



Reference data 2022 (01/01/2022 - 31/12/2022)

Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023

Objective :

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 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 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed 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, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

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.

Instruction :

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

1. General and financial information

1.1. Demographic and economic data

1.1.1 Inhabitants and economic general information



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

[6 447 710]

Comments Data provided by National Statistical Institute

The number of population as of 01.01.2023 (31.12.2022) is calculated based on the data of the Census of population 2021 and the data of natural and mechanical movement of the population.



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

[13 271]

Comments

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

[10 861]

[] 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: National Statistical Institute. Question 1: The number of population as of 01.01.2023 (31.12.2022) is calculated based on the data of Census 2021 and the data of natural and mechanical movement of the population. Question 4: Source: National Statistical Institute. The final 2022 data are covering full and part-time employees.

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, 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)	292 936 454 [] NA [] NAP	286 539 924 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	234 045 312 [] NA [] NAP	232 425 952 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	5 043 824 [] NA [] NAP	4 735 641 [] NA [] NAP

2.1 Investments in computerisation	3 828 526 [] NA [] NAP	3 520 343 [] NA [] NAP
2.2 Maintenance of the IT equipment of courts	1 215 298 [] NA [] NAP	1 215 298 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	3 870 000 [] NA [] NAP	3 860 167 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	22 352 378 [] NA [] NAP	18 321 953 [] 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	28 076 [] NA [] NAP	24 110 [] NA [] NAP
7. Other (please specify)	27 596 864 [] NA [] NAP	27 172 101 [] 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 significant differences in the approved and implemented budget for 2022 compared to 2020 are due to an increase in the funds for labour remuneration by 10% in 2021 and 10% in 2022, an increase in the amount of the pension (BGN 650 - 2021, BGN 710 – 2022), which is the basis for determining fees for experts, jurors, payments under contracts. There is also an increase in the benefits under Judiciary System Act and Labour Code, as well as the planned and paid funds for clothing. There is also a significant increase in the maintenance of the courts, given the increase in the prices of energy sources in 2022.

The increase in the annual budget for gross salaries compared to the previous assessment cycle (2020-2022) is due to the increase in labour remuneration - 10% in 2021 and 10% in 2022, as well as the funds provided in the budget of the judiciary for additional remuneration in connection with Art. 233, paragraph 6 of the Judiciary System Act.

Item 2.1 - "Investments in computerization" includes 2,196,248 euros from the budget of the Supreme Judicial Council (SJC), used for the needs of the courts.

Item 4 - "Annual public budget allocated to court buildings (maintenance, operating costs)" includes 3,045,102 euros from the SJC budget spent on the needs of the courts for basic repairs of the court buildings. In the previous evaluation cycle, these costs were listed under the category "Other". The implemented budget differs from approvals due to unspent funds for major repairs, acquisition of long-lasting tangible and intangible assets, as well as current repairs due to unfinished procedures under the Law on Public Procurement.

In 2022, no costs were incurred for the purchase of new court buildings.

In item 7 - "Others" - the expenses for the payment of benefits under the Labour Code and the Judiciary System Act, the expenses for clothing, expenses for social, household and cultural services and sick leave at the expense of the employer are specified.

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	[X] NA [] NAP	[X] NA [] NAP

Total annual public budget allocated to all courts and legal aid together	[X] NA [] NAP	[X] NA [] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	[X] NA [] NAP	[X] NA [] 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	() Yes, at the beginning of the procedure () Yes, at a later stage (X) No
for other than criminal cases	(X) Yes, at the beginning of the procedure () Yes, at a later stage () No

Comments - If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?
Article 83 and Article 84 of the Law on State Fees regulate which persons are exempt from paying state fees.

Code of Civil Procedure / Civil Procedure Code (CPC)

Article 83. (1) Duties and costs of the proceeding in the cases shall not be deposited:

1. by the plaintiffs who are factory or office workers or cooperative members in respect of any actions arising from employment relationships;
2. by the plaintiffs: in respect of any actions for maintenance obligations;
3. on any actions brought by a prosecutor;
4. by the plaintiff: in respect of any actions for damages sustained as a result of a tort or delict, for which a sentence has become enforceable;
5. by the ad hoc representatives of the party whose address is unknown, appointed by the court;

(2) Duties and costs of the proceeding shall not be deposited by any natural persons who have been found by the court to lack sufficient means to pay the said duties and costs. Considering the petition for waiver, the court shall take into consideration:

1. the income accruing to the person and to the family thereof;
2. the property status, as certified by a declaration;
3. the family situation;
4. the health status;
5. the employment status;
6. the age;
7. other circumstances ascertained.

(3) In the cases referred to in Paragraphs (1) and (2), the costs of the proceeding shall be paid from the sums allocated under the budget of the court.

Article 84. Payment of stamp duty but not of court costs shall be waived for:

1. the State and the government institutions, except in actions for private state receivables and rights to corporeal things constituting private state property;
2. the Bulgarian Red Cross;

3. the municipalities, except in actions for private municipal receivables and rights to corporeal things constituting private municipal property.

Code of Administrative Procedure / Administrative Procedure Code (APC) Article 12. (3) No stamp duties shall be collected and no court costs shall be paid on any proceedings under this Code, unless so provided for therein or in another law, as well as in the cases of a judicial appeal against administrative acts and upon bringing a legal action under this Code.

Code of Criminal Procedure: "Covering costs"

Article 187

(1) Costs for criminal proceedings shall be covered from amounts specified in the budget of the respective institution, except in cases specified by law.

(2) In cases of crime actioned on the basis of a complaint by the victim filed with the court, costs shall be deposited in advance by the private complainant, and if they are not deposited, the private complainant shall be given a term of seven days to deposit them.

(3) In cases actioned by the complaint of the victim filed with the court, costs in relation to the evidentiary claims made by the defendant in court shall be covered by the court's budget.

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

- The calculation and determination of court fees are regulated in 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 Law on State Fees for the fees collected by the courts, the prosecutor's office, investigative services and the Ministry of Justice, and other tariffs. The fees collected are 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 the state fees that are collected by the courts under the Civil Procedure Code for a claim, a counterclaim and a claim of a third party with independent rights, a fee of 4 percent is collected on the cost of the claim, but not less than BGN 50.

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

[44 964 128]

[] NA

[] NAP

Comments

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)	5 544 245 [] 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)	5 395 758 <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 difference in the budget implemented for 2022 compared to 2020 is due to amendments of the Ordinance on the payment of legal aid adopted in 2021. As a result the maximum amounts of attorney's fees in criminal cases increased by 40%, and in civil and administrative cases by an average of 20%. Furthermore, additional payments were introduced for legal aid provided in cases with great factual and legal complexity and lasting more than a year, as well as separate payments for certain types of criminal cases - for measures of remand, for interrogation before a judge and for approving agreements by the court in accordance with Chapter 29 of the Criminal Procedure Code.



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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 type="checkbox"/> No <input checked="" type="checkbox"/> NAP (Legal aid does not include coverage of court fees)
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include exemption from court fees)

Comments Comment: The budget for legal aid includes the coverage of court fees due in court proceedings in which the National Legal Aid Bureau (NLAB) is a party. According to the latest changes in the Code of Civil Procedure / Art. 83, paragraph 1, item 6 - new publ. In SG no. 102 of 23.12.2022/ fees and expenses for the proceedings of the cases shall not be paid by a party to whom legal aid has been granted in the case under the conditions of Art. 23, para. 2 of the Legal Aid Act, namely when the party does not have the means to pay for an authorized lawyer, wishes to have one and the interests of justice require it.

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

Approved budget (in €)	Implemented budget (in €)
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Total annual public budget allocated to the public prosecution services, in € (including 13.1)	180 015 668 [] NA [] NAP	178 508 426 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	12 169 [] NA [] NAP	7 224 [] NA [] 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: Supreme Judicial Council: The implemented budget differs from the approved due to unspent funds for major repairs, acquisition of long-lasting tangible and intangible assets, as well as current repairs due to unfinished procedures under the Law on Public Procurement (LPP).

The Prosecutor's Office:

The difference between the approved and the executed budget lies in the fact that the approved budget corresponds to the budget of the Judiciary, including the Prosecutor's Office of the Republic of Bulgaria, adopted by the State Budget Act for 2022 – SBRBA (as of 01.01.2022), while the executed budget corresponds to the actual expenditures as of 31.12.2022 – at the cash level.

Specifically, at the beginning of 2022, funds for training amounting to BGN 23 800 are planned. (EUR 12 169). The information is based on summary draft budgets for all structural units in PORB for 2022, prepared at the end of January 2022. At the end of the reference year (as at 31.12.2022), approximately BGN 14,129 had actually been spent at cash level (EUR 7 224). The lower implementation is to some extent due to both organisational (most of the training organised and delivered was conducted online) and financial reasons (in 2022, the SBARB was adopted later – on 4 March 2022).

A comparison of data for several consecutive years – 2020, 2021 and 2022 – shows an increase in the planned training funds for the respective years (given the increase in the cost of posting and services) and a decrease in the actual spent ones in relation to the restrictive measures introduced during the coronavirus pandemic and conducting online trainings instead of face-to-face ones, resulting in a decrease in spending.

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

Sources: The source of the data for the approved and implemented budget, including for the trainings in the Prosecutor's Office of the Republic of Bulgaria, is the Annual Financial Report of the Public Prosecutor's Office for 2022.

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 €	642 874 336 [] NA [] NAP	626 332 622 [] NA [] 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 (2022):

Approved:

Supreme Judicial Council data: EUR 505 590 471 (incl.: Courts + Prosecution of the 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 128 926 003

National Bureau of Legal Aid at The Ministry of Justice: EUR 5 544 245

Constitutional Court: EUR 2 813 617

Total: EUR 642 874 336

Implemented:

SJC data: EUR 489 618 191 (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 128 555 983

National Bureau of Legal Aid: EUR 5 395 758

Constitutional Court: EUR 2 762 690

Total: EUR 626 332 622

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

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

Comments

015-3. Other budgetary elements

	Included
Prison system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Probation services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
High Prosecutorial Council	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Constitutional court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Judicial management body	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Service for legal representation of the State	() 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 2022
Ministry of Justice
National Bureau of Legal Aid
Constitutional Court

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

016-1. Please briefly describe the organisation of the legal aid system in your country.

- Legal aid is provided in criminal, civil and administrative cases before all courts, as well as in out-of-court procedures. Legal aid is provided by lawyers registered in the National Register of Legal Aid and is financed by the state. The funds for legal aid are provided by the state budget. Legal aid is provided only to individuals on the grounds specified in the Legal Aid Act and other laws. The bodies in the legal aid system are: The Minister of Justice, who develops, coordinates and implements the state policy in the field of legal aid; The National Legal Aid Bureau - an independent state body of budgetary support to the Minister of Justice, which together with the bar councils in the country organizes legal aid; Bar councils - organize the provision of legal aid in the relevant judicial district, by: preparing an opinion on the applications of lawyers from the college for entry in the National Register of Legal Aid, preparing lists of lawyers on duty, reserve defenders and lawyers providing consultations in the regional counseling centers, appoint a lawyer from the college, entered in the National Register of Legal Aid, to provide legal aid, monitor compliance with the form and content of the acts issued by the courts and investigative bodies for the provision of legal aid, as well as the reports that file the lawyers, carry out ongoing control over the quality of the legal aid provided by the lawyers, carry out inspections and, based on the findings, if necessary, initiate disciplinary proceedings, certify the lawyers' reports on the legal aid provided by them, and prepare a proposal for the payment of remuneration in accordance with The regulation on the payment of legal aid provides training for lawyers from the legal aid register, ensures the technical provision of legal aid and assists persons from vulnerable social groups in obtaining legal aid. Legal aid is provided for: consultation, preparation of documents to reach an agreement before the start of legal proceedings or for the filing of a lawsuit, as well as for the initiation or conduct of proceedings for the issuance of an individual administrative act or its challenge by administrative procedure, including consultations under the National telephone for legal aid and the Regional Counseling Centers of the Bar Councils in the country; legal representation in initiated proceedings before the bodies that lead the procedural actions - court, investigative bodies, prosecutor's office; representation in out-of-court proceedings, which includes representation in administrative criminal proceedings under the Law on Administrative Violations and Penalties, in proceedings on the issuance or challenge of an individual administrative act under administrative order, in proceedings under the Law on the Protection of Persons Submitting Signals or Publicly Disclosing Information on Violations, in proceedings before arbitration and in mediation proceedings; representation of detained persons pursuant to Art. 72, para. 1 of the Law on the Ministry of Internal Affairs, the Law on Customs and the Law on the State Agency "National Security". The body that provides legal aid is different, depending on the type of legal aid. For providing legal aid for consultation and preparation of documents and representation before administrative bodies, arbitration and mediation procedures, before the initiation of a case - the authority is the chairman of the National Legal Aid Bureau. The authority that provides legal aid for legal representation in proceedings initiated before investigative and judicial bodies, as well as for representation in mediation proceedings in an initiated case, is respectively - the investigating authority, the prosecutor or the judge in the case. The authority that provides legal aid for representation in detention is the police authority from the relevant structure of the Ministry of the Interior.

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: Legal aid can be provided in cases related to the forced execution of court decisions - executive cases, according to the inventory of the private bailiffs and state bailiffs.

According to § 2. From the Additional provisions to the Legal Aid Act: "Legal aid in civil matters shall furthermore include legal aid in a subsequent enforcement proceeding, which has commenced within one year after the entry into effect of the judgment of court, unless there is a change in the circumstances that existed during the consideration of the application for legal aid."

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: Pursuant to Art. 38, Para. 5 of the Legal Aid Act: "(5) The appointed lawyer shall furthermore be reimbursed for the necessary expenses on the defence, incurred for visit to the places of deprivation of liberty or to detention facilities and on defence in another nucleated settlement according to the procedure established by the Ordinance on Domestic Business Trips."

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	37 380 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 683 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 697 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	26 283 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	2 400 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate:

020-0. Please indicate the number of recipients of legal aid:

	Total	Cases brought to court	Cases not brought to court
TOTAL	<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

In criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
In other than criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please specify when appropriate:

020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?

- () Yes
(X) No

Comments

020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:

	Total	Males	Females
Number of recipients of legal aid	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP

Comments

020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of cases?

- () Yes
(X) No

Comment: If yes, please specify for which categories of cases:

020-0-4. Are there situations where legal aid is automatically granted depending on categories of cases?

- (X) Yes
() No

Comment: If yes, please specify: According to the Legal Aid Act in force in the Republic of Bulgaria, the legal aid system covers cases in which, by virtue of another law, legal protection is mandatory, without examining the person's income.

In criminal cases, such are the cases under Art. 94, para. 1 of the Criminal Procedure Code when:

1. The accused party is underage;
2. The accused party suffers from physical or mental deficiencies, which prevent him/her from proceeding pro se;
3. the case is concerned with a criminal offence punishable by deprivation of liberty of no less than ten years or another heavier punishment;
4. The accused party does not have command of the Bulgarian language;
5. The interests of the accused parties are contradictory and one of the parties has his/her own defence counsel;
6. (Amended, SG No. 109/2008) A request under Article 64 has been made or the accused party is detained;
7. (Repealed, SG No. 32/2010, effective 28.05.2010);
8. The case is tried in the absence of the accused party;
9. The accused party cannot afford to pay a lawyer fee, wishes to have a defence counsel and the interests of justice so require.

As well as in some other proceedings under the Criminal Procedure Code;

- in the case of reduced judicial trial;

- for approving an agreement/ plea bargain under the procedure of the Criminal Procedure Code.
 - 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. 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 (Art.101).
 - of a person against whom recognition of a judgment of a foreign court is requested;
 - In certain special proceedings under part seven of the Criminal Procedure Code - compulsory medical measures, rehabilitation, proceedings in relation to the execution of the punishments, in extradition proceedings.
- In civil cases, such are the cases when a party to the case is a person whose guardianship is requested or is a person placed under guardianship, as well as in cases under the Child Protection Act when a party to the case is a child whose interests conflict with those of the parent, guardian or custodian, as well as a person-respondent in the case who cannot be found at the address indicated by him or has no registered permanent or current address.

020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	104 <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

Comments

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 decision on 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:

=

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: According to the current Legal Aid Act, the legal aid system also covers cases where the accused, the defendant or the party in a criminal, civil or administrative case does not have the means to pay for a lawyer, wishes to have one and the interests of justice require it. Depending on the type of legal aid provided, resp. the authority that provides it - the chairman of the National Legal Aid Bureau or the court assesses whether or not the person has the means to pay a fee to an authorized lawyer, based on

evidence presented by the relevant competent authorities in civil and administrative cases, and in criminal cases, based on of the property status of the person in the specific case as determined ex officio by the court.

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: The Bulgarian Legal Aid Act does not recognize the so-called "full" and "partial" legal aid. According to Art. 23, paragraph 3 and paragraph 4 of the Legal Aid Act:

(3) (Amended, SG No. 32/2010, effective 28.05.2010, SG No. 28/2013, supplemented, SG No. 92/2018) In civil and administrative matters, legal aid shall be granted in the cases where, on the basis of evidence presented by the relevant competent authorities the court, respectively the President of the NLAB, determines that the party is unable to pay a lawyer's fee. The court, respectively the President of the NLAB, shall arrive at such determination taking into consideration:

1. the income accruing to the person or to the family thereof;
2. the property status, as certified by a declaration;
3. the marital status;
4. the state of health;
5. the employment;
6. the age;
7. other circumstances.

(4) (Amended, SG No. 28/2013) In criminal matters, the determination that the accused or the defendant is unable to pay a lawyer's fee shall be made by the authority who directs the procedural steps on the basis of the property status of the person ascertained ex officio in the specific matter and of the circumstances referred to in Items 1, 3, 4, 5, 6 and 7 of Paragraph (3). In respect of the private accuser, the civil plaintiff, the civil respondent and the private complainant, the determination shall be made according to the procedure established by Paragraph (3).

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 specify the exact criteria for denying legal aid: Pursuant to Art. 5 and Art. 24 of the Legal Aid Act, legal aid is not provided in the following cases:

1. where the granting of legal aid is not justified in terms of the benefit that such aid would confer on the applicant for legal aid;
2. where the claim is manifestly unfounded, unjustified, or inadmissible;
3. of legal entities.

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 The chairman of the NLAB provides or refuses legal aid for consultation and/or preparation of documents, with a view to reaching an agreement before the start of legal proceedings or for filing a lawsuit, for starting or conducting proceedings for the issuance of an individual administrative act and/or its challenge administratively and for representation in extrajudicial proceedings.

The bodies that lead the procedural actions on initiated cases - investigative bodies, prosecutors and judges, provide legal aid for procedural representation on these bodies.

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: Legal Aid Act, Criminal Procedure Code, Civil Procedure Code, Administrative Procedure Code

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	()
Case-law of the higher court/s	(X) www.vks.bg	()
Information about the judicial system (organisation of courts, court proceedings, etc)	(X) https://vss.justice.bg/	()
Other documents (e.g. forms, downloadable forms, online registration forms)	(X) https://portal.justice.bg/	()

Comment - Please specify what documents and information are included in "Other documents" www.sac.government.bg
www.compensation.bg

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:

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
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Comments - Please provide more information on these systems and 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	(X) Yes () No	(X) Yes () No	() Yes (X) No
Victims of terrorism	(X) Yes () No	(X) Yes () No	() Yes (X) No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	() Yes (X) No
Ethnic minorities	(X) Yes () No	(X) Yes () No	() Yes (X) No
Persons with disabilities	(X) Yes () No	(X) Yes () No	(X) Yes () No
Juvenile offenders	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify:

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 With the bill amending and supplementing the Criminal Procedure Code (CPC), promulgated in SG No. 63 of 2017, an amendment was made in Art. 140, para. 5, according to which the questioning of a minor and minor witness can be carried out while taking measures to avoid contact with the accused, in specially equipped premises or through a video conference, which in the pre-trial proceedings is held in the presence of a judge. The provisions of Art. 280, para. 6 and Art. 281, para. 1, item 6 of the Criminal Procedure Code are applicable to the rules for questioning a minor witness, regardless of whether he has specific protection needs. At the end of

September 2018, the Ministry of Justice completed the implementation of the project "Strengthening the legal and institutional capacity of the judicial system in the field of youth justice" under the Thematic Fund "Security" of the Bulgarian-Swiss Cooperation Program. The dedicated children's hearing rooms created by the project provide children with the opportunity to be heard in a friendly, family-friendly environment by a trained expert, so that they are protected from the stress they would experience in the atmosphere of courthouses or police stations and away from possible abuser or an elderly witness they may fear. The results achieved by the project are a key moment for synchronizing the justice system for children in Bulgaria with European and international standards. To improve the capacity of the Bulgarian institutions within the project, 112 judges, prosecutors, police officers and social workers were trained to work with children. The training modules were developed and conducted in collaboration with the International Institute of Childs Rights, Sion, Switzerland. According to the project, 12 specialized premises were built and equipped for gentle hearing of minors and minors in civil and criminal proceedings ("blue rooms") in 12 cities. The built premises in the mentioned cities are used by the court, the prosecutor's office, the police and social workers. Specialized court panels for examining cases involving children have been established in 5 pilot courts under the project Next, with the draft Ordinance No. 4 of 2008 on the rules and norms for safety and security in the design, construction, reconstruction, modernization and operation of the objects of the judiciary (Official Gazette, SG No. 99 of 2023) amendments and additions related to the need to bring the Bulgarian legislation in line with the provision of Art. 19, par. 2 of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime and replacing Council Framework Decision 2001/220/JHA of the Council. According to the requirements of Art. 19, par. 2 of Directive 2012/29/EU "Member States shall ensure that new court premises have separate waiting areas for victims". The proposed addition envisages the allocation of separate waiting rooms in the new court buildings for crime victims and their family members in public access areas, with the aim of ensuring appropriate measures for the protection of victims, which lead to a reduction in the risk of secondary and re-victimisation, intimidation and retaliation by the perpetrator and to more adequate support tailored to the needs of victims.

031-1. What are the main criteria for a person under 18 years of age to act in court proceedings 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"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input checked="" type="checkbox"/> NAP
To be a witness	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP

Comments - Please specify if you selected "Other". In civil proceedings, The Code of Civil Procedure states that minors and persons who have been declared to be partially lacking legal capacity perform legal proceedings in person, but with the consent of their parents or guardians. Minors may conduct their cases in person for disputes regarding labor relations or for disputes arising from transactions under Art. 4, para. 2 of the Law on Persons and the Family, as well as in other cases determined by law. One particular hypothesis provided for in the Family Code, which affects the civil status of minors, can also be pointed out. Pursuant to Art. 6, para. 4 upon entering into marriage, the minor acquires legal capacity (i.e. acquires rights and obligations as a person who has reached the age of 18). There is only one limitation in the performance of legal actions by him - disposal of immovable property can only be done with the permission of the district judge at the permanent address of the minor. No custodial assistance from the parent is required.

In criminal proceedings, there are no cases in which a minor may request the initiation of proceedings or perform procedural actions alone, without being represented by a parent, guardian, trustee or special representative in the specified cases.

Legal basis:

Civil Procedure Code

Article 28. (1) Natural persons of full capacity to act shall perform court procedural steps 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

Article 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.

Code of Criminal Procedure Examination of a witness with special protection needs

Art. 139. (1) The presence of an educator or a psychologist shall be mandatory when the witness with special protection needs is a minor. Where necessary, the examination shall also be conducted in the presence of the parent, guardian or custodian.

(2) At the request of a witness who is a victim of a crime committed in the context of domestic violence or of a crime under Chapter Two, Section VIII of the Special Part of the Criminal Code, the examination shall be conducted by a person of the same sex if this will not impede the criminal proceedings. This provision shall not apply where the interrogation is conducted by a judge or prosecutor.

Questioning of a witness who is a minor

Art. 140. (1) A minor witness shall be questioned in the presence of a pedagogue or psychologist and, where necessary, in the presence of the parent or guardian.

(2) The minor witness shall be examined in the presence of the persons referred to in par. (1), if the relevant authority deems it necessary.

(3) With the permission of the authority conducting the examination, the persons referred to in paragraph 1 may ask questions of the witness.

(4) The authority conducting the questioning shall explain to the under-age witness the need to give truthful testimony, without giving any warnings of responsibility.

(5) Interrogation of a minor witness in the country may be carried out taking measures to avoid contact with the accused, including in specially equipped premises or by videoconference.

031-2. If a person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?

Civil proceedings	Criminal proceedings
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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"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No
Another 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 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

Comment

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

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

- [14]
- 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?

-

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

- Yes, but only if the offender is unknown
- Yes, but only if compensation could not be obtained from the offender
- Yes, in both situations
- No

Comment According to Article 15, Paragraph 1, Item 4 of the Assistance and Financial Compensation to Victims of Crime Act, financial compensation shall not be granted where the victim has otherwise received compensation.

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: Crime Victim Assistance and Financial Compensation Act/Law on Assistance and Financial Compensation of Victims of Crime (LAFCVC):

Article 3. (1) Under the terms and procedure of this Act, assistance may be provided to victims and their family members who have suffered pecuniary and non-pecuniary damages as a result of crimes of a general nature, and financial compensation may be awarded to victims who have suffered pecuniary damages from the crimes referred to in Paragraph 3.

(2) Where a victim has died as a result of a crime, the victim's rights to assistance and financial compensation shall be transferred to the victim's heirs or the person with whom the victim has been in actual cohabitation.

(3) Financial compensation may be provided to persons referred to in Paragraphs 1 and 2, who have suffered damages as a result of any of the following crimes:

1. terrorism; intentional murder; attempted murder; intentional grievous bodily harm; sexual abuse; rape; trafficking in people;
2. a crime committed by order or under a decision of an organized criminal group;
3. or another serious premeditated crime resulting in death or grievous bodily harm, as consequences of offence defined by statute.

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

Yes

No

Comments Pursuant to Article 12, Paragraph 2 of the Assistance and Financial Compensation to Victims of Crime Act, financial compensation is granted after the entry into force of:

1. the conviction, including in cases where the case was heard in the absence of the defendant;
2. the agreement on the resolution of the case in the pre-trial proceedings;
3. the prosecutor's or court's act by which the criminal proceedings have been terminated, except in cases where the termination is on the basis of Article 24, Paragraph 1, Items 1, 7, 8a and 9 of the Code of Criminal Procedure; 4. the public prosecutor's or court act by which criminal proceedings have been suspended due to failure to identify the perpetrator of the offence.

The application for financial compensation shall be submitted to the National Council for Assistance and Compensation of Victims of Crime under the Ministry of Justice within one year after the entry into force of the relevant act of the judicial authorities. The application may also be submitted through a victim support organisation or through the regional governor of the victim's current address. The application for financial compensation shall be examined within one month from the date of its receipt, which may be extended to three months if necessary. A template of the application for financial compensation and a list of the documents required for the examination shall be made available to the victims by the National Council, the regional governors, the authorities of the Ministry of the Interior and the victim support organisations, as well as electronically on the website of the National Council — www.compensation.bg.

Art. 24. (1) Applications for financial compensation shall be considered within one month from the date of receipt. If necessary, this period may be extended to three months.

(2) The National Council shall adopt its decisions by a simple majority of those present. They shall be reduced to writing on the day of the meeting.

(3) The decision to grant financial compensation shall contain:

1. the full name, unique civil number, nationality and permanent and current address of the person to whom financial compensation is granted;
2. the legal qualification, time and place of the commission of the offence from which the person suffered;
3. the damage for which the financial compensation is granted and its amount.

(4) The decision on refusal to grant financial compensation shall contain the data referred to in Paragraph 3, Items 1 and 2 and shall state the reasons therefor.

(5) Decisions shall not be subject to appeal.

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: Crime Victim Assistance and Financial Compensation Act/Law on Assistance and Financial Compensation of Victims of Crime (LAFCVC):

Article 3. (1) Under the terms and procedure of this Act, assistance may be provided to victims and their family members who have suffered pecuniary and non-pecuniary damages as a result of crimes of a general nature, and financial compensation may be awarded to victims who have suffered pecuniary damages from the crimes referred to in Paragraph 3.

(2) Where a victim has died as a result of a crime, the victim's rights to assistance and financial compensation shall be transferred to the victim's heirs or the person with whom the victim has been in actual cohabitation.

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2. a crime committed by order or under a decision of an organized criminal group;
3. or another serious premeditated crime resulting in death or grievous bodily harm, as consequences of offence defined by statute.

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Yes

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1. the conviction, including in cases where the case was heard in the absence of the defendant;
2. the agreement on the resolution of the case in the pre-trial proceedings;
3. the prosecutor's or court's act by which the criminal proceedings have been terminated, except in cases where the termination is on the basis of Article 24, Paragraph 1, Items 1, 7, 8a and 9 of the Code of Criminal Procedure; 4. the public prosecutor's or court act by which criminal proceedings have been suspended due to failure to identify the perpetrator of the offence.

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2. the legal qualification, time and place of the commission of the offence from which the person suffered;
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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: Crime Victim Assistance and Financial Compensation Act/Law on Assistance and Financial Compensation of Victims of Crime (LAFCVC):

Article 3. (1) Under the terms and procedure of this Act, assistance may be provided to victims and their family members who have suffered pecuniary and non-pecuniary damages as a result of crimes of a general nature, and financial compensation may be awarded to victims who have suffered pecuniary damages from the crimes referred to in Paragraph 3.

(2) Where a victim has died as a result of a crime, the victim's rights to assistance and financial compensation shall be transferred to the victim's heirs or the person with whom the victim has been in actual cohabitation.

(3) Financial compensation may be provided to persons referred to in Paragraphs 1 and 2, who have suffered damages as a result of any of the following crimes:

1. terrorism; intentional murder; attempted murder; intentional grievous bodily harm; sexual abuse; rape; trafficking in people;
2. a crime committed by order or under a decision of an organized criminal group;
3. or another serious premeditated crime resulting in death or grievous bodily harm, as consequences of offence defined by statute.

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

Yes

No

Comments Pursuant to Article 12, Paragraph 2 of the Assistance and Financial Compensation to Victims of Crime Act, financial compensation is granted after the entry into force of:

1. the conviction, including in cases where the case was heard in the absence of the defendant;
2. the agreement on the resolution of the case in the pre-trial proceedings;
3. the prosecutor's or court's act by which the criminal proceedings have been terminated, except in cases where the termination is on the basis of Article 24, Paragraph 1, Items 1, 7, 8a and 9 of the Code of Criminal Procedure; 4. the public prosecutor's or court act by which criminal proceedings have been suspended due to failure to identify the perpetrator of the offence.

The application for financial compensation shall be submitted to the National Council for Assistance and Compensation of Victims of Crime under the Ministry of Justice within one year after the entry into force of the relevant act of the judicial authorities. The application may also be submitted through a victim support organisation or through the regional governor of the victim's current address. The application for financial compensation shall be examined within one month from the date of its receipt, which may be extended to three months if necessary. A template of the application for financial compensation and a list of the documents required for the examination shall be made available to the victims by the National Council, the regional governors, the authorities of the Ministry of the Interior and the victim support organisations, as well as electronically on the website of the National Council — www.compensation.bg.

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1. the full name, unique civil number, nationality and permanent and current address of the person to whom financial compensation is granted;
2. the legal qualification, time and place of the commission of the offence from which the person suffered;
3. the damage for which the financial compensation is granted and its amount.

(4) The decision on refusal to grant financial compensation shall contain the data referred to in Paragraph 3, Items 1 and 2 and shall state the reasons therefor.

(5) Decisions shall not be subject to appeal.

034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of 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:

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: Code of Criminal Procedure Prosecutor's intervention in cases of crimes prosecuted on the complaint of the victim

Art. 48. (1) Where the victim, by reason of the victim's helpless condition or dependence on the perpetrator of the offence, is unable to protect his or her rights and legitimate interests, the public prosecutor may intervene in the proceedings instituted on the victim's complaint at any stage of the case and take over the prosecution. In such cases, the criminal proceedings may not be discontinued on the basis of Article 24, Paragraph 5, Item 3—5, but the victim may maintain the prosecution alongside the public prosecutor as a private prosecutor.

(2) If the public prosecutor withdraws from the proceedings, the victim may continue to maintain the prosecution as a private complainant.

Initiation of criminal proceedings by the public prosecutor for offences prosecuted on complaint of the victim

Art. 49. (1) In exceptional cases, where the victim of a crime prosecuted on the complaint of the victim is unable to protect his/her rights and legal interests due to a helpless condition or dependence on the perpetrator of the crime, the public prosecutor may initiate criminal proceedings on his/her own motion if the time limit under Article 3 and there are not any of the obstacles to the initiation of criminal proceedings referred to in Article 1, Items 1—8a and 10. (2) The criminal proceedings instituted shall proceed in accordance with the general procedure and may not be discontinued on the grounds referred to in Article 24, Paragraph 5. (3) The victim may participate in the criminal proceedings as a private prosecutor and civil claimant.

(4) If the public prosecutor withdraws from the proceedings, the victim may continue to maintain the prosecution as a private complainant.

Bringing a civil action by the public prosecutor

Art. 51. Where the victim, because of minority or physical or mental deficiencies, is unable to protect his rights and legal interests, the public prosecutor may bring a civil action in his favour.

Witness protection

Art. 123. (1) The public prosecutor or the court shall, at the request of the witness or with his consent, take measures for his immediate protection where there are reasonable grounds to believe that as a result of the testimony a real danger to the life or health of the witness, his ascendants, descendants, brothers, sisters, spouse or persons with whom he is in a particularly close relationship has arisen or may arise.

-

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

NAP

Comment - If necessary, please specify: Prosecutor's Office of RB: The prosecutor has the legal possibility to terminate the criminal proceedings in its pre-trial phase - art. 243 of the Criminal Procedure Code (CPC). The accused, the victim or his heirs, or the damaged legal entity may appeal the termination decree before the relevant court of first instance within seven days - Art. 243, para. 4 CPC.

According to Art. 213 of the CPC, the prosecutor may refuse to initiate pre-trial proceedings, for which he shall notify the victim or his heirs, the injured legal entity and the person who made the announcement. The refusal decree is subject to appeal before the higher prosecutor's office, with the exception of the decree of the European Prosecutor and the European Delegated Prosecutor.

According to Art. 213, para. 4 of the Criminal Procedure Code, the decree of refusal to initiate pre-trial proceedings for a serious crime, confirmed by the superior prosecutor's office, within the meaning of Art. 93, item 7 of the Criminal Code, as well as for those expressly specified in Art. 213, para. 4 CPC crimes, subject to appeal by the victim or his heirs, the damaged legal entity and the person who made the announcement before the relevant court of first instance within 7 days of receiving the transcript. Persons have the right of access to the materials from the inspection under Art. 145, para. 1, items 2 and 3 of the Judiciary System Act/ Law on the Judiciary.

037. Is there a system of compensation in the following circumstances:

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
Total	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Excessive length of proceedings	536 [] NA [] NAP	204 [] NA [] NAP	316 392 [] NA [] NAP
Non-execution of court decisions	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Wrongful arrest/detention	[X] NA [] NAP	230 [] NA [] NAP	1 311 388 [] NA [] NAP
Wrongful conviction	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Other	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g., the amount per day for unjustified detentions or convictions): Prosecutor's Office of RB: In the Republic of Bulgaria, there are two mechanisms for compensation for damages in connection with criminal proceedings.

The first mechanism is regulated in the Law on the Liability of the State and Municipalities for Damages (LLSMD). The state and municipalities are responsible for the damages caused to citizens and legal entities by illegal acts, actions or inactions of their bodies and officials during or on the occasion of the performance of administrative activities, as well as for the damages caused by the action of canceled as illegal or declared as null and void by-laws. According to Art. 2 of this law, the state is responsible for the damages caused to citizens by the investigative bodies, the prosecutor's office or the court in the hypotheses specified in this text of the law.

The Prosecutor's Office does not keep statistics in the form of the indicators in the table in this questionnaire. The data for 2022 regarding the conviction of the Prosecutor's Office under LLSMD are as follows:

In 2022, the Prosecutor's Office was convicted by 255 persons on claims with a legal basis, Art. 2 and Art. 2b LLSMD, with 248 convictions entering into force.

Of the 248 convictions that entered into force, 134 were based on upheld claims with a legal basis, Art. 2, para. 1, item 3, item 1 LLSMD (acquittal entered into force), and 92 - with legal basis, Art. 2, para. 1, item 3, item 2 LLSMD (decree on termination of criminal proceedings entered into force).

2 court decisions were issued on the basis of Art. 2, para. 1, item 2 LLSMD (violation of rights protected by Art. 5, § 2-4 of the ECHR.) Pursuant to Art. 2, para. 1, item 1, item 1 LLSMD, 2 convictions were rendered (illegal detention).

For claims with a legal basis, Art. 2b LLSMD (violation of the right to consider the case within a reasonable time, according to Art. 6, § 1 of the Criminal Procedure Code) 18 convictions were issued and entered into force.

There are no claims filed with a legal basis under Art. 2, para. 1, item 1, proposal last LLSMD (imprisonment, in violation of Art. 5, § 1 ECHR), under Art. 2, para. 1, item 7 of LLSMD (illegal use of Special Intelligence Means) and under Art. 2, para. 1, item 6 LLSMD

(execution of an imposed penalty exceeding the specified term or amount).

The total amount of compensation awarded for claims brought against the Prosecutor's Office under the LLSMD procedure for 2022 is BGN 2,564,814.75 (EUR 1,311,369).

The second legal mechanism for compensation is regulated in the Law on the Judiciary (Chapter Three "a" Judiciary System Act- consideration of applications against violation of the right to consider and resolve the case within a reasonable time.

In accordance with the procedure of this chapter, applications of citizens and legal entities against acts, actions or inactions of the bodies of judicial power, which violate their right to consider and resolve the case within a reasonable time, are considered.

Applications are submitted by citizens and legal entities that are:

1. parties to closed civil, administrative and criminal proceedings;
2. accused, injured or damaged legal entities in terminated pre-trial proceedings.

In accordance with the procedure of this chapter, compensation is determined and paid in accordance with the practice of the European Court of Human Rights in the amount of no more than BGN 10,000.

Data on the implementation of the mechanism under Chapter Three "a" of the Judicial System Act are not collected in the Prosecutor's Office. The applications under para. 1 shall be submitted within 6 months from the completion of the relevant proceedings with a final act through the Inspectorate of the Supreme Judicial Council to the Minister of Justice.

Supreme Judicial Council: The Law on the Judiciary regulates an administrative procedure according to which citizens and legal entities can be compensated when their right to consider and resolve the case within a reasonable time is violated. Compensations are in the amount of no more than BGN 10,000. The Minister of Justice is competent to make a decision, and the deadline for considering applications is 6 months.

Ministry of Justice: Statistics on number of compensations granted for wrongful arrest include overall prosecution data on detention in custody and house arrest, but also for wrongful charges with subsequent acquittals and termination of proceedings, as well as violations of Art. 5, § 2 – 4 of the ECHR, since the numbers under the provision for seeking compensation for those are aggregate. Amount of compensation also includes compensations under another 18 court decisions for length of proceedings, but data cannot be disaggregated. No exact explanation can be given for any possible differences, because there is no data available on the calculation method or details on the proceedings. Statistics on excessive length of proceedings use data by the Procedural Representation before the ECHR Directorate of the Ministry of Justice on the review of applications for the domestic compensatory remedy for excessive length of proceedings under the Judicial System Act. Sums paid may include payments under applications from December of the previous year. No exact explanation can be given for differences in numbers of requests, or compensations given, as they are subject to complex criteria, based on ECtHR case-law.

037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:

	Responsible authorities	Legal time limit
Court concerned	[X]	[X]
Other court	[]	[]
Ministry of Justice	[X]	[X]
High Judicial Council	[]	[]
Other external bodies (e.g. Ombudsman)	[]	[]

Comments Law on State and Municipal Liability for Damages

Art. 4. The State and municipalities owe compensation for all pecuniary and non-pecuniary damages that are a direct and immediate consequence of the injury, regardless of whether they were caused by the official's fault.

Art. 7. (1) The claim for compensation shall be brought before the court at the place of the damage or at the present address or seat of the damage against the authorities under Art. 1, para. 1 and Art. 2, para. 1, whose illegal acts, actions or omissions caused the damage.

Art. 8. (1) Compensation for damages caused under the terms of Art. 1, para. 1, Art. 2, para. 1 and 2, Art. 2a and Art. 2b, para. 1, can be

sought under this law, not under the general order.

(2) Citizens and legal entities may file a claim under Art. 2b, para. 1 on closed proceedings only when the administrative procedure for compensation for damages has been exhausted according to the order of chapter three "a" of the Law on the Judiciary, on which no agreement has been reached.

(3) When a law or decree has provided for a special method of compensation, this law shall not apply.

Art. 10. (1) The cases under this law before the court are considered with the mandatory participation of a prosecutor.

(2) If the claim is rejected in full, the court orders the claimant to pay the costs of the proceedings. The costs are paid by the claimant even if the claim is withdrawn in full or if the claim is rejected in full.

(3) If the claim is upheld in whole or in part, the court orders the defendant to pay the costs of the proceedings, as well as to pay the plaintiff the state fee. The court orders the defendant to pay the plaintiff and one attorney's or legal counsel's fee, if he had one, in proportion to the part of the claim awarded.

(4) The court orders the plaintiff to pay the defendant a lawyer's fee, if he had one, in proportion to the rejected part of the claim, and in favor of the legal entities a fee is awarded if they were defended by a legal consultant, the amount of which cannot exceed the maximum amount for the relevant type of case, determined in accordance with Art. 37 of the Legal Aid Act.

Judiciary System Act Article 60a (1) This Chapter shall establish a procedure for the examination of applications submitted by citizens or legal persons against instruments, actions or omissions of the judicial authorities which infringe the right of the citizen or legal person to have the case thereof heard and disposed of within a reasonable time.

(2) The applications under Paragraph (1) shall be submitted by citizens or legal persons who are:

1. parties to completed civil, administrative or criminal proceedings;
2. accused parties, victims or aggrieved legal persons in terminated pre-trial proceedings;

(3) This Chapter shall furthermore establish a procedure for the determination and payment of compensation in compliance with the case-law of the European Court of Human Rights of an amount not exceeding BGN 10,000.

(4) The applications under Paragraph (1) shall be submitted within six months from the close of the relevant proceedings by a definitive instrument care of the Inspectorate with the Supreme Judicial Council to the Ministry of Justice.

(5) A separate register shall be established for such applications and shall be published on the website of the Inspectorate with the Supreme Judicial Council.

(6) No fee shall be paid for the examination of applications according to the procedure established by this Chapter.

Article 60c (1) Applications under Article 60a (1) shall be verified by the Inspectorate with the Supreme Judicial Council, wherewith a specialised unit shall be established.

Article 60f (1) On the basis of the facts and circumstances established by the inspecting team, the Minister of Justice or a person empowered thereby shall reject the application as being unfounded where:

1. the duration of the proceedings does not exceed the reasonable time limit;
2. the delay is caused by acts or omissions of applicants or their legal representative or counsel;
3. the defendant was indemnified for the unreasonable time limit of the criminal proceedings by an explicit and measurable reduction of the punishment imposed by the competent court;
4. in pre-trial proceedings, irrespective of the steps undertaken to search and investigate, the perpetrator was not discovered or charges were not pressed.

(2) Where an applicant's right to have the case thereof heard and disposed of within a reasonable time has been infringed, the Minister of Justice or a person empowered thereby shall determine the amount of compensation according to the policy of the European Court of Human Rights and shall propose a settlement with the applicant.

Legal time limit- 6 months

037-2. Are there statistical data disaggregated by gender concerning the number of:

	Existence of statistical data disaggregated by gender
Persons who initiate a case in other than criminal matters	<input type="checkbox"/> Yes - If yes, please specify for which categories of cases: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

Victims recognised as such by the court	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Perpetrators of criminal offences	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

Comments

037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?

Yes

No

If yes, please specify:

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	<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 court staff	<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 public prosecutors	<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 lawyers	<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 other professionals	<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 the parties	<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 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 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 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

NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: By decision of the Judges' College of the SJC under protocol No. 41/01.11.2022, item 51, it was agreed that the Supreme Judicial Council conduct in 2023 a survey among the users of the courts within the project "Independence, accountability and quality of justice" for 2022-2023 of the European Network of Councils for the Judiciary. By decision of the Judges' College of the SJC under protocol No. 8/07.03.2023, the documents for conducting the survey were approved (questionnaire, methodology, instructions to the administrative heads and a sample in tabular form for summarizing the results), and according to the same decision, the study was held in the period March 15 - May 15, 2023.

The survey aims to gather information and feedback on court users' perception and experience of independence, based on their visit to court. For the purposes of the survey, within the framework of the project "Independence, Accountability and Quality of Justice" of the European Network of Councils for the Judiciary in 2021-2022, a questionnaire was developed, the content of which is indicative. The questionnaire is part of a European effort to ensure and improve the independence and quality of judicial systems. For the purposes of the survey in Bulgaria, the content of the sample questionnaire was adapted to the specifics of the judicial system in Bulgaria.

With a decision under protocol No. 25/26.07.2023, item 40, the Judges' College of the SJC accepted the results of the study and they are published on the website of the SJC.

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)	180 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	147 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.1 First instance courts of general jurisdiction - legal entities	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.2 Second instance courts of general jurisdiction - legal entities	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2 Total number of specialised courts - legal entities	33 [] NA [] NAP
--	-------------------------

Comments Regional/ Provincial courts are courts of first instance for a certain category of cases and courts of second instance for another category of cases. In this case, they are included in the number of courts of second instance with general jurisdiction, the decisive indicator used is the number of incoming cases.

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	31 [] NA [] NAP	2 [] 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	[] NA [X] NAP	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP	[] NA [X] NAP
Administrative courts	28 [] NA [] NAP	1 [] NA [] NAP
Insurance and / or social welfare courts	[] NA [X] NAP	[] NA [X] NAP
Military courts	3 [] NA [] NAP	1 [] NA [] NAP
Juvenile courts	[] NA [X] NAP	[] NA [X] NAP
Other specialised courts	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other specialised courts", please specify: •Previous cycles the category "other specialised courts" encompasses the Specialized Criminal Court of Republic of Bulgaria and Specialized Criminal Court of Appeal. In the State Gazette, no. 32 of 26.04.2022, the Law on Amendments and Supplements to the Law on the Judiciary/ Judiciary System Act was promulgated, which closed the specialized court and prosecutor's office.

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 [] NA [] 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)	181 [] NA [] NAP

Comments Sofia District Court has two buildings where hearings are held.

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

Sources: "Judicial Districts" section in the "Bodies of the Judiciary" menu on the website of the 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)	2 188 [] NA [] NAP	743 [] NA [] NAP	1 445 [] NA [] NAP
1. Number of first instance professional judges	1 230 [] NA [] NAP	432 [] NA [] NAP	798 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	778 [] NA [] NAP	263 [] NA [] NAP	515 [] NA [] NAP
3. Number of Supreme Court professional judges	180 [] NA [] NAP	48 [] NA [] NAP	132 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: Regional courts have mixed competences as first and second instance for certain categories of cases, as for the purposes of the questionnaire, in view of the instructions for its completion and given their predominant competences, they are categorized as courts of second instance.

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

() Yes

(X) No

Comments

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

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify:

Comments

046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?

	Total	Males	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. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	() Yes (X) No
Temporary reduction of the working time / special leave	() Yes (X) No

Other measures	() Yes (X) No
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Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

046-1-5. If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new judges
- No specific reason required
- Other reason, please specify:
- NAP

Comments

=

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

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	2 188 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	389 [] NA [] NAP	14 [] NA [] NAP
First instance	1 230 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	299 [] NA [] NAP	9 [] NA [] NAP
Second instance	778 [] NA [] NAP	461 [] NA [] NAP	275 [] NA [] NAP	[] NA [X] NAP	5 [] NA [] NAP
Supreme Court	180 [] NA [] NAP	65 [] NA [] NAP	24 [] NA [] NAP	90 [] NA [] NAP	[] NA [X] NAP

If "Other", please explain which types of cases: The total number of 1230 first-instance judges includes 922 district judges for whom no information regarding specialization is available, and military judges are listed in the "Other" column.

The total number of 778 judges of the second instance includes 37 junior judges for whom no information regarding specialization is available, and the judges of the Military Court of Appeal are listed in the "Other" column.

Regarding the Supreme Court of Cassation, the total number of 180 judges also includes the president of the court, for whom no information is available regarding specialization.

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047. Number of court presidents .

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	180 [] NA [] NAP	73 [] NA [] NAP	107 [] NA [] NAP

1. Number of first instance court presidents	144 <input type="checkbox"/> NA <input type="checkbox"/> NAP	57 <input type="checkbox"/> NA <input type="checkbox"/> NAP	87 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) court presidents	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of Supreme Court presidents	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full-time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> 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
- 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

Comments

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

[]

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)	6 587 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Rechtspfleger (or similar bodies) (see Explanatory Note)	[] 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 preparation, assistance during the hearing, helping to draft the decisions)	4 936 [] 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)	983 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Technical staff	629 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Other non-judge staff	39 [] 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)	6 587 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Total non-judge staff working in courts at first instance level	4 263 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	1 893 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	431 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

=

053. If there are Rechtspfleger (or similar bodies), 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 exact 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
- Other types of services (please specify):

Comments - If "Other types of services", please specify:

NA

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.)

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	1 542	745	797
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

1. Number of prosecutors at first instance level	883 [] NA [] NAP	400 [] NA [] NAP	483 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	528 [] NA [] NAP	290 [] NA [] NAP	238 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	131 [] NA [] NAP	55 [] NA [] NAP	76 [] 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(s) part-time work can be granted? (multiple replies possible)

- [] Child-care
- [] Elderly care or other dependant persons' care
- [] Training
- [] For the purposes of early retirement
- [] No specific reason required
- [] Other reason, please specify:

Comments

055-1-3. If yes, what is the number of prosecutors working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP
1. At first instance level	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP
2. At second instance (court of appeal) level	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP
3. At Supreme Court level	[] NA [] NAP	[] NA [] NAP	[] NA [] NAP

Comments

055-1-4. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	(X) Yes () No
Temporary reduction of the working time / special leave	() Yes (X) No
Other measures	() Yes (X) No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new prosecutors
- No specific reason required
- Other reason, please specify: please see the comment below
- 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	78 <input type="checkbox"/> NA <input type="checkbox"/> NAP	40 <input type="checkbox"/> NA <input type="checkbox"/> NAP	38 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	35 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 <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:

057. In your judicial system, do other persons have similar duties to those of public prosecutors?

- Yes
- No

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

057-1. If yes, please provide the 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

=

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	2 956 [] NA	[X] NA	[X] NA

Comment – please describe which categories of staff you have included in your reply: number of full-time positions for judicial officers in the general and specialized administration in all prosecutor's offices of the Republic of Bulgaria – 2901 /as of December 31, 2022/
 - number of full-time employees in specific positions for judicial officers in the educational centers of the Prosecutor's Office of the Republic of Bulgaria – 55 /as of December 31, 2022/

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

Sources: The current report on the number of employees in the Prosecutor's Office of the Republic of Bulgaria as of 31.12.2021.

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 - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences:

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:

061-9. In order to improve gender balance in access to different judicial professions and gender 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.

[X] NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible gender 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:

[X] NAP

Comments - Please specify also the reference documents.

3.5. Use of information technologies in courts

3.5.1 Governance

ICT STRATEGY

062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?

() Yes

(X) No

Comments



062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process of its definition?

- Judges (Judicial council)
- Prosecutors (Prosecutorial or judicial council)
- Ministry of justice
- Lawyers (bar association)
- Notaries (association of notaries)
- Enforcement agents (association of enforcement agents)
- Other (please specify)
- NA
- NAP

Comments

LEGISLATION

062-03. Does a national legislation/regulation of ICT in the judicial system exist?

- Yes
- No

Comments

062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?

- Relevant norms are included in the general e-government legislation/regulation
- Relevant norms are included in specific legislation/regulation only for the judicial system
- Relevant texts are included in dedicated technical documents/specifications
- Other, please specify
- NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details Chapter XVIIIa of the Judiciary System Act obliges the judicial bodies to make certification statements, issue acts and perform all other procedural actions provided for in the law in electronic form. The same chapter of the Judiciary System Act entrusts the Supreme Judicial Council with the issuance of by-laws on issues related to information and communication technologies in the judicial bodies. In view of this authority, the Supreme Judicial Council has issued Ordinance No. 4/16.03.2017 on the Keeping, Storage and Access to the Register of Acts of the Courts, Ordinance No. 5 on the Organization and Order of Keeping, Storage and Access to Electronic Files and the Way of Storage of the Evidence and Evidentiary Means for the Cases, as well as for the Internal Process and the Storage of other Information Processed by the Judicial Administration and Ordinance No. 6 on the Execution of Procedural Actions and Certification Statements in Electronic Form

- NA

IMPACT OF IMPLEMENTATION OF ICT SYSTEMS

062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?

- Yes
- No

Comments

062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:

	Format	Last conducted audit
ICT Governance	<input type="checkbox"/> Internal <input type="checkbox"/> External <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Security and risk management	<input type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on efficiency and quality of the business processes and workflow	<input type="checkbox"/> Internal <input type="checkbox"/> External <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on human resources (number, workload, wellbeing)	<input type="checkbox"/> Internal <input type="checkbox"/> External <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Other, please specify in comments	<input type="checkbox"/> Internal <input type="checkbox"/> External <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation. Audits of the Unified Information System for Courts and the Centralized Case Distribution System have been conducted so far. Audits are outsourced through public procurement. The other categories were never evaluated.

062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you apply their recommendations/results?

- Update applications
- Define new ICT projects/modules
- Adjust legislation

- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify

- NA
- NAP

Comments

3.5.2 Electronic case processing

ELECTRONIC SUBMISSION OF CASES

062-08. If it is possible to submit a case to a court electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

Comments

062-09. If it is possible to submit a case to a court electronically, please specify the modalities:

Electronic or paper	Possible to be submitted electronically by:	Data integration
---------------------	---	------------------

Civil	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Comments

SENDING ELECTRONIC DOCUMENTS TO COURT



062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" type="checkbox"/> NA

Comments Administrative courts are currently working with old local filing systems to which online information from UPEJ cannot be inserted. However, there is a flow of data, and from these old filing systems, information (cases) is sent to UPEJ for consultation by users.

062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:

Electronic or paper	Possible to be submitted electronically by:	Data integration
---------------------	---	------------------

Civil	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input checked="" type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input checked="" type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input checked="" type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details.

ELECTRONIC NOTIFICATIONS

062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input checked="" type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input checked="" type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input checked="" type="checkbox"/> NA

Comments

062-13. If it is possible for courts to send electronic notifications, please specify the modalities:

	Electronic or paper	Type of notification	Data integration
Civil	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts <input checked="" type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input checked="" type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input checked="" type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts <input checked="" type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input checked="" type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details.

CONSULTATION OF A CASE ONLINE

062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" type="checkbox"/> NA

Comments

062-15. If it is possible for external users to consult a case online, please specify the modalities:

	Content	Access	Consultation format
Civil	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details. Single Portal for E-Justice <https://portal.justice.bg>

REMOTE HEARINGS

062-16. If it is possible to organise remote hearings what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input checked="" type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input checked="" type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input checked="" type="checkbox"/> NA

Criminal	<input type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input type="checkbox"/> NAP - remote hearings are not possible	<input type="checkbox"/> NAP - remote hearings are not possible
	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments It is possible, but there is no data on the degree of implementation and use

062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:

	Functionalities	Modalities
Civil	<input type="checkbox"/> Dedicated tool specially designed for the use by courts <input checked="" type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Agreement of the parties is needed <input type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input checked="" type="checkbox"/> NA

<p>Administrative</p>	<p><input type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input checked="" type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input checked="" type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input checked="" type="checkbox"/> NA</p>	<p><input type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input checked="" type="checkbox"/> NA</p>

Comments

ELECTRONIC ARCHIVES



062-18. If electronic archives of cases exist, what are the deployment and usage rates?

<p>Deployment rate</p>	<p>Usage rate</p>
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Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA

Comments Electronic archiving is not a separate system, it is part of court case management systems. Electronic archiving is optional

062-19. If an electronic archive of cases exists, please specify the modalities:

	Electronic or paper
Civil	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
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Comments

3.5.3 Tools

CASE MANAGEMENT SYSTEMS (CMS)

062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Comments

062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Civil	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input checked="" type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input checked="" type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input checked="" type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>
Administrative	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input checked="" type="checkbox"/> Case weighting</p> <p><input type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input checked="" type="checkbox"/> Anonymisation of decisions to be published</p> <p><input type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details.

062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Criminal	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input checked="" type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with prosecution system <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

WRITING ASSISTANCE TOOLS

062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Comments

062-24. If writing assistance tools exist in courts, please describe their functionalities:

	Functionalities
Civil	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input checked="" type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details. The templates are embedded in the Unified Information System for Courts that is used in all courts except in the administrative courts and the Supreme Administrative Court.

RECORDING OF COURT HEARINGS

062-25. If a tool to record court hearings exists, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA

Comments The courtrooms in the courts are equipped with sound recording equipment for recording court hearings.

062-26. If a tool to record court hearings exist, please specify its functionalities:

	Functionalities
Civil	<input checked="" type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

DATABASE OF COURT DECISIONS

062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.

	Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments

062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:

	1st instance	2nd instance	Supreme court
Civil	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe.

062-29. If there is a database of court decisions at national level, what are the functionalities of this database?

	Functionalities
Civil	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input checked="" type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input checked="" type="checkbox"/> NA

Comments

062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:

	Functionalities	Data available for statistical analysis
Civil	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input type="checkbox"/> Age of a pending case <input type="checkbox"/> Length of proceedings <input type="checkbox"/> Number of hearings <input type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input checked="" type="checkbox"/> NA

Administrative	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input type="checkbox"/> Age of a pending case <input type="checkbox"/> Length of proceedings <input type="checkbox"/> Number of hearings <input type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input checked="" type="checkbox"/> NA
Criminal	<input type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input type="checkbox"/> Age of a pending case <input type="checkbox"/> Length of proceedings <input type="checkbox"/> Number of hearings <input type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input checked="" type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details

OTHER TOOLS

062-32. Is there any application for online court-related dispute resolution?

() Yes

(X) No

Comments

062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?

- Yes, please specify the maximum value
- No

Comments

062-34. If yes, can the online court-related dispute resolution be used in the following areas?

- Small claim litigation
- Undisputed claim
- Payment order
- Misdemeanour criminal cases
- Enforcement of civil cases
- Other, please specify

Comment: Please describe the existing online procedures:

062-35. Is there a computerised national record centralising all criminal convictions?

- Yes
- No

Comments

062-36. If yes, please specify the following information:

- The computerised record includes biometric data (ex. fingerprint data, picture)
- The computerised record is linked to other European records of the same nature (ex. ECRIS)
- The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)
- The content is directly available for purposes other than criminal (ex. civil and administrative matters)
- The record contains conviction information on third-country nationals and stateless persons

Comments

062-37. Is there a Document Management System (DMS) in the registry of courts?

- Yes
- No

Comment: If yes, please provide details on the purposes and usage of this system.

062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?

- Yes
- No

Comment: If yes, please list and describe these ICT tools.

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:

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

	Yes / No
within the courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
within the public prosecution services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

3.6.2 Measuring court/public prosecution services

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
- 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

073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?

- 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 (multiple replies possible)?

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?

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 evaluation of the work of the prosecutor's office is done regularly (at least twice a year) in the reports prepared by it on behalf of the chief prosecutor in fulfillment of his duty under Art. 138a of the Judiciary System Act, in the information submitted by the prosecutor's office about the activities of the prosecutor's office in fulfillment of Art. 138, para. 1, item 12 of the Judiciary System Act - for the first six months of the relevant reporting year. At the same time, the data from the official statistical reporting, as well as the data derived from the Unified Information System of the Prosecutor's Office, allow at any moment to follow and evaluate the work of the relevant prosecutor's office and of each specific prosecutor, since these data are verifiable in the system, and this can to be carried out through the introduced system through the Rules adopted by the Procurator's College of the Supreme Judicial Council for reporting the workload of the prosecutor's offices and of each prosecutor. The data on these indicators are also taken into account in the evaluation and performance appraisal of the prosecutors, which is essential for the career development of the prosecutors.

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

Yes

No

Comments

073-6. If yes, which courses of action are taken (multiple replies possible)?

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify): In order to unify the prosecutor's practice, the chief prosecutor issues methodological instructions to the prosecutors in accordance with the application of the law of Article 138, Paragraph 1, Item 6 of the Judiciary System Act

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):

Comments

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 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?

Yes (please indicate the name and the address of this institution): SUPREME JUDICIAL COUNCIL - Sofia, 12 Ekzarh Yosif Str.

No

Comments

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

Yes, on the internet (please provide the link) The website of the Supreme Judicial Council, section "Judicial statistics, registers", menu "Reports" <https://vss.justice.bg/page/view/1082>

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?

Yes (please indicate the name and the address of this institution):please see below

No

Comments

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

Yes, on the internet (please provide the link)https://prb.bg/bg/pub_info/dokladi-i-analizi

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 primarily 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. for whom the report is primarily intended):

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

3.6.4 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 these 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

083-1-1. What are the consequences for a judge if these targets are not met?

		Consequences:
Without disciplinary procedure		<input type="checkbox"/> Warning by court's president
		<input type="checkbox"/> Temporary salary reduction
		<input type="checkbox"/> Reflected in the individual assessment
		<input type="checkbox"/> Other, please specify: [Comment]

With disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
-	<input type="checkbox"/> No consequences
-	<input checked="" type="checkbox"/> NAP (no targets defined)

Comments

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

	Existence of a system of individual evaluation of the judges' work
Quantitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used: The criteria are divided into three groups: general for a judge, prosecutor, or investigator - Article 198 of the Judicial System Act (JSA), specific to a judge - Article 199, as well as additional - for the performance of a managerial position - Article 201 of the Judicial System Act. The criteria are based both on quantitative and qualitative indicators. The general criteria for appraisal of a judge, prosecutor, and investigator are legal knowledge and skills for their application; ability to analyze legally relevant facts; ability to optimally organize work; expediency and discipline; compliance with the rules of ethical behavior.

In the general criteria for evaluating a judge, prosecutor, or investigator, are taken into account indicators such as compliance with deadlines; the number of confirmed and repealed acts and the grounds for this; the results of the inspections of the Inspectorate to the Supreme Judicial Council; the general workload of the relevant judicial district and judicial body, as well as the workload of the judge who is being appraised, prosecutor or investigator compared to other judges, prosecutors or investigators from the same judicial body. The indicators are explicitly regulated at the law level.

The specific criteria for evaluating a judge are compliance with the schedule for holding court sessions; ability to lead a court session and draw up a protocol; administration of cases and appeals, preparation for court hearings; the number of unappealed judicial acts within the appealable ones; the confirmed appealed judicial acts; annulled or invalidated judicial acts, in whole or in part, and the grounds thereof; the ability to motivate, justify and analyze the evidence is subject to assessment. The relevant indicators for each specific criterion are developed at the by-law level - Ordinance No. 2/23.02.2017.

The criteria for occupying a managerial position are the ability to work in a team and to allocate tasks within it; the ability to make correct management decisions; conduct that raises the authority of the judiciary; the ability to communicate with other government bodies, citizens and legal entities; professional competence. The indicators related to the additional criteria are developed at the by-law level - Ordinance No. 2/23.02.2017.

The competent body for assessment is the Judges' College of the SJC, assisted by auxiliary bodies such as the Commission on Appraisals and Competitions and auxiliary appraisals commissions. The results of the evaluation are taken into account when the judge participates in a competition for promotion or transfer when promoted to a higher rank, when participating in a procedure for selecting an administrative head when appointing a deputy to the administrative head, in case of transfers under Art. 194 of the JSA, when participating in a competition or an appraisal commission.

The negative results of the appraisal may lead to dismissal from office - art. 206, para. 2 of the JSA - In the cases where the aggregate score from the appraisal to acquire tenure is negative, the respective chamber of the Supreme Judicial Council shall deny the acquisition of tenure by a decision, and the person appraised shall be released from office.

Ordinance 2 from 23.02.2017 on the indicators, methodology and procedure for appraisal of a judge, chairman and deputy chairman of a court

Article. 4. The Ordinance aims: 1. to affirm the rule of law and ensure effective protection of the rights of judges; 2. to ensure a lawful, transparent and fair procedure for career growth; 3. to increase the personal motivation for professional development of the judges, to maintain and improve the quality of their work; 4. to prevent corruption in the system of the judiciary; 5. to contribute to increasing the trust in the judiciary. Article 5. (1) The appraisal is an objective assessment of the professional, business and moral qualities of a judge, chairman and deputy chairman of a court, demonstrated in the performance of his position. (2) A unified appraisal form for a judge, chairman and deputy chairman of a court shall be filled in according to a sample pursuant to the appendix for the assessment as a result of the appraisal. Article 6. The appraisal guarantees professional self-improvement, equal and fair opportunities for the career growth of judges, based on the principles of legality, equality, objectivity and transparency. Article 7. The appraisal may not affect the independence and fundamental rights of judges. Article 8. (1) The appraisal shall refer to the qualification, the achievements and the professional suitability, as well as the observance of the rules for ethical behavior by a judge, chairman and deputy chairman of a court. (2) The qualification is a set of the acquired professional knowledge, skills and personal abilities of the appraised. (3) The achievements are the personal qualitative and quantitative results, achieved by the appraised in his practical activity. (4) Professional suitability is the specific qualification for a specifically defined position. (5) The observance of the rules for ethical conduct is a conduct, compliant with the rules of the respective code of ethics.

Judiciary System Act

Article. 196. (1) Appraisal shall be carried out:

1. initial - for a three-year period as of the appointment of a judge, prosecutor or investigator - when participating in a competition or in case of a proposal for promotion in ranking;
2. for the purpose of acquiring tenure: upon completion of five years service as a judge, prosecutor or investigating magistrate;
3. periodic - for a 5-year period as of the attestation for tenure of a judge, prosecutor and investigator, of an administrative head and a deputy administrative head;
4. extraordinarily: in the cases under Article 197 (5).

(2) Junior judges, junior prosecutors and junior investigators shall not undergo initial appraisal. A report on their work shall be drawn up by the supervisor for the second year of their appointment.

Article. 197. (1) Advance appraisal shall have as an object to assess the qualities and professional competence of judges, prosecutors and investigating magistrate after the appointment to the respective position, as well as compliance with the rules of the relevant code of ethics. Any such appraisal shall be carried out under the criteria established in this Act and in the ordinance under Article 209b.

(3) Appraisal for the purpose of acquiring tenure shall have as an object to make an objective evaluation of the professional qualification and of compliance with the rules of the relevant code of ethics after the completion of five years' service in the position of a judge, prosecutor or investigating magistrate. Upon an appraisal for the purposes of acquiring tenure, the results of the advance appraisal of a judge, prosecutor or investigating magistrate shall be taken into consideration in cases where initial appraisal was carried out.

(4) Periodic appraisal shall constitute an evaluation of the professional competence, performance characteristics and compliance with the rules of the relevant code of ethics by a judge, prosecutor or investigating magistrate, by an administrative head and by a deputy administrative head for a period of five years. The appraisal shall be carried out on the basis of the criteria and indicators determined in this Act and in the ordinance under Article 209b.

(5) Extraordinary appraisal shall be carried out after the completion of the periodic appraisal, if five years have elapsed since the last periodic appraisal, in the following cases:

1. where a judge, prosecutor or investigating magistrate enters a competition for promotion or transfer to position;
2. where a judge, prosecutor or investigating magistrate enters an election for an administrative head;
3. on a reasoned proposal of the Inspectorate with the Supreme Judicial Council or of the respective administrative head, where there are data of sustained deterioration of the quality of work or non-compliance with the ethics rules by a judge, prosecutor or investigating magistrate;
4. in other cases - at the request of the judge, prosecutor or investigating magistrate, where they have a legal interest.

(6) An aggregate score shall be drawn up on the basis of the appraisal, which shall be adopted by the respective chamber of the Supreme Judicial Council.

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.

114-1. Please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify: at three or five years
- NAP

=

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 these 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

083-3-1. What are the consequences for a prosecutor if these targets are not met?

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input type="checkbox"/> NAP
With disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input type="checkbox"/> NAP
No consequences	<input type="checkbox"/> No consequences <input checked="" type="checkbox"/> NAP

Comments But there is a quantitative evaluation of the work of a prosecutor which reflects in the individual assessment` - please see Q 120

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

	Existence of a system of individual evaluation of the public prosecutors' work
Quantitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

120-1. Please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify: at three or five years
- NAP

Comments

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

Sources: Judiciary System Act

- Ordinance No. 3/23.02.2017 on the Indicators and Methodology for Assessment and the Criteria for Reporting the Workload Degree of Prosecutors, Investigators and Administrative Heads and Their Deputies

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)?

[]

[X] 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?

(X) Yes

() No

Comments - Please could you briefly specify:

085-1. If yes, what are:

	-
The total number of the initiated procedures in the reference year	[X] NA [] NAP
The total number of recusals pronounced in the reference year	[X] NA [] NAP

Comment - Please, could you briefly specify:

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)

[X] For civil procedures (timeframe)

[X] 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. Is there in your country a possibility to review/reopen a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

- For civil cases
 For criminal cases
 For administrative cases
 NAP

Comments

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

Sources: Civil Procedure Code, Criminal Procedure Code, Administrative Procedure Code

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: The listing is indicative Civil Procedure Code/ Code of Civil Procedure

Art. 323. (1) Acting on a petition by any of the parties, the court where before 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.

(2) 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. In such a case, a new hearing shall be scheduled within two weeks.

Criminal Procedure Code

Art. 64 (1) 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.

(3) The Court, sitting in a panel of one, in a public hearing, at which the prosecutor, the accused party, and his/her defense counsel are present, shall immediately proceed to hear the case.

(5) The court shall issue a ruling which shall be notified to the parties at the court hearing and shall be implemented immediately. Upon notifying its ruling, the court shall schedule the case for hearing before the intermediate appellate review court within up to seven days, in case an accessory appeal or protest is filed.

Administrative Procedure Code Article 60. (1) The administrative act shall include a direction on the anticipatory enforcement thereof, where this is required in order to ensure the life or health of 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.

(2) The direction for anticipatory enforcement shall be reasoned.

- (3) Anticipatory enforcement may be admitted even after the act is rendered.
- (4) A second request by a party under Paragraph (1) may be submitted solely on the basis of new circumstances.
- (5) The direction whereby anticipatory enforcement is admitted or refused shall be appealable through the agency of the administrative authority before the court within three days after communication, regardless of whether the administrative act has been contested.
- (6) The appeal shall be considered immediately in camera, and transcripts of the said appeal shall not be served on the parties. Any such appeal shall not stay the anticipatory enforcement as admitted, but the court may stay the said enforcement until final adjudication in the appeal.
- (7) When revoking the direction appealed, the court shall adjudicate in the case on the merits. If the anticipatory enforcement is revoked, the administrative authority shall restore the status quo ante the enforcement.
- (8) The ruling of the court shall be appealable.

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: The listing is indicative Civil Procedure Code Art. 624. (1) An application to institute proceedings under the European Small Claims Procedure shall be submitted to the district court exercising jurisdiction over the permanent address of the defendant or over the registered office thereof.

- (2) An appeal against a judgment under the European Small Claims Procedure shall be lodged with the relevant regional court.
- (3) The judgment of the regional court referred to in Paragraph (2) shall be subject to cassation appellate review before the Supreme Court of Cassation under the terms established by Article 280 herein.
- (4) The defendant may apply to the relevant appellate court for a review of a judgment given in a European Small Claims Procedure under the terms and according to the procedure established by Article 18 of Regulation (EC) No. 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure, amended by Regulation (EU) 2015/2421 of the European Parliament and of the Council of 16 December 2015 amending Regulation (EC) No. 861/2007 establishing a European Small Claims Procedure and Regulation (EC) No. 1896/2006 creating a European order for payment procedure (OJ L 341/1 of 24 December 2015).
- (5) The court shall transmit a duplicate copy of the application for review to the other party, which may submit an answer within one week of receipt of the said duplicate copy.
- (6) The application for review shall be examined in camera. The court, if it deems it necessary, may examine the application sitting in public session.
- (7) The judgment on the application for a review shall be unappealable.

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 judgment with a written order and without full reasoning of the judgment

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 etc.)?

	Yes	No
Agreement on general arrangements	()	(X)
Agreement in specific cases	()	(X)

Comments

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)	88 192 [] NA [] NAP	322 794 [] NA [] NAP	323 177 [] NA [] NAP	87 809 [] 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)	[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	<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 type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	10 244 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 217 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 442 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 019 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other 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

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

. "Civil (and commercial) non-litigious cases" include cases that are initiated upon an application for issuing an enforcement order for the fulfillment of a monetary obligation pursuant to Art. 410 and Art. 417 of the Civil Procedure Code - the so-called Order for payment cases.

In the courts, other civil and non-litigious cases are considered, but they are part of the general statistics. Namely, cases of divorce by mutual consent, and in the registry proceedings - registration of political parties, religious confessions, claims for change of name are included in 1. Civil (and commercial) court cases since separate statistics are not collected for this type of cases.

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

. Not applicable

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)	23 195 <input type="checkbox"/> NA <input type="checkbox"/> NAP	124 178 <input type="checkbox"/> NA <input type="checkbox"/> NAP	126 366 <input type="checkbox"/> NA <input type="checkbox"/> NAP	21 007 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe 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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Misdemeanour and / or minor 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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Other 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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" 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 “Total criminal cases” includes all criminal cases - criminal cases of a general nature, criminal cases of a private nature, cases of exemption from criminal liability with the imposition of an administrative penalty in accordance with Art. 78a of the Criminal Code, private criminal cases, interrogation and administrative-criminal cases heard by the first instance courts.



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)	19 082 [] NA [] NAP	50 579 [] NA [] NAP	52 031 [] NA [] NAP	17 630 [] 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)	[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	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

3. Administrative law cases	2 230 [] NA [] NAP	12 225 [] NA [] NAP	12 506 [] NA [] NAP	1 949 [] NA [] NAP	[] NA [X] 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

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)	1 862 [] NA [] NAP	10 121 [] NA [] NAP	10 158 [] NA [] NAP	1 825 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Misdemeanour and / or minor criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Other criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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: "Total criminal cases" include all criminal cases of second instance - criminal cases of a general nature and criminal cases of a private nature (common offences and offences subject to private prosecution), cases of release from penal responsibility with imposing of administrative punishment in accordance with Art. 78a of the Criminal Code, private criminal cases, interrogations, and administrative-criminal cases.

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)	8 298 [] NA [] NAP	20 087 [] NA [] NAP	19 445 [] NA [] NAP	8 940 [] NA [] NAP	199 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	4 686 [] NA [] NAP	7 581 [] NA [] NAP	7 435 [] NA [] NAP	4 832 [] NA [] NAP	98 [] NA [] NAP

2. Non litigious cases (2.1+2.2+2.3)	0 [] NA [] NAP	182 [] NA [] NAP	181 [] NA [] NAP	1 [] NA [] NAP	0 [] 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)	0 [] NA [] NAP	182 [] NA [] NAP	181 [] NA [] NAP	1 [] NA [] NAP	0 [] 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	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	3 612 [] NA [] NAP	12 324 [] NA [] NAP	11 829 [] NA [] NAP	4 107 [] NA [] NAP	101 [] 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 "Civil litigious cases" - the reasons for the higher number of pending cases at the beginning of 2022 compared to 2021 are twofold: the large increase in case filings in 2021 and the critical staffing of the court, leading to a high backlog at the end of 2021. 1. The number of pending cases on 1 January 2022 is 845 more than on 1 January 2021, as the number of cases filed in 2021 is 1105 more than in 2020. As a result of the amendments to the Civil Procedure Law, access to cassation appeals has been expanded from the beginning of 2020 in cases related to consumer disputes, which in turn determined the increase in the number of cassation cases in the Civil Division and the Commercial Division. 2. In 2021 the Court is not sufficiently staffed due to the delay in the competitions for the appointment of judges in the Supreme Court of Cassation, as well as due to the retirement of judges in 2021 - 3 judges in the Civil Division and 1 judge in the Commercial Division.

"Administrative cases"/SAC/:Regarding the increase in the number of pending cases at the end of the reporting period (2022) and the higher number of cases initiated, compared to the number of cases completed, is explained, on the one hand, by the unevenness of the initiated cases by matter in the different divisions of the SAC, and, on the other hand - by the complexity and volume of the cases handled by some divisions (e.g. tax, customs, cases under the Management of Resources from the European Funds under Shared Management Act, public procurement, elections, etc.); the need for in-depth knowledge of European law, including requests for preliminary rulings to the Court of Justice of the European Union (CJEU). The problem with the pending cases till issuance of interpretative decisions or rulings of CJEU continues to be relevant, as all such cases are suspended and that respectively results in delays in their consideration and further strains the schedule. In particular, an analysis of the factually and legally complex tax cases shows that the one-month time limit for court decisions is not optimal. The complexity of this type of cases and the need for direct application of Community law suggest another

reasonable time-limit for the panel to issue its ruling. Furthermore, it should be stressed that in parallel with the judicial activity during the year under review, General meetings of First and Second Chambers of the SAC on interpretative cases for unification of the case law were held on a monthly basis. Joint meetings of the SCC and the SAC on joint interpretative cases were also conducted regularly. On the other hand, the decrease in the number of initiated cases during the reporting period is also due to undertaken legislative changes concerning jurisdiction. Last but not the least, in 2022, there was still a high incidence of COVID-19 among the judges and staff of the SAC, which further led to delay in the administration of justice of the court.

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

() Yes, please indicate the number of cases closed by this procedure:

(X) No

Comments

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)	296 [] NA [] NAP	1 027 [] NA [] NAP	1 062 [] NA [] NAP	261 [] NA [] NAP	4 [] NA [] NAP
1. Severe criminal cases	239 [] NA [] NAP	468 [] NA [] NAP	500 [] NA [] NAP	207 [] NA [] NAP	4 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	23 [] NA [] NAP	72 [] NA [] NAP	77 [] NA [] NAP	18 [] NA [] NAP	0 [] NA [] NAP
3. Other criminal cases	34 [] NA [] NAP	487 [] NA [] NAP	485 [] NA [] NAP	36 [] 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 1. In the category “Other criminal cases” are included: cases with charges on corpus delicti which doesn’t have independently application; cases on Chapter XXXIII Criminal Procedure Code (re-opening of criminal cases); private cassation proceedings (change of local jurisdiction, jurisdiction disputes, proceedings on returning of cassation claim/protest etc.); procedures regarding execution of judicial acts that are entered into force; proceedings regarding administration and/or movement of cases etc.

2. A comparison of the 2022 data with the 2021 data reveals a greater than 20% difference for five of the indicators noted in the table with comments. For four of the five indicators, the obvious reason is that the numbers for all indicators are small, so the differences are small in absolute value and do not reflect a significant change in the performance of the Criminal Division of the Supreme Court of Cassation, but are recalculated into a large percentage difference.

For example in one indicator – “Pending cases older than 2 years from the date the case came to the Supreme Court”, a difference of 1 case is converted into a 20% difference. Only the indicator – “Incoming cases – Severe criminal cases” has a significant difference in absolute value. It is due to the reduction by 10% in the total number of admissions to the Criminal Division of the Supreme Court of Cassation in 2022 compared to 2021. This decrease is entirely in severe criminal cases – 23.15%, while in cases for minor crimes and in other cases the number almost does not change and even increases slightly (by 5.88% and 4.96%, respectively). The decrease is due to the natural dynamics of admissions over the years, which is unpredictable within a narrow range.

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 cases older than 2 years from the date the case came to the first instance court
Litigious divorce cases	2 396 [] NA [] NAP	5 010 [] NA [] NAP	4 794 [] NA [] NAP	2 612 [] NA [] NAP	[X] NA [] NAP
Employment dismissal cases	734 [] NA [] NAP	1 019 [] NA [] NAP	1 011 [] NA [] NAP	742 [] NA [] NAP	[X] NA [] NAP
Insolvency	807 [] NA [] NAP	1 075 [] NA [] NAP	1 191 [] NA [] NAP	691 [] NA [] NAP	[X] NA [] NAP
Robbery case	177 [] NA [] NAP	474 [] NA [] NAP	488 [] NA [] NAP	163 [] NA [] NAP	[X] NA [] NAP
Intentional homicide	81 [] NA [] NAP	79 [] NA [] NAP	83 [] NA [] NAP	77 [] NA [] NAP	[X] NA [] NAP

Comments Regarding "Employment dismissal cases" the data for claims for protection against illegal dismissal are collected together with claims for annulment of imposed penalty "reprimand" and "warning for dismissal" in the approved reporting forms.



=

101-0. Number of 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 cases for more than 2 years
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	5 [] NA [] NAP	214 [] NA [] NAP	180 [] NA [] NAP	39 [] NA [] NAP	2 [] NA [] NAP
Court cases relating to the right of entry and stay for aliens	16 [] NA [] NAP	113 [] NA [] NAP	64 [] NA [] NAP	65 [] NA [] NAP	1 [] NA [] NAP

Comments General Directorate "Border Police", Ministry of Interior:

The cases indicated by DG Border Police are the cases in which legal representation is carried out in DG Border Police and are the subject of appeals against: 1. Refusals of entry issued in accordance with the Law on Foreigners in the Republic of Bulgaria (art. 10) to foreigners who do not meet the conditions for entry into the Republic of Bulgaria; 2. Orders for the imposition of coercive administrative measures under the Law on Foreigners in the Republic of Bulgaria (Art. 39a) and 3. Criminal decrees for the imposition of an administrative penalty - a fine for an administrative offense - overstaying the residence in the Republic of Bulgaria by foreigners in accordance with The Law on Foreigners in the Republic of Bulgaria (Art. 34).

The answers are as follows:

Pending cases January 1 – 6;

Incoming cases - 5;

Resolved cases - 5;

Pending cases on December 31 - 6;

Pending cases older than 2 years – 0

Migration Directorate, Ministry of the Interior: The number of court cases indicated in question 101-0, related to the right of residence of

foreigners on the territory of the Republic of Bulgaria, covers the number of cases related to legal migration (disputed refusals to grant the right of residence, orders to impose a coercive administrative measure - confiscation right of residence of a foreigner in the Republic of Bulgaria, orders to terminate administrative proceedings and refusals to grant stateless status), as well as cases related to illegal migration (disputed orders to impose coercive administrative measures - return, ban on entry of the territory of EU member states, orders for forced accommodation and continuation of forced accommodation in the special homes for temporary accommodation of foreigners under the Directorate "Migration", refusals to replace a protective measure, cases under Art. 250 and Art. 256 of the APC).

The answers should be understood as follows:

Pending cases January 1 – 10 on legal migration;

Incoming cases - 108, including 41 cases on legal migration and 67 cases on illegal migration;

Resolved cases - 59, including 25 on legal migration and 34 on illegal migration;

Pending cases on December 31 - 59, including 26 cases on legal migration and 33 cases on illegal migration;

Pending cases older than 2 years – 1 on the line of legal migration.

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:

. General Directorate "Border Police", Ministry of Interior: The system that deals with legal remedies of protection related to the right of entry and stay of foreigners in the Republic of Bulgaria is part of the judicial system of the country, which is under the jurisdiction of the courts. The same is expressed in the implementation of judicial control over the actions and acts of the law enforcement bodies, in whose competences is the exercise of the statutory powers to control compliance with the requirements regulating the right of entry and stay in the country of foreign citizens. The legal framework of this system is in the norms of the special laws - the Law on foreigners in the Republic of Bulgaria and the Law on the entry, residence and exit of the Republic of Bulgaria of EU citizens and Members of the Their Families, determining the terms and conditions for the entry and residence of foreigners in Republic of Bulgaria, in which the right to contest the acts of the competent authorities, infringing their rights and legitimate interests, is also provided for. Proceedings on appeal of these acts, depending on their nature, are carried out in accordance with the Administrative Procedure Code and the Law on Administrative Violations and Penalties.

STATE AGENCY FOR REFUGEES AT THE COUNCIL OF MINISTERS (SAR): In accordance with the Law of Asylum and Refugees (LAR), the decisions of the Chairperson of SAR for rejection to grant refugee status or subsidiary protection, as well as the decisions of interviewing and decision-making bodies at SAR can be appealed to an administrative court within the statutory time limits, specified in art. 84 of LAR. In accordance with Art. 84, para. 5 of LAR, the appeal is filed through the authority that issued the decision, and its execution is suspended. In addition, we would like to inform you that the authority that deals with the legal protection of persons seeking asylum is the National Bureau of Legal Aid. According to Art. 22 of the Law on Legal Aid, legal aid from the National Bureau is free of charge and is provided to persons seeking or receiving international protection or benefiting from temporary protection under the order of LAR, for whom the provision of legal aid is not due to another legal basis.

Migration Directorate, Ministry of the Interior: The Law on Foreigners in the Republic of Bulgaria determines the conditions and procedures under which foreigners may enter, reside in and leave the Republic of Bulgaria. The administrative procedure for granting the right of residence ends with the issuance of an individual administrative act (decision or refusal). The refusal to issue a residence permit or extension of the period of residence shall be motivated, communicated to the interested persons and may be disputed in accordance with the Administrative Procedure Code (APC) - within 14 days of its delivery in administrative order to the immediately superior administrative body and by judicial procedure before the competent administrative court. The imposition of coercive administrative measures - "Withdrawal of the right of residence of a foreigner in the Republic of Bulgaria, "Return to country of origin, country of transit or third country" and "Bar to entering and residing within the territory of European Union Member States" is administrative proceedings in which foreigners participate, as the final individual administrative act is communicated to the foreigner and is subject to contest in accordance with the procedure of the APC. In the proceedings for issuing an individual administrative act, as well as in contesting it, all legal means of protection regulated in the APC are applied.

101-2. Number of cases relating to child sexual abuse and child pornography 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 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:

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 length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	_____ Allow decimals : 2 18.06 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Litigious divorce cases	_____ Allow decimals : 2 4.74 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Employment dismissal cases	_____ Allow decimals : 2 57.57 [] NA [] NAP	[X] NA [] NAP	195 [] NA [] NAP	140 [] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Insolvency cases	_____ Allow decimals : 2 35.18 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Robbery cases	_____ Allow decimals : 2 16.8 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	92 [] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP

Intentional homicide cases	Allow decimals : 2	<input type="checkbox"/> NA	<input type="checkbox"/> NA	143	<input type="checkbox"/> NA	Allow decimals : 2
	103.61	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NA	<input type="checkbox"/> NA	
	<input type="checkbox"/> NA			<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	
	<input type="checkbox"/> NAP					<input type="checkbox"/> NA
						<input type="checkbox"/> NAP

Comments "% of decisions subject to appeal": concerning intentional homicide cases, in 2022 there were 83 closed cases and 86 appealed cases.

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 Administrative Court: The duration is calculated from the date of the initiation of the case until the date of the announcement of the judicial act

4.2.6 Case flow management – public prosecution

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

- to conduct or supervise investigation
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- 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
- other significant powers (please specify):

Comments

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

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

=

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

Number of cases

1.Pending cases on 1 Jan. ref. year	4 205 [] NA [] NAP
2.Incoming/received cases	96 968 [] NA [] NAP
3.Processed cases (3.1+3.2+3.3+3.4)	161 905 [] NA [] NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	133 466 [] 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	98 306 [] NA [] NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	[] NA [X] NAP
3.1.4 Discontinued for other reasons	35 160 [] NA [] NAP
3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	[] NA [X] NAP
3.3.Cases brought to court	28 439 [] NA [] NAP
4.Pending cases on 31 Dec. ref. year	4 208 [] NA [] NAP

Comments “1. Pending cases on 1 January of the reference year” – pre-trial proceedings (PTP) pending with the prosecutor as of 1 January of the reference year (4 205) for which the investigation has been completed by an investigative body and sent to the prosecutor (PTPs closed by an investigating authority (47 969) are not included). “2. Received/Incoming cases” – PTP in which an investigation by an investigative body was completed during the reference year and sent to the prosecutor for adjudication. In the Prosecutor's Office the term closed PTP refers to cases with a completed investigation by an investigative body, not cases resolved by a prosecutor “3. Processed cases” – the figure of 161,905 PTP is the sum of the number of PTP decided on merits by the prosecutor (by act of bringing the cases to court or by act of termination the pre-trial proceedings), and the number of pre-trial proceedings decided by the prosecutor by act of suspending them or sending by competence during the reporting period to another prosecutor's office. Cases suspended and sent by competence are reported as resolved by the prosecution, but temporarily, not on the merits. The prosecutor's act of suspension of PTP does not constitute a decision on the merits, as it does not put an end to the criminal proceedings and the work on them is only temporarily suspended, i.e. they are not investigated by the investigating authority. “3.1. The number of PTPs discontinued during the reference year” is 133 466, the figure being formed by the sum of the data submitted under indicator “3.1.2. Terminated by the prosecutor due to the lack of an established offence or a specific legal situation” (98 306), including pre-trial proceedings terminated because the act was not committed or did not constitute an offence, pursuant to Art. 243(1), in conjunction with Art. 1(1) of the CPC, (31 302) and PTPs terminated due to the statute of limitations (67 004), and the data submitted under indicator “3.1.4 Discontinued for other reasons” (35 160), taking into account the suspended PTPs and the pre-trial proceedings sent by competence during the reporting period Indicators “3.1.1 Discontinued by the public prosecutor because the offender could not be identified”, “3.1.3 Discontinued by the public prosecutor for reasons of opportunity” and 3.2. “Concluded by a penalty or a measure imposed or negotiated by the public prosecutor” are not applicable to the decisions of prosecutors according to the CCP, as indicated in the Questionnaire. “3.3. Cases brought to court” – PTP brought to court with a prosecutor's report in the reference year – 28 439. “4. Pending cases on 31 December” – PTP pending with the

prosecutor on 31 December of the reference year (4 208), where the investigation has been completed by an investigating authority and sent to the prosecutor. The indicator does not include PTPs pending with an investigating authority, which total 52 423 as of 31 December 2022.

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	21 326 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Before the main trial	10 785 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
During the main trial	10 541 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - in the "Total number of guilty plea procedures" indicator, the total value of the following two indicators is indicated;
 - in the indicator "Before the main trial" the agreements submitted to the court by the prosecutor on the basis of Art. 381 et seq. of the Criminal Procedure Code.
 - in the indicator "During the main trial" a value is indicated, which is the sum of the number of agreements under Art. 384 of the Criminal Procedure Code (with a person or for any of the crimes), concluded by the prosecutors in a court phase (after the indictment has been filed), as well as the number of procedures under reduced court investigation under Art. 371, item 2 of the Criminal Procedure Code (under Chapter Twenty-Seven of the Criminal Procedure Code, pursuant to Art. 373, paragraph 3, article 372, paragraph 4, article 371, item 2 of the Criminal Procedure Code), under which convictions and acquittals have been handed down (analogous to the previous questionnaires). Out of 10 541 procedures for admission of guilt during the trial, 9 113 were the agreements concluded under Art. 384 of the Criminal Procedure Code.

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

(X) Yes

() No

Comments Only the cases for violations that constitute a crime of a general nature under the Bulgarian Criminal Code are included.

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

Sources: SJC: Summary statistical tables for the activity of the appellate, military, district, regional and administrative courts for 2022.

Prosecutor's Office of the Republic of Bulgaria

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?

through a competitive exam (open competition)

through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

other (please specify):

Comments

110-1. Please briefly describe the recruitment procedure(s) for judges in your country:

. Appointment of junior judges and initial appointment to the bodies of the Judiciary

Judges are appointed and dismissed by decision of the Judges` College of the Supreme Judicial Council.

To occupy a position in the bodies of the judiciary, centralized competitions are held for:

1. Junior judges, which are held once a year, are announced in the month of January and held in the month of April of the respective year.

2. Initial appointments in district, regional and administrative courts, which are held at least once a year and no later than two months after their announcement.

To participate in the competitions, an application is submitted to the administration of the Supreme Judicial Council, to which the necessary documents are attached.

Eligibility of candidates

The Commission on Appraisal and Competitions of the Judges` College checks the documents, and the circumstances regarding the candidates' criminal record are established ex officio and admits to the competition all candidates who meet the conditions under Art. 181 of the JSA.

Conducting the competitions

The Judges` College of the Supreme Judicial Council appoints five-member competition commissions to conduct the competitions for the announced positions in the district, regional and administrative courts.

The competition includes a written and oral exam, and the grades are based on the six-point system. The written exam is anonymous and includes:

1. Verification of knowledge in the legal branch chosen by the candidate by solving a case study;

2. Verification of knowledge of European Union law and in the field of human rights through a test.

Only candidates with a grade of no lower than a very good "4.50" on the case study and a grade of no lower than a very good "4.50" on the test are admitted to the oral exam. The oral exam includes an interview with the candidate on issues from the relevant branches of law, as well as on issues of the Code of Ethical Behavior of Bulgarian Magistrates according to a published conspectus. Only candidates who received a grade no lower than a good "4.00" on the oral exam are included in the ranking.

The ranking of the participants in the competition for junior magistrates and for initial appointment is carried out by the competition commission by arranging them according to the result, which is formed as a sum of the marks of the written and oral examination. In the event of a tie, the competition commission ranks the candidate with a higher overall success rate from the state exams. In the event of a tie, the competition commission ranks the candidate with a higher overall success rate from his studies for the acquisition of a higher legal education in the specialty "Law".

Based on the results of the ranking and the opinion of the Commission on Professional Ethics, the competition commission proposes to the Judges` College of the Supreme Judicial Council to approve the candidates for junior judges. The approved candidates for junior judges expressly declare in writing to the Judges` College of the Supreme Judicial Council their desire to be appointed to the relevant position in order according to their score, with each subsequent candidate choosing from the remaining unclaimed positions. With a decision, the relevant College of the SJC accepts the final list of approved candidates for junior judges for the respective positions in accordance with their stated wishes.

Based on the results of the ranking and the opinion of the Commission on Professional Ethics, the Commission on Appraisal and Competition submits to the Judges` College of the SJC a proposal for initial appointment in the relevant bodies of the judiciary. The Judges` College of the SJC adopts a decision to appoint the candidates according to the order of ranking until the places for which the competition has been announced are filled, after three consecutive rankings. The Judges` College of the Supreme Judicial Council by decision refuses the appointment of a candidate whom it has determined that he/she does not meet the requirements under Art. 162, 164, Art. 184, para. 4 and Art. 185, para. 1 of the JSA.

Anyone interested may appeal to the Supreme Administrative Court the decision of the Judges` College of the Supreme Judicial Council pursuant to Art. 187 of the JSA within 7 days of its announcement. The appeal stops the execution unless the court orders otherwise. The decision of the Supreme Administrative Court is final.

110-2. What are the recruitment requirements for judges (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for judges
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: On the position of a judge may be appointed a person who holds only Bulgarian citizenship, a higher education in the specialty "Law" (Master); has undergone the internship provided for in JSA and is licensed to practice law; possesses the required moral integrity and professional standing complying with the Code of Ethical Conduct of Bulgarian Magistrates; has not been sentenced to deprivation of liberty for an intentional criminal offence, notwithstanding any subsequent rehabilitation; is not elective member of the Supreme Judicial Council who have been released from office on disciplinary grounds for damaging the prestige of the Judiciary and does not suffer from a mental illness. Number of years of relevant experience are required for different judges' positions.

110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	531 <input type="checkbox"/> NA	205 <input type="checkbox"/> NA	326 <input type="checkbox"/> NA
Number of recruited persons	6 <input type="checkbox"/> NA	1 <input type="checkbox"/> NA	5 <input type="checkbox"/> NA

Comments

110-4. If the number of applicants decreased in the last years did you take any remedial measures?

- Yes

(X) No

Comments

110-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new judges
- Other

Comments: If "other", please, specify:

=

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
- An authority/authorities made up of judges and non-judges
- Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: Judges are appointed by a decision of the Judges` College of the Supreme Judicial Council. The competition is held by five-member competition commissions. In the process are engaged also the Commission on Appraisal and Competitions of the Judges` College and the Commission on Professional Ethics (see their roles in the comments to Q 110-1).

The Judges` College of the Supreme Judicial Council is an independent body of the SJC and carries out its activities within the framework of the powers granted to it by the Constitution of the Republic of Bulgaria and the Judicial System Act, in accordance with the Rules of Organization of the Activity of the SJC and its administration and current rules. The Judges` College of the Supreme Judicial Council appoints a five-member competition commission to conduct the competitions for the announced positions in the district, regional and administrative courts. The members of the competition commission include one habilitated scholar of legal sciences in the relevant subject, as well as four members with the status of an active judge, defined as follows:

1. When holding a competition for a junior judge and initial appointment of a judge in a district court - proposed by the general assemblies of the judges of the regional courts for each appellate district on the basis of the competition matter; the judges of the regional courts in one appellate district hold one general assembly;
2. When holding a competition for the initial appointment of a judge in a regional court - proposed by the general meetings of all appellate courts on the basis of the competition matter;
3. When conducting a competition for the initial appointment of a judge in an administrative court - by the plenary session of judges in the Supreme Administrative Court, determined from among them by lot.

From the proposals made by the bodies of the Judiciary, the Judges` College of the Supreme Judicial Council elects members of the competition commission by lot. The competition commission elects a chairman from among its members with the status of an active judge. The bodies under items 1, 2, and 3 propose to the Judges` College of the Supreme Judicial Council members for participants in the competition commission every three years. Participants may be offered more than once. The members of the competition commission must have acquired the status of life tenure and in the last 5 years they must not have been imposed any of the disciplinary punishments under Art. 308, para. 1, item 3, 4, 5, or 6 of the JSA with an effective decision. Members of the Supreme Judicial Council and administrative heads cannot participate in the competition commission. Participation in the competition commission is taken into account when preparing an attestation and when determining the workload of the relevant judge.

111-1. How many members compose this authority?

	Total	Males	Females
Members	14	7	7
	[] NA	[] NA	[] NA
	[] NAP	[] NAP	[] NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: The final word on the appointment of judges rests with the Judges' College of the Supreme Judicial Council. The composition of the Judges' College until June 2022 was 7 men and 7 women.

The Judges' College of the Supreme Judicial Council consists of 14 members and includes the presidents of the Supreme Court of Cassation and the Supreme Administrative Court, six members elected directly by the judges, and six members elected by the National Assembly.

A competition commission consists of 5 members. The members of the competition commission include one habilitated scholar of legal sciences in the relevant subject, as well as four members with the status of an active judge.

The Commission on Professional Ethics of the Judges' College is a standing commission and consists of five members.

The Commission on Appraisal and Competitions of the Judges' College is a standing commission.

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

Yes

No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: The acts of the competition commission are not subject to independent judicial review. Anyone interested may appeal to the Supreme Administrative Court the decision of the Judges' College of the Supreme Judicial Council pursuant to Art. 187 of the JSA within 7 days of its announcement. The appeal stops the execution unless the court orders otherwise. The decision of the Supreme Administrative Court is final.

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

Yes

No

Comments - No, please specify which authority is competent for promoting judges The Judges' College of the Supreme Judicial Council adopts a decision on the promotion or transfer of a judge.

The competition is held by five-member competition commissions, determined on the basis of the competition matter. The members of the competition commission include one habilitated scholar of legal sciences in the relevant subject with the academic position of associate professor or professor, as well as four members with the status of an active judge, defined as follows:

1. to hold a competition for the transfer of a judge to a district court - on the basis of the competition matter from the general assemblies of the judges of the regional courts for each appellate district; the judges of the regional courts in one appellate district hold one general assembly;
2. to hold a competition for the promotion and transfer of a judge in a regional court - on the basis of competition matter from the general assemblies of all appeal courts;
3. When holding a competition for the promotion and transfer of a judge in an administrative court - by the plenary session of judges in the Supreme Administrative Court by lot among them;
4. In the event of a competition for the promotion and transfer of a judge to an appellate court - on the basis of competition matter by the plenary session of the judges of the Supreme Court of Cassation by lot among them;
5. In the event of a competition for the promotion and transfer of a judge in the Supreme Court of Cassation and the Supreme Administrative Court - on the basis of competitive matters by the plenums of judges in the Supreme Court of Cassation and the Supreme Administrative Court by lot among them.

The members of the competition committee with the status of active judge are elected by the Judges' College of the Supreme Judicial Council by lot from among those proposed by the bodies under items 1 and 2. The competition commission elects a chairman from among

its members. The bodies under items 1 and 2 propose to the Judges` College of the Supreme Judicial Council members for participants in the competition committee every three years. Entrants may be nominated more than once.

The members of the competition commission must have acquired the status of life tenure and in the last 5 years they must not have been imposed any of the disciplinary punishments under Art. 308, para. 1, item 3, 4, 5, or 6 of the JSA with an effective decision. They must be of a rank equal to or higher than the rank of the advertised vacancy. Members of the Supreme Judicial Council and administrative heads cannot participate in the competition committee. Participation in the competition commission is taken into account when preparing an attestation and when determining the workload of the relevant judge.

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

Competitive test / Exam

Previous individual evaluations

Other procedure(s) (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) and how the publicity of promotion processes is ensured: Promotion and transfer of judges

A promotion is a transfer to a higher position in the same type of judicial authority.

Apart from the cases under Art. 194, para. 2 of the JSA, the transfer is a transfer to an equal or lower position of the judge - to another court.

The transition 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 the verification of knowledge for occupying the relevant position through a written exam on synopsis. Candidates who received a grade no lower than a very good "4.50" on the written exam are allowed to participate in the ranking.

Competitions for transfer and competitions for promotion are held at least once a year for each of the levels in the court. When there are no candidates for transfer, vacancies are filled through a promotion competition. Competitions for higher bodies of the judiciary are announced by decision and are held before the announcement of competitions for lower bodies. In the event that the competitions for the higher bodies are not concluded within three months with the decision of the Judges' College of the Supreme Judicial Council, the competitions for the lower bodies are announced.

To participate in the competition, the interested judge, prosecutor, or investigator submits a written application on a form approved by the plenary session of the SJC within 14 days from the date of publication of the decision in the "State Gazette".

Eligibility of candidates for participation in the procedure

A candidate in the mentioned competitions can be a judge, prosecutor, or investigator who has experience under Art. 164 of the JSA for the announced vacant position and has served at least three years in the position held or in a position of equal rank. A person who has at least three years of experience shall be appointed as a judge in a district court. A person who has at least 8 years of experience shall be appointed as a judge in a regional court. A person who has at least 8 years of experience shall be appointed as a judge in an administrative court. A person who has at least 10 years of experience shall be appointed as a judge in an appellate court. A person with at least 12 years of experience shall be appointed as a judge in the Supreme Court of Cassation and in the Supreme Administrative Court.

The Commission on Appraisal and Competitions of the Judges` College verifies the documents of all candidates.

Conducting the competitions The competition is conducted by five-member competition commissions, determined on the basis of competition matters.

The competition commission ranks the candidates for promotion/transfer according to the results of the latest appraisal and checks by the higher bodies of the Judiciary and the Inspectorate of the Supreme Judicial Council, the data from their personnel file, and the assessment of the examined and closed cases and files selected by the competition commission and presented by the candidates, on the basis of which a general assessment is made of the professional qualities possessed by the candidates. In case of equal evaluations, the judge, prosecutor, or investigator with longer experience in the court system is appointed, and in case of equal experience in the relevant system of the judicial authorities - the one with longer legal experience.

In the cases under Art. 189, para. 4 of the JSA, the competition commission must check the knowledge of the candidate for holding a position in another type of judicial authority by passing a written exam based on a syllabus. Candidates who received a grade no lower than a very good "4.50" on the written exam participate with it in the ranking.

The competition commission sends the ranking results together with all the competition documentation to the Judges` College of the Supreme Judicial Council. The Commission on Professional Ethics of the Judges` College of the Supreme Court assesses the moral

qualities possessed by the first three candidates for each position and drafts an opinion for each candidate. The results of the ranking of the candidates, together with all the competition documentation and the opinion of the Commission on Professional Ethics, are provided to the Commission on Attestation and Competitions of the Judges' College. The latter submits to the Judges` College of the SJC a motivated proposal for the promotion or transfer of the candidates ranked first for the positions in the relevant bodies of the judiciary. The Judges` College of the Supreme Judicial Council adopts a decision to promote or transfer a judge in order of ranking until the positions are filled. The decision of the Judges` College of the SJC can be appealed under the conditions and according to the procedure of Art. 187 of the JSA within 7 days of its announcement before the Supreme Administrative Court. The appeal stops the execution unless the court orders otherwise. The decision of the Supreme Administrative Court is final.

113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	758 <input type="checkbox"/> NA	266 <input type="checkbox"/> NA	492 <input type="checkbox"/> NA
Number of promoted persons	108 <input type="checkbox"/> NA	34 <input type="checkbox"/> NA	74 <input type="checkbox"/> NA

Comments Number of promoted persons- appointed who have taken office

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"):
See comments to the Q 113.

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. The Judiciary in the Republic of Bulgaria, according to the Constitution the Republic of Bulgaria, is a system of bodies: court, prosecutor's office, investigating authorities. (art.117, par.2, art.129, art.132, par.1 and art.133 of the Constitution).

The Constitution expressly regulates the independence of the Judiciary and its autonomous budget.

Constitutional guarantees have been introduced for the independence of magistrates, for the free formation of an internal conviction and that they are subservient only to the law.

The heads of the supreme judicial departments and the Prosecutor General are appointed and dismissed by the President of the Republic of Bulgaria on the proposal of the Supreme Judicial Council (SJC).

The principles of publicity, objectivity, equality of the parties, and competition in the judicial process are introduced.

Chapter VI "Judiciary" of the Constitution on the (Art. 126 and Art. 127) regulates the structure and functions of the Prosecutor's Office. Personnel activities regarding the Prosecutor's Office are carried out by the Prosecutors' College of the SJC, which is different from that for judges - the Judges' College of the SJC.

It is explicitly stated that the structure of the prosecutor's office is in line with that of the courts. In carrying out their activities, however, prosecutors are independent from the court.

The Prosecutor General supervises legality and methodical guidance over the activities of all prosecutors. The prosecutor's office is called upon to monitor compliance with the law by bringing to justice persons who have committed crimes and maintains the prosecution of criminal cases of a general nature, exercises supervision over the implementation of criminal and other coercive measures, takes actions to cancel illegal acts and to restore in quick and urgent cases of autonomously violated rights, in the cases provided by law, participate in civil and administrative cases.

The Judicial System Act details the structure and functions of the individual units of the judiciary, including the prosecutor's office, the status of magistrates (judges, prosecutors, and investigators), their rights and obligations, issues of irreplaceability and incompatibility, disciplinary responsibility and career development, the organization and activity of the SJC.

115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by law or other regulation?

Yes

No

Comments - If yes, please specify: If it is considered whether it is possible for someone to give specific instructions/directions to the supervising prosecutor on a specific case or file, then the answer is positive. But these instructions are limited by law in terms of scope and must not contradict the basic principle of the criminal process: the principle of independence (Art. 10 of the Criminal Procedure Code - When performing their functions, judges, jurors, prosecutors, and investigative bodies are independent and obey only of the law.), as well as the principle of making decisions based on internal conviction (Art. 14. (1) of the Criminal Procedure Code - The court, the prosecutor, and the investigative bodies make their decisions based on internal conviction, based on an objective, comprehensive, and complete investigation of all circumstances in the case, being guided by the law.).

According to Art. 143, para. 5 of the Judicial System Act, when revokes a prosecutor's act, only written and motivated instructions can be given regarding the application of the law, without affecting the prosecutor's internal conviction, i.e. these instructions can only be in relation to carrying out specific procedural-investigative actions and establishing certain facts and circumstances, but not about how to decide the case on its merits.

Specific instructions can be given by a prosecutor from the superior prosecutor's office, in case of revoke of an appealed act of a prosecutor from a lower prosecutor's office. However, these instructions are limited in scope and concern only unestablished facts and circumstances of the case, necessary to reveal the objective truth, on the basis of which the prosecutor can draw a reasoned conclusion and make his decision in accordance with the law. The current prosecutor cannot give instructions on how to resolve the case/file, which would lead to a violation of the principle of independence and decision-making based on internal conviction by the supervising prosecutor. The manner in which the case is resolved is the sole authority of the supervising prosecutor. However, the senior prosecutor can himself perform actions that are within the competence of the supervising prosecutor (e.g. initiate pre-trial proceedings himself, but cannot oblige the supervising prosecutor to do so).

Instructions can also be given by the court, in case it revokes a prosecutor's act after it has been appealed by court in the cases specified by law (e.g. in case of revocation of the decree on the termination of criminal proceedings by the court or in the case of revocation of the decree on the refusal to institute pre-trial proceedings in the cases specified in Article 213, paragraph 4 of the Criminal Procedure Code). In this case, the court returns the case to the prosecutor with mandatory instructions regarding the application of the law.

The Prosecutor General in exceptional cases could also give directions. For example, in case of revocation of the decree on the termination of criminal proceedings based on Art. 243, paragraph 10 of the Criminal Procedure Code.

It should be pointed out that the methodological instructions of the Prosecutor General, issued on the basis Art. 138, paragraph 1, item 6 of the Judicial System Act are general, do not concern a specific supervising prosecutor in a specific case and should also not contradict

the main principles in the criminal process - independence (Art. 10 of the Criminal Procedure Code) and decision-making internal conviction (art. 14, paragraph 1 of the Criminal Procedure Code).

115-2. If they are prohibited by law or other regulation, are there exceptions?

Yes

No

NAP

Comments - Please describe these exceptions: Please see the the answer to question 115-1.

115-3. Which authority can issue such specific instructions?

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

NAP

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 No special statistics are kept on the frequency of instructions.

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?

through a competitive exam (open competition)

through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

other (please specify):

Comments

116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:

. The appointment of prosecutors and investigating magistrates and their subsequent career development (promotion/transfer, as well as the promotion in rank) is an exclusive competence of the Prosecutors' College of the Supreme Judicial Council. The legislation is in the Judicial System Act.

The Judicial System Act (Art. 176 – 187) regulates the rules of the competition for junior judges, junior prosecutors and junior investigating magistrates and the competition for initial appointment in the bodies of the judiciary.

The competitions are centralized. The Prosecutors' College of the Supreme Judicial Council appoints five-member competition commissions, which include one habilitated scholar in legal sciences in the relevant matter and four members enjoying the status of a sitting prosecutor or investigating magistrate, designated as follows:

1. upon the holding of a competition for a junior prosecutor and initial appointment of a prosecutor at a district prosecution office: by the assemblies of the prosecutors at all regional prosecution offices for each appellate district;
2. upon the holding of a competition for initial appointment of a prosecutor at a regional prosecution office: by the assemblies of the prosecutors of all appellate prosecution offices;
3. upon the holding of a competition for a junior investigating magistrate and initial appointment of an investigating magistrate: by the assembly of investigating magistrates at the National Investigation Service.

The Prosecutors' College elects the members of the competition commission by the drawing of lots from among the nominations.

The competition includes a written and oral exam, and the grades are based on the six-point system. The written exam is anonymous and includes verification of knowledge in the legal branch chosen by the candidate by resolving a case and verification of knowledge on European Union law and in the field of human rights through a test.

Based on the ranking results and the opinion of the Commission on Professional Ethics, the competition commission proposes to the Prosecutors' College of the Supreme Judicial Council to approve the candidates.

Ordinance No. 1 of 9 February 2017 was adopted for the competitions for magistrates and for the election of administrative heads in the bodies of the Judiciary (adopted by decision of the Plenum of the Supreme Judicial Council, promulgated, SG No. 17 of 21.02.2017, in force from 21.02.2017, with the latest revision addendum, No. 77 from 27.09.2022).

<https://vss.justice.bg/root/f/upload/37/naredba-1-br-77-2022.pdf>

116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?

Age

- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for prosecutors
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: On the position of a prosecutor may be appointed a person who holds only Bulgarian citizenship, a higher education in the specialty "Law" (Master); has undergone the internship provided for in JSA and is licensed to practice law; possesses the required moral integrity and professional standing complying with the Code of Ethical Conduct of Bulgarian Magistrates; has not been sentenced to deprivation of liberty for an intentional criminal offence, notwithstanding any subsequent rehabilitation; is not elective member of the Supreme Judicial Council who have been released from office on disciplinary grounds for damaging the prestige of the Judiciary and does not suffer from a mental illness. Number of years of relevant experience are required for different prosecutors' positions.

116-3. In the frame of these recruitments, please indicate the number of applicants for the position of prosecutor and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	1 355 <input type="checkbox"/> NA	629 <input type="checkbox"/> NA	726 <input type="checkbox"/> NA
Number of recruited persons	54 <input type="checkbox"/> NA	30 <input type="checkbox"/> NA	24 <input type="checkbox"/> NA

Comments

116-4. If the number of applicants decreased in the last years did you take any remedial measures?

- Yes
- No

Comments

116-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new prosecutors

Other

Comments: If "other", please, specify:

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) responsible for the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: Prosecutors are appointed by a decision of the Prosecutors' College of the Supreme Judicial Council. The competition is held by five-member competition commissions. In the process are engaged also the Commission on Appraisal and Competitions of the Prosecutors' College and the Commission on Professional Ethics (see their roles in the comments to Q 116-1).

1. The Commission on Appraisals and Competitions of the Prosecutors' College of the Supreme Judicial Council
Art. 182 of the JSA - checks the documents of the candidates and decides on their admissibility in the competition procedure;
Art. 186, para. 3 of the JSA - submits a proposal for the appointment of the ranked candidates in the competition to the relevant bodies of the Judiciary.
2. Competition Commission
Art. 186a para. 1 of the JSA - The competition commission ranks the participants in the competition by arranging them according to the result, which is formed as a sum of the grades of the written and oral exams. In the event of a tie, the competition commission ranks the candidate with a higher overall success rate from the state exams.
3. Commission on Professional Ethics at the Prosecutor's College of the Supreme Judicial Council
Art. 186a, para. 3 of the JSA - prepares opinions for the first three ranked candidates for the corresponding vacant position regarding their moral qualities for occupying the position.
4. The Prosecutors' College of the Supreme Judicial Council
Art. 183 of the JSA - designates the members of the competition commissions to conduct the procedures;
Art. 186a, para. 4 - 6 of the JSA - after carrying out an inspection in accordance with Art. 186a, para. 5 of the JSA, adopts a decision to appoint/refuse to appoint the candidates according to the order of ranking until the vacancies are filled.

117-1. How many members compose this authority?

	Total	Male	Female
Members	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: The final word on the appointment of prosecutors rests with the Prosecutors' College of the Supreme Judicial Council. The composition of the Prosecutors' College until 31st December 2022 was 7 men and 3 women. / plus Prosecutor General –man/

The Prosecutors' College of the Supreme Judicial Council is an independent body of the SJC and carries out its activities within the framework of 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 Activity of the SJC and its administration and current rules. The Prosecutors' College 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 investigating magistrates, and five members elected directly by the National Assembly.

Competition Commission

The Prosecutors' College of the Supreme Judicial Council appoints five-member competition commissions to conduct the 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 an acting prosecutor or investigating magistrates, defined as follows:

1. upon the holding of a competition for a junior prosecutor and initial appointment of a prosecutor at a district prosecution office: by the assemblies of the prosecutors at all regional prosecution offices for each appellate district;
2. upon the holding of a competition for initial appointment of a prosecutor at a regional prosecution office: by the assemblies of the prosecutors of all appellate prosecution offices;
3. upon the holding of a competition for a junior investigating magistrate and initial appointment of an investigating magistrate: by the assembly of investigating magistrates at the National Investigation Service.

From the proposals made by the assemblies, the Prosecutors' College elects members of the Competition Commission by lot. The competition commission elects a chairperson from among its members with the status of an acting magistrate.

The assemblies propose to the Prosecutor's College of the Supreme Judicial Council members for participants in the competition commission every three years. Participants may be offered more than once.

The members of the Competition Commission must have acquired the status of irremovability and in the last 5 years they must not have been imposed any of the disciplinary punishments under Art. 308, para. 1, item 3, 4, 5, or 6 with a decision that has entered into force.

Members of the Supreme Judicial Council and administrative heads may not participate in the competition commission.

The Commission on Appraisals and Competitions of the Prosecutors' College of the Supreme Judicial Council

The Commission on Appraisals and Competitions is a standing commission 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 Prosecutor's Office of Cassation and 2 (two) investigating magistrates, elected directly by the General Assembly of Investigators in the National Investigation Service.

The members of the commission, elected by prosecutors and investigators acting at the time of the election according to art. 37, para. 6 of the JSA, fulfill their obligations for a period of 1 year, with detachment from the direct labor obligations in the bodies of Judiciary to which they are appointed.

The Commission on Professional Ethics is a standing commission at the Prosecutors' College and consists of five members of the Prosecutors' College.

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

Yes

No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: The acts of the Competition Commission are not subject to independent judicial review. Anyone interested may appeal to the Supreme Administrative Court the decision of the Prosecutors' College of the Supreme Judicial Council pursuant to Art. 187 of the JSA within 7 days of its announcement. The appeal stops the enforcement unless the court orders otherwise. The Supreme Administrative Court examines the appeal in an open session and renders a decision within one month of its receipt in court together with the administrative file, summoning the appellant, the administrative body and the interested parties. The court's decision is final.

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

Yes

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

Comments Prosecutors are promoted or transferred by a decision of the Prosecutors' College of the Supreme Judicial Council. The competition is held by five-member competition commissions. In the process are engaged also the Commission on Appraisal and Competitions of the Prosecutors' College and the Commission on Professional Ethics.

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

Competitive test / exam

Previous individual evaluations

Other procedure(s) (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) and how the publicity of promotion processes is ensured: Promotion and transfer of judges, prosecutors, and investigating magistrates

A promotion is a transfer to a higher position in the same type of body of the judiciary.

Apart from the cases under Art. 194, para. 2 of the JSA, the transfer is a transition to an equal or lower position of the judge - to another court, of the prosecutor - to another prosecutor's office, and of the investigating magistrate - to another investigative department.

The transition of the judge to the position of prosecutor or investigating magistrate, of the prosecutor to the position of judge or investigating magistrate, and of the investigating magistrate to the position of judge or prosecutor, takes place through a competition for promotion or transfer, including the verification of knowledge for occupying the relevant position through a written exam based on conspectus. Competitions for transfer and competitions for promotion are held at least once a year for each of the levels in the court, prosecutor's office and investigation. When there are no candidates for transfer, vacancies are filled through a promotion competition. Competitions for higher bodies of the judiciary are announced by decision and are held before the announcement of competitions for lower bodies. In the event that the competitions for the higher bodies are not concluded within three months with the decision of the relevant college of the Supreme Judicial Council, the competitions for the lower bodies are announced.

Eligibility of candidates for participation in the procedure

A candidate in the mentioned competitions can be a judge, prosecutor or investigating magistrate who has experience under Art. 164 of the JSA for the announced vacant position and has served at least three years in the position held or in a position of equal rank. The Appraisal and Competitions Commission e of the relevant College checks the documents of all candidates.

Conducting the competitions

The competition is conducted by five-member competition commissions, determined according to the competition matter.

The competition commission ranks the candidates for promotion/transfer according to the results of the latest attestation and checks by the higher bodies of the Judiciary and the Inspectorate to the Supreme Judicial Council, the data from their personnel file, and the assessment of the examined and closed cases and files selected by the competition commission and presented by the candidates, on the basis of which a general assessment is made of the professional qualities possessed by the candidates. In the case of equal evaluations, the judge, prosecutor, or investigator with longer experience in the relevant system of the bodies of the Judiciary shall be appointed, and in case of equal experience in the bodies of the Judiciary, the one with longer legal experience shall be appointed.

In the cases under Art. 189, para. 4 of the JSA, the competition commission must check the knowledge of the candidate for holding a position in another type of judicial authority by passing a written exam based on conspectus. The competition commission sends the ranking results together with all the competition documentation to the Prosecutors` College of the Supreme Judicial Council. The Commission on Professional Ethics the Prosecutors` College assesses the moral qualities of the first three candidates for each position and drafts an opinion for each candidate. The results of the ranking of the candidates, together with all the competition documentation and the opinion of the Commission on Professional Ethics, are submitted to the Commission on Appraisal and Competitions at the Prosecutors` College. The latter submits to the Prosecutors` College of the SJC a motivated proposal for the promotion or transfer of the candidates ranked first for the positions in the relevant bodies of the Judiciary. The Prosecutors` College of the Supreme Judicial Council adopts a decision to promote or transfer a judge, prosecutor, or investigator in order of ranking until the positions are filled. The decision of the Prosecutors` College of the SJC can be appealed under the conditions and according to the procedure of Art. 187 of the JSA within 7 days of its announcement before the Supreme Administrative Court. The appeal stops the execution unless the court orders otherwise. The decision of the Supreme Administrative Court is final.

119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	369 [] NA	165 [] NA	204 [] NA
Number of promoted persons	99 [] NA	41 [] NA	58 [] NA

Comments

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"): See comments to Q 119.

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 years of age
- No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: A judge is dismissed from office where:

- the person attains the age of 65 years;
- the person tenders resignation;
- a sentence, whereby a penal sanction of deprivation of liberty for an intentional criminal offence has been imposed, becomes enforceable;
- the person is continuously and actually unable to discharge the duties thereof for more than one year;
- a disciplinary sanction of release from office on disciplinary grounds has been imposed on the person;
- a decision of the respective chamber of the Supreme Judicial Council refusing the acquisition of tenure;
- incompatibility with positions and activities under Article 195 (1) of JSA; - 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):please, see below
- No

Comments A judge may be seconded, if necessary, for no more than 12 months with his prior written consent. In exceptional cases, he/she can be seconded without his consent for a period of up to three months. He/she cannot be seconded to the same body of the Judiciary.

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 years
- No

Comments Attestation is conducted for the purpose of acquiring tenure: upon completion of five years service as a judge, prosecutor or investigating magistrate.

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

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: A prosecutor is dismissed from office where:

- the person attains the age of 65 years;
- the person tenders resignation;
- a sentence, whereby a penal sanction of deprivation of liberty for an intentional criminal offence has been imposed, becomes enforceable;
- the person is continuously and actually unable to discharge the duties thereof for more than one year;
- a disciplinary sanction of release from office on disciplinary grounds has been imposed on the person;
- a decision of the respective chamber of the Supreme Judicial Council refusing the acquisition of tenure;
- incompatibility with positions and activities under Article 195 (1) of JSA; - reinstatement in office after wrongful release from a position.

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

No

Comments Attestation is conducted for the purpose of acquiring tenure: upon completion of five years service as a judge, prosecutor or investigating magistrate.

125. If the mandate of 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 of 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

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

Sources: The Constitution of the Republic of Bulgaria; The Judicial 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
In-service training on gender equality	() Yes (X) No	(X) Yes () No	() Yes (X) No
Other in- service training	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments "In-service training" means "ongoing/continuous/ training"

According to the Judiciary System Act (JSA), candidates for junior judges undergo a 9-month mandatory initial training at the National Institute of Justice (NIJ). The emphasis in the curriculum of the candidates for junior judges is the ethical challenges in the work of the court and the application of the principles of the rule of law in accordance with the case law of the Court of Justice of the EU and the European Court of Human Rights. Particular attention is paid to topics related to the fight against corruption, conflicts of interest, financial misuse of EU funds, and domestic violence. The case law of the Court of Justice of the EU and the ECtHR is thoroughly studied on all topics in the program.

Judges have the right and obligation to work for their professional development through participation in continuous training, which should be understood as a process of lifelong learning. The continuous training of judges is mandatory in cases of:

- initial appointment in the bodies of the judiciary (Art. 259, para 1, JSA);

- promotion from regional to district level (Art. 261, para. 1, item 1, JSA);

- specialization (Art. 261, para. 1, item 3, JSA).

In 2022, the following mandatory forms of qualification of magistrates were implemented:

- mandatory induction training for newly appointed district judges
- mandatory induction training for newly appointed administrative judges;
- mandatory training for transfer and promotion of administrative judges.

The planning and development of the training of the NIJ 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. In 2022, the NIJ Management Board adopted judicial training standards for the effective performance of judicial, prosecutorial, investigative and administrative head positions in the judiciary. The Standards are a key tool for strategic planning and sustainable implementation of the Institute's overall training activity. Based on the adopted standards, judicial trainers, magistrates and NIJ experts developed the structure of the training content of 10 self-learning resources for different levels of the judiciary

Issues of judicial ethics and the rules of professional conduct are integrated horizontally in the trainings as part of the specific skills for the effective exercise of the profession of judge, prosecutor and investigator/ investigating magistrate/. The National Institute of Justice, within the framework of the project "Prevention and Combating Violence against Women and Domestic Violence" under the Justice Programme of the Norwegian Financial Mechanism, focuses on strengthening the capacity of Bulgarian magistrates to more effectively implement established protection standards and institutional practices for preventing and combating gender-based violence and domestic violence.

The NIJ is making efforts to reach all Bulgarian magistrates and judicial employees - not only through the trainings it conducts, but also through e-resources for individual work and self-study. In 2022, 43 practice-oriented videos on working with the Electronic Court Information System were produced and published on the e-learning portal. The eLearning Portal has 6,165 registered users - the 15% increase compared to the previous year, 2021, is based on the improved methodology for developing digital resources and the accumulated professional experience of the NIJ team and the judicial trainers.

In line with the strategic plan of the European Judicial Training Network 2021 - 2027, which emphasises on the role of national training institutions in providing the basic levels of foreign language training to the representatives of the professional community, in 2022, under the project " NIJ - Modern Judicial Training Institution", face-to-face foreign language trainings in general English and French, face-to-face foreign language trainings in legal English/French, as well as e-distance general language courses in English and French were conducted. In those venues were trained 383 magistrates, judicial employees and other legal professionals.

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

	Frequency of the judges training
General in-service training	<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 specialised judicial functions (e.g. judge for economic or administrative issues)	<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 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
In-service training on gender equality	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<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 the process of planning the trainings, the NIJ takes into account the current changes in the legal framework, the strategic and priority areas in the training activity, adopted by the Program Council of the National Institute of Justice and coordinated with the professional associations of judges, prosecutors, investigating magistrates and judicial employees, as well as the measures within the competence of the NIJ, resulting from European and international commitments. The trainings are organised on an annual basis, taking into account the specific training needs of the professional community that reflect the specificities of the administration of justice and the practical problems on the field, specific professional experience of the trainees as a prerequisite for increasing their motivation to develop their skills and competences.

128-1. Do you have a minimum number of compulsory trainings per judge:

	Per judge
Initial compulsory training – minimum number of trainings	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 180 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 30 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments According to the Judiciary System Act, the candidates for junior judges undergo 9 months (the average duration is 180 days/working days) compulsory initial training at the National Institute of Justice. It is the right and duty of judges to work towards their professional development by participating in ongoing training, which should be understood as a process of continuous lifelong education. Ongoing training of judges is compulsory in cases of: •initial appointment in the judiciary (Article 259(1) of the Judiciary System Act); •promotion from regional to district level (Article 261(1)(1) of the Judiciary System Act); •specialisation (Article 261(1)(3) of the Law on the Judiciary).

The number of trainees to attend the initial mandatory training, mandatory induction training and mandatory specialization is determined by ordinance of the Supreme Judicial Council (SJC) and of SJC judges' college. The average duration of the above-mentioned trainings is

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	(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 functions (e.g. public prosecutors specialised in organised crime)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for management functions (e.g. Head of prosecution office, manager)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in office	() 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
In-service training on gender equality	() Yes (X) No	(X) Yes () No	() Yes (X) No
Other in- service training	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments NIJ: "In-service training" means "ongoing/continuous/ training".

According to the Judiciary System Act, the candidates for junior prosecutors and the candidates for junior investigating magistrates undergo 9-month compulsory initial training at the National Institute of Justice (NIJ). The curriculum for the candidates for junior prosecutors and junior investigators /investigating magistrates/ focuses on the ethical challenges in their work, as well as on the respect for the principles of the rule of law in line with the case law of the European Court of Justice and the European Court of Human Rights. Particular attention is paid to the topics of anti-corruption, conflict of interest, financial abuse of EU funds and domestic violence. The case-law of the EU Court of Justice and the ECtHR is studied in depth in all topics in the programme.

It is the right and duty of prosecutors and investigators to pursue their professional development through participation in ongoing training, which should be understood as a lifelong continuous learning process. Ongoing training of judges is mandatory in the case of:

- initial appointment to the judiciary (Article 259(1) of the Judiciary System Act);
- Promotion from district to regional level (Article 261(1)(1) of the Judiciary System Act);
- specialisation (Article 261(1)(3) of the Judiciary System Act).

In 2022, the following compulsory forms of qualification of magistrates were implemented:

In 2022, a module on "Criminal Procedure" was conducted as part of the course for the compulsory induction training of newly-appointed prosecutors in district prosecution offices. The course was held in a blended form - distance and face-to-face - and was attended by newly-appointed prosecutors in district prosecution offices. Training of prosecutors promoted from the district to the regional level was also conducted, they were trained within the framework of the statutory ongoing qualification.

The planning and development of the NIJ trainings are carried out in compliance with the guidelines of the European Judicial Training Network for practical orientation and compliance of training objectives with the professional needs of the trainees. In 2022, the NIJ Board of Directors adopted judicial training standards for the effective performance of judicial, prosecutorial, investigative and administrative head positions in the judiciary. The Standards are a key instrument for strategic planning and sustainable implementation of the Institute's overall training activity. Based on the adopted standards, judicial trainers, magistrates and NIJ experts developed the structure of the

training content of 10 self-learning resources for different levels of the judiciary. The Issues of judicial ethics and the rules of professional conduct are integrated horizontally into the training as part of the specific skills for the effective exercise of the profession of judge, prosecutor and investigating magistrate. The National Institute of Justice focuses on strengthening the capacity of Bulgarian magistrates to more effectively implement established protection standards and institutional practices for preventing and combating gender-based violence and domestic violence, within the framework of the project "Prevention and Combating Violence against Women and Domestic Violence" under the Justice Programme of the Norwegian Financial Mechanism.

Topics related to the effective protection of the financial interests of the European Union, international legal cooperation in criminal matters between Member States of the European Union - instruments based on the principle of mutual recognition and topical issues related to the regulation of organised crime groups were the subject of a series of training sessions last year.

The NIJ is making efforts to reach out to all Bulgarian magistrates and judicial employees - not only through the trainings it conducts, but also through the e-resources for self-work and self-study. In 2022, 43 practice-oriented videos on working with the Electronic Information System of the Courts were prepared and published in the e-learning portal. The e-Learning Portal has 6,165 registered users - the 15% increase compared to the previous year, 2021, is based on the improved methodology for developing digital resources and the accrued professional experience of the NIJ team and judicial trainers.

In line with the strategic plan of the European Judicial Training Network 2021 - 2027, which emphasises on the role of national training institutions in providing basic levels of foreign language training to members of the professional community, face-to-face foreign language trainings in general English and French, face-to-face foreign language trainings in legal English/French, as well as e-distance general language courses in English and French were conducted in 2022 under the project "NIJ - Modern Judicial Training Institution". 383 magistrates, judicial employees and other legal professionals were trained in the above-mentioned language courses.

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

	Frequency of the in-service training
General in-service training	<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 specialised functions (e.g. public prosecutor specialised in organised crime)	<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 management functions (e.g. Head of prosecution office, manager)	<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 office	<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

In-service training on gender equality	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<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 in-service training of prosecutors: Prosecution of RB: After ranking in a competition for junior magistrates, the National Institute of Justice (NIJ) conducts mandatory initial training for candidates for junior judge, junior prosecutor, and junior investigator for a period of 9 months, after the completion of which, they take an exam. After successfully passing it, they are appointed as Junior Magistrates in the relevant Judiciary.

Prosecutors and investigators also participate in subsequent training events organized and conducted by the National Institute of Justice, as well as in those organized by other national or international institutions, incl. and the EU.

NIJ: "In-service training" means "ongoing/continuous/ training". In the process of planning the trainings, the NIJ takes into account the current changes in the legal framework, the strategic and priority areas in the training activity, adopted by the Program Council of the National Institute of Justice and coordinated with the professional associations of judges, prosecutors, investigating magistrates and judicial employees, as well as the measures within the competence of the NIJ, resulting from European and international commitments. The trainings are organised on an annual basis, taking into account the specific training needs of the professional community that reflect the specificities of the administration of justice and the practical problems on the field, specific professional experience of the trainees as a prerequisite for increasing their motivation to develop their skills and competences.

130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
Initial compulsory training – minimum number of trainings	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 180 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 30 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Prosecution of RB: The initial mandatory training is conducted by the National Institute of Justice once for a period of 9 months only for candidates for junior judges, junior prosecutors and junior investigators after their successful ranking in the relevant competition for junior magistrates. If they do not successfully pass the examination after its completion, they are not appointed as junior magistrates. Training is conducted separately (profiled) for junior judges, junior prosecutors and junior investigators.

NIJ: "In-service training" means "ongoing/continuous/ training". According to the Judiciary System Act, the candidates for junior prosecutors and junior investigating magistrates undergo 9 months (the average duration is 180 days/ working days) compulsory initial training at the National Institute of Justice. It is the right and duty of prosecutors and investigating magistrates to work towards their

professional development by participating in ongoing training, which should be understood as a process of continuous lifelong education. Ongoing training of prosecutors is compulsory in cases of: •initial appointment in the judiciary (Article 259(1) of the Judiciary System Act);

- promotion from district to regional level (Article 261(1)(1) of the Judiciary System Act);
- specialisation (Article 261(1)(3) of the Law on the Judiciary).

The number of trainees to attend the initial mandatory training, mandatory induction training and mandatory specialization is determined by ordinance of the Supreme Judicial Council (SJC) and of SJC prosecutors' college. The average duration of the above-mentioned trainings is 6 weeks (30 days/ working days)

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	[]	[]	[]
Institution(s) for prosecutors	[]	[]	[]
Institution(s) for both judges and prosecutors	[]	[]	[X]

Comments

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

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	[] NA [X] NAP
Institution(s) for prosecutors	[] NA [X] NAP
Institution(s) for both judges and prosecutors	5 071 061 [] NA [] NAP

Comments EUR 5071 060,88

The public state budget of the NIJ in 2022 amounted to EUR 3,289,421.88. In addition, the funding under the European structural and investing funds in 2022 amounted to EUR 1,568,885.33 under the Operational Program "Good Governance" and EUR 212,753.67 under the Norwegian Financial Mechanism

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

. NAP

5.2.4 Number of trainings

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

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
Total	148 [] NA [] NAP	211 [] NA [] NAP	835 [] NA [] NAP	53 [] NA [] NAP
For judges	77 [] NA [] NAP	106 [] NA [] NAP	485 [] NA [] NAP	37 [] NA [] NAP
For prosecutors	52 [] NA [] NAP	83 [] NA [] NAP	474 [] NA [] NAP	28 [] NA [] NAP
For non-judge staff	108 [] NA [] NAP	163 [] NA [] NAP	673 [] NA [] NAP	51 [] NA [] NAP
For non-prosecutor staff	32 [] NA [] NAP	61 [] NA [] NAP	377 [] NA [] NAP	20 [] NA [] NAP

Comments NIJ: In 2022, there was a 61% increase in the total number of synchronous training sessions conducted by the NIJ, and a more than threefold increase in the number of training days. This increase is linked both to the period following the Covid-19 pandemic and the restoration of conditions for the conduct of in-person activities, as well as to the variety of training forms within which in-service training activities are implemented. The above-mentioned results are a function of the concerted efforts of the Institute's staff and judicial trainers to achieve flexibility and quality in training through the application of modern technologies and contemporary methodological approaches. The waning of the pandemic, as well as the progress made in the use of technology in training, has led to the inclusion of attractive formats such as hybrid trainings and videoconferencing, which have replaced some of the web-based trainings.

In order to meet the needs of the target group to improve their language competences and skills, foreign language trainings were conducted. Considering the specificity of foreign language training, the average duration is significantly longer than that of training on professional topic/s. The indicated duration is calculated on the basis of the number of hours. It is also noteworthy that the methodology of the National Institute of Justice for conducting Internet-based trainings implies that some of the courses include virtual classrooms as part of the training activities. They are an additional but not the main element through which the exchange of experience and practice is facilitated. In reporting the number of web-based training courses, account has been taken of the guidance given to questions 131-2 and 131-3 of the 'Explanatory Note to the European Judicial Systems Assessment Scheme'. The guidelines define the difference between internet-based and live trainings, which include hybrid trainings, videoconferences and webinars.

Another factor for the increase in the number of synchronous trainings is the selection of topical issues, including the impact of the pandemic on the commercial turnover and the subsequent financial difficulties for commercial companies, which led to a series of trainings related to commercial insolvency. In-person training activities were also held to address psychological attitudes as a consequence of the pandemic and the accelerated digitalisation of professional life.

Prosecution of Republic of Bulgaria: The issue is within the competence of the National Institute of Justice.

The Prosecutor's Office has available the following data on trainings held in 2022 for prosecutors, investigators/ investigating magistrates and employees of the Prosecutor's Office:

In total, for 2022, the conducted trainings are 137 (total training days are 860, as some trainings were conducted in more than one day.)

It should be borne in mind that, in addition to the trainings conducted by the NIJ, prosecutors and investigators/investigating magistrates also participated in training events/meetings/conferences, etc., organized by other national and international institutions, which are included in the total number of trainings.

131-3. Number of participants in the trainings during the reference year.

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
Total	5 661 [] NA [] NAP	1 576 [] NA [] NAP
Judges	1 597 [] NA [] NAP	347 [] NA [] NAP
Prosecutors	909 [] NA [] NAP	272 [] NA [] NAP
Non-judge staff	2 521 [] NA [] NAP	852 [] NA [] NAP
Non-prosecutor staff	634 [] NA [] NAP	105 [] NA [] NAP

Comments

E2. Please indicate the sources for answering the questions in this part

Sources: National Institute of Justice (NIJ)

5.3. Practice of the profession

5.3.1 Salaries 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	30 085 [] NA [] NAP	27 076 [] NA [] NAP	58 841 [] NA [] NAP	52 957 [] NA [] NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)	53 144 [] NA [] NAP	47 829 [] NA [] NAP	103 940 [] NA [] NAP	93 546 [] NA [] NAP
Public prosecutor at the beginning of his/her career	30 085 [] NA [] NAP	27 076 [] NA [] NAP	58 841 [] NA [] NAP	52 957 [] NA [] NAP

Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	53 144 [] NA [] NAP	47 829 [] NA [] NAP	103 940 [] NA [] NAP	93 546 [] NA [] NAP
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Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor: Data, provided by the Supreme Judicial Council. The increase of gross salaries (respectively net salaries) compared to the previous assessment cycle (2020-2022) is due to the increase in labour remuneration - 10% in 2021 and 10% in 2022, as well as the funds provided in the budget of the judiciary for additional remuneration in connection with Art. 233, paragraph 6 of the Judiciary System Act.

Comment from the Supreme Court of Cassation: The amount of maximum basic monthly remuneration of judges shall be determined by the Plenum of the Supreme Judicial Council. Judges shall receive additional remuneration for long service and professional experience, determined in relation to the basic remuneration at the rate of up to 40% (2% – for 1 calendar year for acquired service and professional experience in a judicial authority; 1.5% – for 1 calendar year for acquired service and professional experience outside a judicial authority, but in the same time, similar or the same nature of work, position or profession; 1% – for 1 calendar year for acquired service and professional experience outside a judicial authority and in another specialty). The maximum amount of 40% is set by the Judiciary System Act, in force since 11.08.2007. Judges who reached a higher percentage before the amendment of the law shall retain the percentage reached in accordance with the decision of the Supreme Judicial Council under Protocol No.29/21.09.2007. In the Supreme Court of Cassation, 14 judges receive additional remuneration in excess of 40%. Judges don't get a 13th salary or bonuses paid regularly to everyone, regardless of their personal circumstances. By a decision of the Plenum of the Supreme Judicial Council, an additional remuneration may be paid to judges, but its receipt is not mandatory and unconditional. The entitlement to receive an additional remuneration is defined in the Rules for Determination and Payment of Additional Remuneration (adopted by a decision of the Plenum of the Supreme Judicial Council under Protocol No. 29/22.11.2018, amended and supplemented by a decision under Protocol No. 13/13.06.2019, amended and supplemented by a decision under Protocol No. 28/21.11.2019, amended and supplemented by a decision under Protocol No. 18/12.05.2022 and the Rules for Determination and Payment of Additional Remuneration to Judges pursuant to Article 233, paragraph 6, the first sentence of the Judiciary System Act (adopted by the Judicial Collegium of the Supreme Judicial Council by Decision under Protocol No. 24/22.06.2021, amended by Decision under Protocol No. 41/17.11.2021). In 2022 additional remuneration in the amount of 11,220 BGN or 5,736.69 EUR was paid to the judges of the Supreme Court of Cassation in accordance with the decision of the Plenum of the Supreme Judicial Council on the application of the Rules for Determination and Payment of Additional Remuneration. (Gross annual salary, in €= basic salary+ additional remuneration for seniority)

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 On the basis of Art. 223 of the Judiciary System Act - judges and prosecutors can use housing from the departmental housing fund of the bodies of the judiciary.

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

. Pursuant to Art. 224 of the Law on the Judiciary, the mandatory public insurance and health insurance of judges, prosecutors and

investigators is carried out at the expense of the budget of the judiciary. They must be insured against accidents at the expense of the budget of the judiciary.

[] NAP

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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. Judges, prosecutors and investigators cannot combine their magisterial function with a number of activities exhaustively specified in Section III Incompatibility - art. 195 - Art. 195b of the Judiciary System Act. Specific restrictions on political, economic and commercial activities are regulated.

Article 195

(1) A judge, prosecutor or an investigating magistrate, while in office, may not:

1. Be a National Representative, a mayor or a municipal councillor;
2. occupy a position in State bodies, in municipal bodies or in institutions of the European Union, with the exception of a European delegated prosecutor;
3. carry on business in any form whatsoever, including in person, through a dummy and/or with a disclosed and/or undisclosed agent, or be a partner, manager or member of supervisory boards, management boards or boards of directors or of control bodies of commercial corporations, cooperatives or non-profit legal entities that carry on business, with the exception of those of any professional associations whereof they are members;
4. Be remunerated for activity under a contract or under another legal relationship with a State, municipal or public organisation, commercial corporation, cooperative, non-profit legal entity, a natural person or sole trader and practise a liberal profession or another remunerative professional activity;
5. (repealed, SG No. 65/2017);
6. Be a member of political parties or coalitions, of organisations pursuing political purposes, carry out political activity, as well as be a member of any organisations or carry out any activities interfering with his or her independence;

7. Be a member of a trade union organisation outside the Judiciary system.

(2) A judge, prosecutor or an investigating magistrate, while in office, may furthermore be remunerated for:

1. the pursuit of research and teaching or exercise of copyright;

2. Participation in European and international programmes and projects;

3. Participation in the drafting of statutory instruments assigned by the National Assembly, the Supreme Judicial Council or executive authorities;

4. Performance of functions of a European delegated prosecutor under Regulation (EU) 2017/1939. (3) Judges, prosecutors and investigating magistrates may not be members of election commissions for the conduct of elections of National Representatives, of Members of the European Parliament for the Republic of Bulgaria, of President and Vice President of the Republic, and of municipal councillors and mayors.

(4) Upon termination of the position, the persons under Item 1 of Paragraph (1), the judges of the Constitutional Court, the European Public Prosecutor, the ministers or deputy ministers, the chairperson or deputy chairperson of the State Agency for National Security, the members of the National Special Intelligence Means Control Bureau, who have submitted a request to the respective chamber of the Supreme Judicial Council within 14 days from the date of their release, shall be reinstated to the judge, prosecutor or investigator position held prior to the election or to a position of an equal degree in the judicial authorities, and the time spent in the respective position shall count as service record under Article 164 (1) to (7).

Article 195a

(1) Within one month from the entry into office, each judge, prosecutor and investigating magistrate, the members of the Supreme Judicial Council, the Inspector General and the inspectors of the Inspectorate with the Supreme Judicial Council shall submit to the respective chamber of the Supreme Judicial Council a declaration on all activities thereof and memberships of organisations, including secret and/or informal organisations and societies, non-profit legal entities and in civil-law companies or associations in a standard form endorsed by the Supreme Judicial Council. Upon a change, a declaration shall be submitted for adjustment of the circumstances within one month from the occurrence of the change.

(2) Judges, prosecutors and investigators shall not declare membership in the organisations under Article 217. (3) The chambers of the Supreme Judicial Council shall keep a central public register of the declarations under Paragraph (1).

Article 195b

Where it ascertains incompatibility, the Commission on Professional Ethics shall draw up a reasoned conclusion, which shall be transmitted to the respective chamber of the Supreme Judicial Council.

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: Please, see the answer to Q.135

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)?

Yes

No

Comments - If yes, please specify the conditions and if possible the amounts: Art. 233, para. 6 of the Judiciary System Act allows the Supreme Judicial Council to determine additional remuneration for a judge, prosecutor or investigator based on the workload of the relevant judicial body.

5.3.2 Body/institution of ethics

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

Yes

No

Comment - Please specify:

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

Only judges

Judges and other legal professionals

Other, please specify:

Comments

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

Yes

No

Comments - Please describe the work of this institution / body, the frequency of the guidelines and/or opinions, etc.: Pursuant to the provisions of Art. 37, Para. 10 of the JSA, the commissions on professional ethics with the relevant college of the SJC shall conduct inquiries, shall collect the requisite information, and shall draw up an opinion regarding the moral integrity possessed by the candidates in the competitions for the occupation of a position in the judicial authorities, as well as of the candidates for administrative heads and of the candidates for deputy administrative Committees on professional ethics are elected in the judicial authorities. Pursuant to Art. 39b, para. 4, the Commissions on Professional Ethics at the courts, prosecution offices, and at the National Investigation Service shall assist the relevant Commission on Professional Ethics in the exercise of the powers thereof under Article 37 (10) by giving an opinion on the moral integrity of the judges, prosecutors and investigating magistrates of the respective court, prosecution office, investigation department or the National Investigation Service.

In the provision of Art. 39b, it is regulated that the commissions on professional ethics shall perform their activity in implementing the Code of Ethical Behaviour of Bulgarian Magistrates (CEBBM) in compliance with the rules of organisation and operation thereof adopted by the Supreme Judicial Council.

In the cases where the commissions on professional ethics of the bodies of the judiciary find that a magistrate has committed a violation of the principles regulated in the CEBBM, the opinion is sent by the commission on professional ethics to the relevant college of the SJC of the authorities under Article 312 of the JSA to take the appropriate actions for bringing to disciplinary responsibility.

The minutes of the meetings of the Commission on Professional Ethics of the Judges' College of the SJC are published on the website of the Supreme Judicial Council. They contain information on the adopted opinions regarding the possessed moral qualities of the candidates in the competitions for occupying a position in the bodies of the judiciary, as well as the candidates for administrative heads and for deputies to the administrative heads. It also contains information on the opinions prepared by the commissions on professional ethics in the courts.

138-2-1. How many guidelines and/or opinions were given during the reference year?

[376]

[] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

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

Yes

No

Comment: Please specify

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 guidelines and/or opinions of this institution / body publicly available?

Yes

No

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. Pursuant to the provisions of Art. 37, Para. 10 of the JSA, the commissions on professional ethics with the relevant college of the SJC shall conduct enquiries, shall collect the requisite information and shall draw up an opinion regarding the moral integrity possessed by the candidates in the competitions for occupation of a position in the judicial authorities, as well as of the candidates for administrative heads and of the candidates for deputy administrative Committees on professional ethics are elected in the judicial authorities. Pursuant to Art. 39b, para. 4, the commissions on professional ethics at the courts, prosecution offices and at the National Investigation Service shall assist the relevant Commission on Professional Ethics in the exercise of the powers thereof under Article 37 (10) by giving an opinion on the moral integrity of the judges, prosecutors and investigating magistrates of the respective court, prosecution office, investigation department or the National Investigation Service.

In the provision of Art. 39b, it is regulated that the commissions on professional ethics shall perform their activity in implementing the Code of Ethical Behaviour of Bulgarian Magistrates (CEBBM) in compliance with the rules of organization and operation thereof adopted by the Supreme Judicial Council.

In the cases where the commissions on professional ethics of the bodies of the judiciary find that a magistrate has committed a violation of the principles regulated in the CEBBM, the opinion is sent by the commission on professional ethics to the relevant college of the SJC of the authorities under Article 312 of the JSA for imposing a disciplinary penalty. The minutes of the meetings of the Commission on Professional Ethics of the Prosecutors' College of the SJC are published on the website of the Supreme Judicial Council. They contain information on the adopted opinions regarding the possessed moral qualities of the candidates in the competitions for occupying a position in the bodies of the judiciary, as well as the candidates for administrative heads and the candidates for deputies to the administrative heads. It also contains information on the opinions prepared by the commissions on professional ethics in the system of the

138-5-1. How many guidelines and/or opinions were given during the reference year?

[332]

[] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions In 2022, the Committee on Professional Ethics to the Prosecutors' College of the Supreme Judicial Council prepared 292 opinions on the possessed moral qualities of candidates in competitions for positions in the judicial authorities and ruled on 40 complaints and signals during the reporting period.

292+40=332

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
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments A proposal for instituting disciplinary proceedings for imposing a disciplinary sanction on a judge may be made by: - the respective administrative head; - superior administrative head, /others / - Inspectorate to the Supreme Judicial Council; /others / - the Minister of Justice /executive power /

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
- Ombudsman
- Professional body
- Executive power (please specify): The Prosecutor's Office

Other (please specify):superior administrative head, /others / - Inspectorate to the Supreme Judicial Council;

This is not possible

Comments A proposal for instituting disciplinary proceedings for imposing a disciplinary sanction on a prosecutor may be made also by the Minister of Justice

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): The relevant administrative head

Comments Disciplinary sanctions of a judge are imposed by:

- The Judges' College of the Supreme Judicial Council;

- The relevant administrative head /others/.

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)	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Breach of professional ethics	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <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	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Judges:

2 (two) disciplinary proceedings have been instituted for culpable non-fulfillment of other official duties, resulting in not showing up for work, and 7 (seven) disciplinary proceedings have been instituted for non-observance of deadlines for consideration and resolution of cases.

Prosecutors*:

1 (one) disciplinary proceeding has been instituted for "systematic non-compliance with the deadlines stipulated in the procedural laws", "action or inaction which unjustifiably delays the proceedings" and "failure to fulfill other official duties".

* The information includes data on the disciplinary proceedings initiated during the reference year against prosecutors and investigators.

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" 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	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <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	1 [] NA [] NAP	6 [] NA [] NAP
10. Dismissal	0 [] NA [] NAP	0 [] NA [] 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. Judges:

With a decision of the Judges' College of the Supreme Judicial Council the penalty "remark" on a judge, imposed by order of the administrative head was confirmed.

Regarding the difference existing between the number of disciplinary proceedings initiated against judges and the number of sanctions, the same is due to the following reasons:

- In 2022, a total of 5 (five) disciplinary proceedings against judges were concluded with relevant decisions of the Judges' College of the Supreme Judicial Council, 3 (three) of which were initiated in previous years. Of the disciplinary proceedings against judges initiated in 2022, at the end of the reference year 2 (two) disciplinary cases were concluded with relevant decisions of the Judges' College of the Supreme Judicial Council.

- Of the disciplinary proceedings against judges concluded in 2022, only on 1 (one) was imposed a disciplinary sanction, and no sanctions were imposed on the remaining 4 (four).

Prosecutors*:

In 2022, a total of 6 (six) disciplinary proceedings, instituted in 2021 and 2022, were concluded by decisions of the Prosecutors' College (PC) of the Supreme Judicial Council (SJC).

In 5 (five) of the proceedings, the Prosecutors' College did not impose a disciplinary sanction. The decisions on 4 (four) of these proceedings have been challenged in court, with 2 (two) decisions being confirmed by a judicial act and entered into force, and 2 (two) of the proceedings remained pending in 2022, as a result of the challenge. The decision on 1 (one) of the five proceedings was not challenged and entered into force.

In 1 (one) disciplinary proceeding, a disciplinary penalty was imposed - a "remark", which was not challenged before the Supreme Administrative Court and entered into force.

During the reporting period - 2022, the Prosecutors' College of the SJC has considered a total of 7 (seven) orders of administrative heads to impose a disciplinary penalty "remark", of which the Prosecutors' College confirmed 5 (five) and 2 (two) were revoked.

In summary, the total number of sanctions imposed in the reference year 2022 against prosecutors and investigators is 6 (six) disciplinary sanctions "remark".

* The information includes data on the disciplinary proceedings initiated during the reference year against prosecutors and investigators.

E3. Please indicate the sources for answering the questions in this part

Sources: Q. 140, 142, 144, 145 - Summary report of the Commission "Disciplinary activity and interaction with the Inspectorate to the SJC" to the Judges' College of the Supreme Judicial Council regarding the disciplinary proceedings initiated against judges and the imposed disciplinary penalties for the period 01.01.2022 - 31.12.2022.

Q. 141, 143, 144, 145 - Summary report of the Commission "Disciplinary activity and interaction with the Inspectorate to the Supreme Judicial Council" to the Prosecutors' College of the Supreme Judicial Council, regarding the initiated disciplinary proceedings against prosecutors and investigators and the imposed disciplinary penalties under Art. 308, para. 1 of the Law on the Judiciary for the period 01.01.2022 - 31.12.2022.

6.Lawyers

6.1.Profession of lawyer

6.1.1 Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Males	Females
Number of lawyers	13 487 <input type="checkbox"/> NA	6 763 <input type="checkbox"/> NA	6 724 <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 ()

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

NA

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	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Dismissal cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Defendant	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Victim	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Administrative cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
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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): legal advisors and representatives of legal entities

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 (please specify):trustee

Comments "Other": trustee

149-2. Professional lawyers may have the status of:

- 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 2022

6.1.2 Practicing the profession of lawyer



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 for lawyers

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 checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input checked="" 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: For 2022- NO, but by the Draft Act amending and supplementing the Mediation Act, promulgated in SG No 11 of 2023, in force as of 01 July 2024, amendments have been adopted by regulating the mediation procedure in pending court cases.. Amendments to the Code of Civil Procedure (CCP) and other laws are made by the Draft Act amending and supplementing the Mediation Act. Next cycle the answer will be : ordered by the court etc.

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

() Yes

(X) No

Comments - If there are mandatory informative sessions, please specify which fields are concerned: For 2022- NO

By the Draft Act amending and supplementing the Mediation Act, promulgated in SG No 11 of 2023, in force as of 01 July 2024, amendments have been adopted by regulating the mediation procedure in pending court cases. Amendments to the Code of Civil Procedure (CCP) and other laws are made by the Draft Act amending and supplementing the Mediation Act.

Code of Civil Procedure

Preparation of the case in closed session

Art. 140. (1) After verifying the regularity and admissibility of the claims submitted, as well as the other requests and objections of the parties, the court shall rule by order on all preliminary issues and on the admission of evidence.

(2) Where counterclaims are made in the response, the court may rule on them and on the admission of any of the evidence at the first hearing of the case.

(3) The court shall summon the parties to a hearing in open court, and shall serve on them a copy of the order under Paragraph 1. The court may also notify the parties of its draft report on the case and may direct them to mediation or other means of voluntary settlement.

Mediation

Art. 140. (New — SG, No 11/2023, in force from 01 July 2024) (1) The court shall compel the parties to participate in a first mediation meeting where a claim is made or a request is made to the court for:

1. the allocation of the use of jointly owned property under Article 32, Paragraph 2 of the Property Act;
2. monetary claims arising from co-ownership pursuant to Article 30 Paragraph 3 and Article 31, Paragraph 2 of the Property Act;
3. partition pursuant to Article 34 of the Property Act — in the proceedings for carrying out the partition;
4. performance of obligations of the owners, users or occupants of separate objects in a building in the condominium regime under Article 6 of the Condominium Management Act, for reimbursement of costs incurred by an individual owner for repair of common parts of the building under Article 48, Paragraph 7 of the Condominium Management Act, as well as for the revocation of an unlawful decision of the general assembly or of an unlawful act of the condominium management board (manager) under Article 40, Paragraph 1 and Article 43, Paragraph 1 of the Condominium Management Act;
5. payment of the value of a company share upon termination of participation in a limited liability company pursuant to Article 125, Paragraph 3 of the Commerce Act;
6. liability of a manager or a controller of a limited liability company for damages caused to the company under Article 142, Paragraph 3 and Article 145 of the Commerce Act.

(2) The court may oblige the parties to participate in a mediation procedure where a claim is brought or a request is made to the court for:

1. divorce under Article 49 of the Family Code;
2. resolution of disputes concerning the exercise of parental rights, the child's residence, personal relations with the child and the child's maintenance under Article 127, Paragraph 2 of the Family Code;
3. modification of measures relating to the exercise of parental rights, the child's residence, personal relations with the child and the child's maintenance pursuant to Article 51, Paragraph 4 and Article 59, Paragraph 4 of the Family Code.
4. resolving disagreements concerning the exercise of parental rights and obligations under Article 123, Paragraph 2 of the Family Code;
5. determination of measures for personal relations with the grandparents under Article 128 of the Family Code;
6. maintenance;
7. a pecuniary or non-pecuniary claim arising from a contract, unilateral transaction, tort, unjust enrichment or conducting another's business without authority with a claim value of up to BGN 25,000;
8. the existence, termination, destruction or cancellation of a contract or a unilateral transaction or the conclusion of a definitive contract with a claim price of up to BGN 25,000;
9. ownership and other rights in rem over property or for trespass;
10. remuneration or compensation arising out of employment relations, as well as for recognition of the dismissal as unlawful and its annulment and for reinstatement to the previous job;
11. protection of membership rights in a commercial company under Article 71 of the Commerce Act or for the annulment of a decision of the general meeting of the company under Article 74 of the Commerce Act, as well as claims under Article 58, Paragraph 1 of the Cooperations Act and under Article 25, Paragraph 4 of the Non-Profit Legal Entities Act;
12. protection of intellectual property rights under the Copyright and Related Rights Act, the Law on Patents and Utility Models Registration, the Law on Trademarks and Geographical Indications, the Industrial Design Act, the Integrated Circuits Topology Act and the Law on the Protection of New Plant Varieties and Animal Breeds.

(3) The court shall determine whether the dispute referred to in paragraph (2) is suitable for referral to mediation, taking into account all the circumstances relating thereto, including where:

1. there is a continuing relationship between the parties;
2. there are, or have been, a number of cases between the parties which are related to each other;
3. there are multiple claims or counterclaims in the case;
4. the costs of the proceedings may significantly exceed the material interest in the case;
5. the expeditious voluntary resolution of the dispute is in the best interests of the parties or the child;
6. the essential facts from which the rights and defences claimed arise are undisputed;
7. there are other circumstances indicating that the dispute is suitable for mediation.

(4) In the cases referred to in Paragraph 1 and 2, the court shall not oblige the parties to participate in a mediation procedure where:

1. the mediation procedure is excluded by law for the type of dispute concerned;
2. the first communication in the case has not been served on the defendant personally or through another person in the cases provided by law, unless he is discovered later in the course of the proceedings;
3. the respondent admits the claim;
4. the State or a State agency is a party to the proceedings;
5. a consumer is a party to the proceedings, with the exception of claims arising out of a bank credit agreement or a related legal relationship and out of a contract of property insurance;
6. convincing evidence of violence committed against a litigant by the opposing party, of a risk to the life or health of the child or to his/her best interests is presented in the case.

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: Pursuant to the amendments to the Legal Aid Act, published in SG no. 102 of December 23, 2022, effective from December 27, 2022, legal assistance can also be provided in a mediation procedure - mediation before a case is initiated and mediation in an initiated case, and it is free of charge. Legal aid for mediation, before a case is initiated, is provided by a decision of the chairman of the NLAB, and for mediation in an initiated case - by the court, as the provided legal aid for procedural representation in the case also includes the participation of the appointed lawyer in the conduct of the procedure mediation during court proceedings.

=

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 June 2023, the total number of mediators registered in the Unified Register of Mediators at the Ministry of Justice is 3463 (for 2022 the number of newly registered is 226).

166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?

. Mediation Act

General requirements

Art. 8. (amd. — SG, No 86/2006) (1) A mediator can only be a competent person who meets the following requirements:

1. has not been convicted of a crime of a general nature;
2. has successfully completed a mediator training course;
3. is not disqualified from exercising a profession or activity;
4. (suppl. — SG, No 9 of 2011) has a long-term or permanent residence permit in the Republic of Bulgaria if the person is a foreign citizen;
5. is entered in the Unified Register of Mediators at the Minister of Justice.

(2) (In force from 01 January 2007) The requirement under Paragraph 1, Item 4 shall not apply to nationals of the Member States of the European Union, of the other States of the European Economic Area and of Switzerland.

(3) (Suppl. — SG, No 77 of 2018, in force from 01 January 2019) The Minister of Justice or an official designated by him from the Ministry shall issue a certificate to the mediator for his entry in the Unified Register of Mediators.

(4) The Minister of Justice shall approve by order the organisations that train mediators. The conditions and procedure for their approval as well as the requirements for the training of mediators shall be determined by a regulation of the Minister of Justice.

(5) (amd. — SG, No 77 of 2018, in force from 01 January 2019) Where the person — candidate for mediator and the organization that applies to train mediators do not meet the regulatory requirements, the Minister of Justice or an official designated by him from the composition of the Ministry shall refuse by order the entry in the Unified Register of Mediators, respectively the approval. The order may be appealed under the Administrative Procedure Code before the relevant administrative court.

Mediator at court mediation centre

Art. 20. (New — SG, No 11/2023, in force from 01 July 2024) (1) A mediator at a court mediation centre may be a person with legal education who meets the requirements of Article 8, Paragraph 1 and has undergone additional selection and specialised training in accordance with the procedure laid down in the Ordinance referred to in Article 25.

(2) The district courts shall maintain lists of mediators at the judicial mediation centres. No fee shall be charged for listing mediators.

Appointment of a mediator

Art. 21. (New — SG, No 11 of 2023, in force from 01 July 2024) A mediation procedure in a pending court case shall be conducted by one or more mediators registered in the list of mediators at a court mediation centre, who are appointed by the court mediation

centre, unless appointed by common agreement of the parties.

Sub-legislation

Art. 25. (New — SG, No 11 of 2023, in force from 01 July 2024) The selection of mediators to the judicial mediation centres, the procedure for their inclusion and deletion from the lists of the district courts, their training, mandate and control over their activity, as well as the activity of the coordinators of the centres shall be regulated by a regulation adopted by the Supreme Judicial Council. The ordinance shall regulate the amount of fees payable by the parties to the judicial centre and the costs of the mediation procedure in pending court cases.

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 + 7)	<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. Civil and commercial cases	<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. Family cases	<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. 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 type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input 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 type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Other 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

Comments - Please indicate the source:

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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

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)	395 [] NA	[X] NA	[X] NA
1. Private professionals under the authority (control) of public authorities	188 [] NA [] NAP	92 [] NA [] NAP	96 [] NA [] NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	207 [] 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)?

- [X] diploma
- [X] professional experience
- [X] specific exam
- [X] appointment procedure by the State
- [] initial training
- [] other

Comments - If "other", please specify: For state bailiffs, matters are regulated in Chapter Twelve of the Judiciary System Act. According to Art. 264 in the district courts there are state bailiffs. State bailiffs enforce private claims. The state bailiff may also be entrusted with the collection of claims of the judicial authorities. The number of state bailiffs is determined by the Minister of Justice. In the district courts, where there is no state bailiff, the functions of a state bailiff are performed by a district judge appointed by the president of the relevant court, which is notified to the Minister of Justice. Art. 265 states that state bailiffs are appointed by the Minister of Justice after holding a

competition. The Minister of Justice can also schedule a competition at the proposal of the president of the district court.

For private bailiffs, matters are regulated in the Law on Private Bailiffs. According to Art. 2 private bailiff is a person to whom the state has delegated public functions by assigning them the enforcement of private possessions. The state can entrust the private bailiff with the collection of public claims. Authorities competent to establish public claims may assign their collection to one or more private bailiffs.

The area of operation of the private bailiff coincides with the area of the relevant regional court.

The Code of Civil Procedure in Part Five describes in detail the enforcement proceedings and the powers of 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 retirement age limit for private bailiffs; in the case of state bailiffs – the age is in accordance with the normative regulations in the Labor Code and in the Judiciary System Act.

The grounds for the loss of legal capacity of a private bailiff are regulated in Art. 31 of the Law on private bailiffs.

The grounds for the loss of legal capacity of a state bailiff - upon retirement, upon voluntary termination of the employment relationship, as well as in cases of imposition of disciplinary punishment "dismissal" under Art. 328b, para. 1, item 4 of the Judiciary System Act.

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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date of birth	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Civil status	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cohabitant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Motor vehicle	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Movable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Immovable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bank account	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other enforcement proceedings underway	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Other	() Yes (X) No	() Yes (X) No
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Comments - If "other", please specify:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible 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 movable tangible 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 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 immoveable 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 summonses in connection with civil law relationships, and, acting on a court order – notices and summonses in the matter of civil cases.

8.1.3 Training and ICT

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
- No

Comments

172-2. Do you have an e-learning training system established for enforcement agents?

- Yes
- No

Comments - If yes, please specify: Online trainings from the European School of Enforcement 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: Information system for a single point of entry for seizures to the Ministry of Justice-
<https://zapori.mjs.bg/#/>; Integration platform of the executive cases of the Chamber of Private Enforcement Agents; Register of public sales at the Chamber of Private Enforcement Agents

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

- Yes
- No

Comments

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

Yes

No

Comments - Please explain: the possibility of electronic services of documents speeds up the procedure

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: Art. 73, art. 73a of the Civil Procedure Code; The Tariff for Fees and Costs of the Private Enforcement Agents Act

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

Comments - If yes, please specify: Administrative Procedure Code - Art. 271, para. 1, item 2, Code of Civil Procedure - Chapter Forty-six, Art. 519, Art. 520

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

- Yes
- No

Comments - If yes, please specify: Upon conducting their activities the private enforcement agents shall be obligated to submit daily data into the Enforcement Information System, maintained by the Ministry of Justice. (Art. 77A Private Enforcement Agents 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

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

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
 between 11 and 30 days
 more (please specify):
 NA

Comments

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)	19 [] 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:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	19 [] NA [] NAP
1. Reprimand	2 [] NA [] NAP
2. Suspension	0 [] NA [] NAP

3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	17 [] NA [] NAP
5. Other	0 [] 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:

H1. Please indicate the sources for answering the questions in this part

Source: Reports of the Disciplinary Committee of the Chamber of Private Bailiffs/Bulgarian Chamber of Private Enforcement Agents

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	Males	Females
TOTAL (1+2+3+4)	706 [] NA [] NAP	228 [] NA [] NAP	478 [] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Holders of public offices appointed by the State	706 [] NA [] NAP	228 [] NA [] NAP	478 [] NA [] NAP
3. Civil servants (paid by the State)	[] 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 the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure: 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): Art. 8 Notaries and Notarial Practice Act - see in the General comments

Comments There is not a mandatory training for practicing the notarial profession. Everyone who has a Law degree and a legal capacity, three years of legal practice experience, had passed the exam and is under 60 years of age could be a notary (art. 8 Notaries and Notarial Practice Act).

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: In Article 9 from the Notaries and Notary Activity Act (NNAA), are specified the reasons for incompatibility which may result in restriction to practice the notary profession. In Article 75 from the NNAA are listed the disciplinary sanctions one of which (paragraph 4) is specified a penalty of disqualification for a period of 3 months to 3 years.

Article 9. (1) A notary cannot practise as notary and concurrently:

1. (Amended, SG No. 69/1999) be a national representative, government minister, mayor, or municipal councillor;
2. hold office in a state or municipal body;
3. be employed under an employment relationship;
4. practice the legal profession;
5. engage in commercial business, be a managing director or a member of supervisory, management or controlling bodies of any commercial corporations or cooperatives.

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 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
Mediation	<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
Taking of oaths	<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
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 checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input 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 replies 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) The information system “Edinstvo” 2, The Information system of the Ministry of internal Affairs – traffic police, The information system of National Revenue Agency

None

Comments Notaries may consult the data contained in the system of “Edinstvo” 2/ NK Unity, in which, following Article 9a(3) of Regulation No 32 on the official archives of notaries and notarial offices, notaries enter: the name and personal identification number of the testator who has carried out a notarial will or an act of revocation of a will, as well as the name and personal identification number of the testator of a testamentary surrendered, returned or declared holographic will;

They may also consult the Property Register of the Registry Agency, where (under Article 4(K) of the Regulations on Registrations) the copies of the announced wills with the object of immovable property and rights in immovable property are registered. In the case of a universal will, the presence of immovable property in the relevant judicial district shall be certified by a declaration with a notarised signature by the beneficiary of the will, indicating the immovable property known to him in the relevant judicial district. The declaration is presented together with the will to the registry judge in whose district the property is located;

They may also consult the Information system of the Ministry of Internal Affairs – traffic police and the information system of the National Revenue Agency

194-5. Are there registries/ registry infrastructures run by the notaries?

Yes

No

Comments - If yes, please specify: The unified information system “Edinstvo”.

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	<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
Civil status/ Population registry	<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
Succession / Family law registry	<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
Any other registry (please specify)	<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
None	<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 Any other registry- The information system “Edinstvo” 2 - directly, The Information system of the Ministry of Internal Affairs – traffic police- by submitting a request

=

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 Information system "Edinstvo" 2, established by law as a database for notaries, e-mail correspondence

None

Comments

194-8. Who is responsible to run the digital archives?

Notariat / Professional body

Other public authority

Another entity (please specify)

Comments Professional body- The Notary Chamber of the Republic of Bulgaria is responsible for running the digital archives, the information system "Edinstvo"/"Unity"2, established by law as a database for notaries.

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 The Council of Notaries - the governing body of the Notary Chamber of the Republic of Bulgaria, as a professional body

196-1. Is there a system of general continuous training for all notaries?

Yes

No

Comments

196-2. Do notaries have training on:

	Yes	No
European law	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities: If necessary, there is no obstacle for a notary to participate in cross-border training programs - traditional courses, e-learning, etc.

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

Sources: The Notary Chamber of the Republic of Bulgaria

10. Judicial experts

10.1. Profession of judicial expert

10.1.1 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?): Ordinance 2 from 29 June 2015 on the registration, qualification, and remuneration of the experts. Article 7. (1) An able-bodied person who meets one of the following requirements may be established as an expert:

1. holds an academic position - "Associate Professor" or "Professor", in higher schools, scientific organizations, or the Bulgarian Academy of Sciences;
2. has a higher education with an acquired educational-qualification degree "master" and has at least 5 years of experience in the specialty;
3. has a higher education with an acquired educational-qualification degree "bachelor" and has at least 7 years of experience in the specialty;
4. has a secondary education and at least 10 years of experience in the specialty;
5. is an employee of the Ministry of Interior and has completed special training at the Academy of the Ministry of Interior or the Research Institute of Forensic Sciences of the Ministry of Interior;
6. is a doctor with a recognized specialty in forensic medicine, a doctor without such specialty, who works in a structure of the medical

establishment, carrying out activity in forensic medicine, a doctor with another medical specialty, or a dentist.

(2) The person under par. 1 must also meet the following conditions:

1. not to have been convicted of an indictable offense;
2. not to be deprived of the right to exercise a profession or activity;
3. not to perform judicial functions in the system of the judiciary;
4. to have a permanent residence permit in the Republic of Bulgaria, if the person is not a Bulgarian citizen or a citizen of the European Union, of a state party to the Agreement on the European Economic Area, or of the Swiss Confederation;
5. to be entered in the respective register of the persons, possessing a certain profession, legal capacity, or qualification, when such entry is required by law;
6. to hold a diploma, warrant, attestation, certificate, license or other document, issued by a higher school, professional organization, or institution by virtue of a law, with which document certifies the existence of the respective qualification or legal capacity.

Article 8. (1) For each judicial area of a district and administrative court, as well as for the Specialized Criminal Court and the Registry Agency, lists of specialists approved as experts shall be compiled.

(2) (2) The Supreme Court of Cassation, the Supreme Administrative Court, the Supreme Prosecutor's Office of Cassation, the Supreme Administrative Prosecutor's Office, and the National Investigation Service shall, if necessary, approve separate lists for the needs of their activity.

Article 9. (1) Proposals for inclusion of specialists in the lists of experts are made by the heads of state bodies and their structures, of local self-government bodies, of professional and other organizations, and of scientific institutes.

(2) The candidates for experts may also make a proposal for inclusion personally.

(3) The proposals for inclusion in the lists under Art. 8, para. 1 shall be made to the chairman of the respective district or administrative court and to the chairman of the specialized criminal court.

(4) The proposals for inclusion in the lists under Art. 8, para. 2 shall be made to each administrative head of the respective body of the judiciary.

(5) The entitled under para. 1, before making a proposal, discuss the qualities of the candidates according to the basic principles under Art. 2 and the requirements under Art. 7 after an interview with the candidate.

(6) A proposal shall be made with the written consent of the specialist.

Article 11. (1) Candidates for inclusion in the list of experts shall submit to the body under Art. 9, para. 3 and 4 application on paper and electronic media, accompanied by the following documents:

1. ID card - copy;
2. a document certifying the holding of the academic position for the persons under Art. 7, para. 1, item 1;
3. a certified copy of the diploma for completed higher education with acquired educational-qualification degree "master", "bachelor" or diploma for completed secondary education;
4. for candidates 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 Forensic Sciences of the Ministry of Interior;
5. documents, certifying the length of service in the specialty: notarized copy of employment or service book, and for the persons with free professions - proof for their registration or for their entry;
6. certificate of criminal record and declaration that the person has not been placed under guardianship;
7. declaration, certifying the compliance with the requirements under art. 7, para. 2, items 2 and 3;
8. declaration - consent of the candidate for his entry in the lists of experts and documents, certifying his length of service and additional qualification, if any;
9. permanent residence permit in the Republic of Bulgaria, if the person is not a Bulgarian citizen or a citizen of the European Union, of a state - party to the Agreement on the European Economic Area, or of the Swiss Confederation;
10. certificate for access to classified information;
11. a certified copy of a certificate, warrant, certificate, license, or other document, issued by a higher school, professional organization or institution by virtue of a law, with which document the existence of the respective qualification or legal capacity is certified.

(2) The candidates, graduates of higher educational establishments abroad, may be required to present a certificate for recognition of higher education, provided that the diploma acquired by him is recognized by the Republic of Bulgaria and is legalized.

Article 13. (1) The lists under Art. 8, para. 1 shall be approved by a commission composed of: the chairman of the appellate court or a judge appointed by him, the chairman of the appellate specialized criminal court or a judge appointed by him, the appellate prosecutor or a prosecutor appointed by him, the head of the appellate specialized prosecutor's office or the prosecutor appointed by him of the district court, the chairman of the specialized criminal court, the district prosecutor, the head of the specialized prosecutor's office and the chairman of the administrative court.

- (2) The lists under Art. 8, para. 2 shall be approved by a commission composed of: the chairman of the Supreme Court of Cassation, the chairman of the Supreme Administrative Court, and the chief prosecutor.
- (3) The members of the commission must perform their activity impartially.
- (4) The commission shall consider the received applications and proposals together with the attached documents and shall assess their compliance with the requirements of the ordinance.
- (5) The approved lists shall be sent to the Minister of Justice for promulgation in the State Gazette and for publication on the Internet.

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: According to Art. 396, para. 1 of the Judiciary System Act: "An expert witness shall be appointed by the body that assigns the expertise, from the respective list of specialists approved as experts...", but para. 2 of the same provision reflects the exception that: "If necessary, a specialist who is not included in the relevant list may be appointed as an expert or interpreter." The issue of appointment of experts is not raised in the law at the level of the formal requirement, but of reasonable judgment in each case, in case of a clear need to appoint a person as an expert and without him appearing in the relevant list, as long as he is a proven specialist in the field of science, art or technology and lacks the grounds for recusal under Art. 148, para. 1 of the Criminal Procedure Code.

203. Is the title of judicial experts protected?

- Yes
- No

Comments - If appropriate, please explain the meaning of this protection: Ordinance 2 from 29 June 2015 on the registration, qualification and remuneration of the expert witnesses. Article 8. (1) For each judicial area of a district and administrative court, as well as for the Specialized criminal court and the Registry Agency, lists of specialists approved as experts shall be compiled.

- (2) (2) The Supreme Court of Cassation, the Supreme Administrative Court, the Supreme Prosecutor's Office of Cassation, the Supreme

Administrative Prosecutor's Office and the National Investigation Service shall, if necessary, approve separate lists for the needs of their activity.

Article 13. (1) The lists under Art. 8, para. 1 shall be approved by a commission composed of: the chairman of the appellate court or a judge appointed by him, the chairman of the appellate specialized criminal court or a judge appointed by him, the appellate prosecutor or a prosecutor appointed by him, the head of the appellate specialized prosecutor's office or the prosecutor appointed by him of the district court, the chairman of the specialized criminal court, the district prosecutor, the head of the specialized prosecutor's office and the chairman of the administrative court.

(2) The lists under art. 8, para. 2 shall be approved by a commission composed of: the chairman of the Supreme Court of Cassation, the chairman of the Supreme Administrative Court, the chief prosecutor.

(3) The members of the commission must perform their activity impartially.

(4) The commission shall consider the received applications and proposals together with the attached documents and shall assess their compliance with the requirements of the ordinance.

(5) The approved lists shall be sent to the Minister of Justice for promulgation in the State Gazette and for publication on the Internet.

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

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: Ordinance 2 from 29 June 2015 on the registration, qualification, and remuneration of the expert witnesses. Article 35. (1) The expert witness may not accept any gifts, services, engagement in other cases, engagement for work, services, or consultations by a party to the case or its representatives until the completion of the case.

(2) The expert witness shall submit to each expertise a declaration that he/she is not in a conflict of interests in connection with its preparation.

205. Number of accredited or registered judicial experts:

	Total	Males	Females
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 an 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

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 the 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
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Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Quality of expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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?

Yes

No

If yes, please specify: The court panel that has ordered the expertise.

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: SJC

11.Reforms in judiciary

11.1.Foreseen reforms

11.1.1Reforms

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: 1. Planned reforms:

1.1. Draft Act amending and supplementing the Code of Civil Procedure

In 2022—23, a Draft Act amending and supplementing the Code of Civil Procedure was prepared in the Ministry of Justice. It creates conditions for the application of Regulation (EU) 2020/1783 of the European Parliament and of the Council of 25 November 2020 on cooperation between courts of the Member States in the collection of evidence in civil or commercial matters, Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in Member States of judicial and extrajudicial documents in civil or commercial matters and of Council Regulation (EU) 2019/1111 of 25 June 2019 on the jurisdiction, recognition and enforcement of decisions on matrimonial and parental responsibility matters and on international child abduction. 1.2. Draft Act amending and supplementing the Commerce Act

The Draft Act amending and supplementing the Commerce Act prepared by the Ministry of Justice provides for rules aimed at:

- Improving the efficiency of insolvency proceedings by creating conditions for speed and procedural economy, reducing costs and improving the regulation of the meeting of creditors, the insolvency administrator and the assessors.
- Improving the stabilisation procedure and promote its use by simplifying the rules, preserving control over activity and reducing costs, introducing mechanisms to enforce the stabilisation plan and to protect its implementation.
- Ensuring that natural persons entrepreneurs can benefit from insolvency, stabilisation and debt repayment proceedings. The bill introduces the requirements of preventive restructuring frameworks, on discharge of debt and disqualifications, and on measures to increase the efficiency of procedures concerning restructuring, insolvency and discharge of debt and amending Directive (EU) 2017/1132, which aims to support the proper functioning of the internal market by removing obstacles to the free movement of capital and freedom of establishment arising from differences in national legislation of Member States on preventive restructuring, bankruptcy, discharge of obligations and prohibition of activities. The bill was approved by Decision No 755 of the Council of Ministers of 11 October 2022 and submitted to the National Assembly for consideration with signature reg. No 48-202-01-9 dated 24 October 2022. The National Assembly adopted the bill at first reading in plenary on 21 December 2022. The bill was reaffirmed by Decision No 220 of 29 March 2023 of the Council of Ministers and submitted for reconsideration to the 49th National Assembly with signature No 49-302-01-22 on 13 April 2023.

1.3. Draft Act on Insolvency of Natural Persons

The bill proposes a legal framework for the insolvency proceedings of natural persons that would fill the gap and regulate the proceedings in accordance with public expectations, the requirements of European Union acts and the specificities of the national legal system. The bill is also in line with the commitments of the Republic of Bulgaria under the National Recovery and Resilience Plan, which aims to contribute to the economic and social recovery from the crisis caused by the COVID-19 pandemic and, in the long term, to the convergence of the economy and the incomes of Bulgarian citizens to the European average. Proceedings are foreseen to ensure fair satisfaction of the creditors and the possibility of release from obligations accrued by bankrupt natural persons, which possibility is provided for in Article 1, Paragraph 4 of Directive (EU) 2019/1023 (Restructuring and Insolvency Directive).

The bill was approved by Decision No 870 of the Council of Ministers of 2022 and submitted to the 48th National Assembly for consideration under Reg. 48-202-01-30/04 November 2022. The Bill was re-approved by Decision No 280 of 10 April 2023 of the Council of Ministers and tabled for reconsideration in the 49th National Assembly with signature No 49-302-01-11 on 13 April 2023.

1.4. Draft Act amending and supplementing the Mediation Act

Preparation of normative changes in the field of out-of-court mediation in accordance with the Draft Act amending and supplementing the Mediation Act (Prom. SG, No. 11/2023). The main objective of the project is to introduce new standards in relation to out-of-court centres, training organisations, requirements for trainers, introduction of statistics, accountability, control and responsibility.

2. Adopted reforms:

2.1. Draft Act amending and supplementing the Mediation Act, promulgated in SG, No 11 of 2023, in force from 01 July 2024

In 2022, a Draft Act amending and supplementing the Mediation Act was prepared. Approved by Decision No 851 of the Council of Ministers of 28 October 2022. It was submitted for consideration to the 48th National Assembly with signature No 48-202-01-20 of 28 October 2022. It was adopted in a second vote in plenary on 25 January 2023. It was promulgated in the State Gazette, No 11 of 2023.

The Act entered into force on 01 July 2024. The proposed amendments to the Draft Act amending and supplementing the Mediation Act provide for the introduction of compulsory judicial mediation for proceedings in certain civil and commercial cases under the jurisdiction of the district, regional and appellate courts as of 01 July 2024. The procedure for mediation in such pending court cases shall be strictly regulated. The Draft Act amending and supplementing the Mediation Act also makes relevant amendments to the Code of Civil Procedure (CCP), the Judicial System Act (JSA) and other legal acts necessary to achieve the set objectives.

2.2. Act on Protection of Persons, Reporting Information, or Publicly Disclosing Information about Breaches, promulgated in the State Gazette, No 11 of 2023, in force since 04 May 2023

The legislation aims to transpose the EU Whistleblowers Directive, a requirement under EU law and also included in Bulgaria's National Recovery and Resilience Plan.

The law conditions, modalities and measures for the protection of whistleblowers in the public and private sector who report or make public information on infringements of Bulgarian or EU legislation.

The main objective of the law is to ensure the protection of persons in the public and private sectors who report or publicly disclose information on breaches of Bulgarian legislation or EU acts which have come to their knowledge in the course of or in connection with the performance of their work or the performance of their official duties or in another work context.

2.3. Act amending and supplementing the Code of Criminal Procedure, promulgated in the State Gazette, No 48 of 2023.

The Act was drafted in connection with the implementation of the ECtHR judgments against Bulgaria in the groups of judgments S.Z. v. Kolevi v. Bulgaria and Velikova v. Bulgaria and in implementation of the measures for reforms in the criminal procedure mentioned in the Recovery and Resilience Plan.

These measures provide for the introduction of judicial review of the prosecutor's decision to refuse to initiate criminal proceedings, an increase in the efficiency of the judicial phase of the criminal process, the introduction of an effective mechanism for holding the Prosecutor General and his deputies accountable by creating guarantees of practical, institutional and hierarchical independence of the investigation against them and increased accountability of the Prosecutor General.

208-2. Budget

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Since 2020, the Supreme Judicial Council has been a beneficiary of the project "Introduction of Program Budgeting in the Bodies of the Judiciary" under the Operational Program "Good Governance", and the deadline for its implementation is 32 months. The introduction of the program budgeting approach in the judicial authorities aims at a more efficient distribution of the available budgetary resources, as well as their effective spending. The Project: BG05SFOP001-3.004-0001 "Introduction of program budgeting in the bodies of the judiciary" under Administrative Agreement BG05SFOP001-3.004-0001-C01 for the provision of grant under the Operational Program "Good Governance" ends in 2023. As of 2024, the launching of the program budgeting in the bodies of the judiciary is planned.

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: •Act amending and supplementing the Judicial System Act, promulgated in SG, No 32/2022: The Act amending and supplementing the Judicial System Act, promulgated in SG, No 32/2022, abolishes the Specialised Criminal Court, the Specialised Criminal Court of Appeal and their respective specialised prosecutor's offices, regulating the status of the judges and prosecutors working in them, as well as the closure of the pending cases in compliance with the principle of immutability of judges. The transitional and final provisions of the Act amending and supplementing the Judicial System Act have also made amendments to the Code of Criminal Procedure (CCP), which are a direct consequence of the changed substantive legal framework, by regulating the jurisdiction of offences falling within the jurisdiction of the specialised criminal court and introducing provisions on the closure of pending proceedings. Jurisdiction over offences falling within the jurisdiction of the Specialised Criminal Court is transferred to the district and regional courts under the general rules of generic and local jurisdiction. The Sofia City Court, as a court of first instance, shall have jurisdiction over cases of crimes of a general nature committed by judges, prosecutors and investigators, other persons with immunity and members of the Council of Ministers, in addition to cases of crimes under Chapter One of the Special Part of the Criminal Code /unless they are within the jurisdiction of the military courts/.

•In view of the competence of the "Property Management" Commission of the Plenum of the Supreme Judicial Council and the Directorate "Property Management of the Judiciary", related to the management of the buildings of the judiciary, budget funds are set annually and construction and repair works are carried out (including energy efficiency measures) for basic and current repairs of court buildings. These activities are carried out with the aim of improving the working conditions of magistrates and court officials, being initiated at the suggestion of the administrative heads of the judicial authorities.