing Ordinance 2 of 2015 on the entry, qualification and remuneration of experts is forthcoming (promulgated, SG No. 50/2015).

b) the unified information system of the judicial enforcement (ISSI) in the Republic of Bulgaria, through which the information on the movement of the enforcement cases is centralized in a unified database. The system will be available to every user in the country or abroad. The main purpose of the law is to provide centralized electronic access to data on the formation, movement and completion of enforcement cases in the Republic of Bulgaria as the beginning of the process of building an effective, secure and coherent electronic environment of the enforcement process.

The issuance of an Ordinance on the information system of judicial enforcement (under Article 360u, paragraph 1 of the Judiciary Act) is forthcoming, regulating the right of access to the information system of judicial enforcement and the data collected and entered and the adoption of a Decree of the Council for amendment and supplementation of Tariff 1 to the Law on State Fees for Fees Collected by Courts, Prosecutor's Office, Investigation Services and the Ministry of Justice.

208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-10. Mediation and other Alternative Dispute Resolution

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Supreme Judicial Council: Seeking different approaches to overcoming the uneven workload and improving the quality of justice, the Committee "Judicial Map, Workload and Judicial Statistics" at the Judges` College of the SJC (CJMWS) is taking an initiative focused on the use of alternative means of resolving legal disputes.

According to the current regulations, mediation is entirely voluntary. This does not lead to the full development of its potential. At the same time, the number of civil and commercial cases as a whole is increasing, a trend that cannot be projected onto the number of judges by increasing it.

This objective picture justifies the idea of upgrading the existing alternatives to the administration of justice so as to effectively assist the parties in resolving the dispute between them without the intervention or with minimal intervention of the court. Guided by these intentions, the CJMWS formed a working group with the task of preparing a strategy and proposals for the introduction of mandatory

mediation as a means of regulating the high workload of the courts.

The expectations are oriented towards the development of a model for obligatory mediation and the updating of the legal framework in the Law on Mediation, Code of Civil Procedure and all other relevant normative acts related to mediation in civil and commercial disputes to guarantee the rights and interests of the parties, reducing the workload of court, increasing efficiency in the field of civil and commercial administration of justice, increasing trust in the judiciary and improving the business environment.

Within the framework of the mandate granted to it, the working group formed by a decision under item 6 of Minutes 22 / 02.10.2019 of the CJMWJS held a series of meetings in 2020, and as a result of the extremely thorough work a Concept for introduction of mandatory judicial mediation in civil and commercial matters has been drafted. The concept outlines the specific steps and actions for the introduction of the institute of mandatory judicial mediation in certain types of civil and commercial cases, which in addition to the immediate effect on the workload of the courts, will provide a more economical and easier alternative for citizens and businesses in resolving disputes.

The concept was prepared by a working group of magistrates and mediators at the CJMWJS and has found practical implementation in a project under the Recovery and Resilience Plan Bulgaria 2030 / MS Recovery and Resilience Plan SWD (2021) /with title: "Introduction of methods for alternative dispute resolution (ADR) in the judicial system in Bulgaria - pilot introduction of mandatory judicial mediation; Completion of the network of judicial centers in all district regions of the country. The concept outlines concrete steps and actions for introduction of the institute of obligatory judicial mediation in certain types of civil and commercial cases, in order to reduce the workload of courts, provide economical and easier alternative for citizens and business in dispute resolution.

Mediation procedures are foreseen in case of divorce by lawsuit, in case of judicial division, in case of disputes for change of the measures related to parental responsibility, personal relations with grandparents, disputes between co-owners or in connection with condominium relations and others. The obligatory nature of mediation must ensure the participation of the parties to the dispute in the mediation procedure, which is currently one of the main obstacles to its conduct, despite the adopted in 2004 Law on Mediation.

It should be realized in the form of obligatory participation of the parties in the case in the first mediation meeting, and the subsequent ones will be carried out only with their consent. It is required to be conducted only through the mediation centers at the courts. A pilot introduction of mandatory judicial mediation in the functioning court mediation centers at the courts in Sofia, Varna, Pazardzhik and Pernik is envisaged. In the other 24 court centers at the district courts, this should happen no later than the beginning of 2023.

The activity of the RRP project is expected to start in 2021, and in the first phase, in addition to the introduction of mandatory judicial mediation in the four pilot centers, development of a plan for the necessary changes in their work and preparation of proposals for legislative changes are planned.

An analysis and terms of reference for the implementation of a module in the Unified Information System of the Courts for the administration of the conducted mediations in the cases will be prepared, as well as conducting explanatory campaigns among the interested groups. In the second phase of the project, 15 new mediation centers will be established at the district courts and the existing 9 centers will be expanded, the selection and training of mediators will be made, as well as selection and training of judges for selection of cases for which mandatory mediation is foreseen.

The implementation of the Concept requires changes in the Law on Mediation, in the Code of Civil Procedure and other normative acts related to the application of mediation in civil and commercial disputes. By them the rights and interests of the parties will be guaranteed, there will be increase in the efficiency in the field of civil and commercial justice, trust in the judiciary and improvement of the business environment.

Alternative dispute resolution is a strategic goal set in the Updated Strategy for Continuation of Judicial Reform, introduced as a priority - in Specific Objective 2: Regulation of the workload of magistrates and the judiciary, item 3.2.4 Package of measures to reduce workload, including through the easing of procedural rules, increased use of alternative dispute resolution and the introduction of e-justice; in Strategic goal 4: Modern and effective penal policy, Specific goal 1 Update of the penal policy, item 4.1.9 Application of alternative ways for resolving criminal cases, including through forms of restorative justice; in Strategic Objective 6: Increasing confidence in the judiciary through public participation and transparency, Specific Objective 4: Enhancing the transparency of the judiciary and dialogue with citizens, item 6.4.7 Mechanisms for promoting alternative means of resolving cases as a means to increase the trust and responsibility of citizens and build a legal culture.

The wider application of mediation in the Republic of Bulgaria and the formation of public attitude to it require updating the legislation in the Law on Mediation, Code of Civil Procedure and all other relevant regulations related to mediation in civil and commercial disputes by introducing the institution of mandatory mediation in certain types of civil and commercial cases. The concept for introduction of mandatory judicial mediation builds on the achievements of the project "Promoting the use of mediation as an alternative way of resolving disputes" under the Operational Program "Good Governance", implemented by the Ministry of Justice and the Supreme Judicial Council, within which five pilot mediation centers by appellate districts have been built.

The concept for introduction of obligatory judicial mediation in civil and commercial cases was adopted by a decision of the CJMWJS

under protocol 2 / 03.02.2021 and submitted for consideration to the Judges` College of the SJC. With a decision of the Judges` College of the SJC under protocol 4 / 09.02.2021, the Concept was taken note and sent to the Minister of Justice.

At present, some of the participants in the working group for drafting the Concept are included in a working group formed by the Minister of Justice, tasked with studying the need to amend and supplement the regulations of mediation as an alternative form of out-of-court dispute resolution and, if necessary, preparation of projects for amendment and supplementation of the normative acts, related to the institute of mediation.

Ministry of Justice: At the moment, the Ministry of Justice has formed a working group with a subject with the task: Study of the need for amendment and supplementation of the normative regulation of mediation as an alternative form for out-of-court settlement of disputes and, if necessary, preparation of projects for amendment and supplementation of normative acts related to the institute of mediation. In the course of the group's work, proposals have been submitted for the introduction of a mandatory mediation procedure for certain categories of family, commercial, bond, and administrative disputes, as well as a proposal for the introduction of a mandatory first information meeting to be considered. The Concept for introduction of obligatory judicial mediation in civil and commercial cases in the courts, developed by a team at the SJC, is also to be considered.

208-11. Fight against crime

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

208-12. Prison system

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

208-13. Child friendly justice

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: A draft law on educational measures for persons who have committed a crime or administrative violation as minors has been prepared. The bill aims to encourage the lawful behavior of persons who have committed a crime or administrative offense as minors, by supporting and stimulating their integration into society with appropriate educational measures. The project is in implementation of the Government Management Program of the Republic of Bulgaria for the period 2017-2021 and the Updated Strategy for Continuation of the Reform in the Judiciary (approved by RMC 825 on 18.12.2014 and Decision of the National Assembly, prom. , SG No. 7 of 27 January 2015). During the drafting of the bill, an additional analysis of the final observations and recommendations of the UN Committee on the Rights of the Child was made in connection with the second periodic report on Bulgaria (2008), as well as in connection with the consolidated third, fourth and fifth periodic reports on Bulgaria. (2016). The UN and Council of Europe standards in the field of treatment of children in conflict with the law, formulated in the UN Rules for the Protection of Minors

and Juveniles Deprived of Liberty (Havana Rules), Minimum Standard Rules for the Administration of Juvenile Justice (Beijing Rules) have also been taken into account and the European Rules for Juvenile Offenders, which are subject to sanctions and measures. The bill does not reproduce international legal provisions formally and literally, but introduces new regulations to ensure both compliance with the legal and social environment and compliance with Bulgaria's obligations under international instruments such as the UN Convention on the Rights of the Child and the European Convention on Human Rights and Fundamental Freedoms.

208-14. Domestic violence

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: In 2020 A working group at the Ministry of Justice prepared a draft law amending the Law on Protection from Domestic Violence. The draft of the Law on Amendments to the Law on Public Procurement was published for public consultations in the period from 13.01.2021 to 27.01.1921. In view of the numerous comments and suggestions received, both on the proposals made for amendment and supplementation of the PDPA, and on topics that were not subject to amendment, the reflected comments will have to be reconsidered by the working group and subject to repeated public consultation.

208-15. New information and communication technologies

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-16. Other

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: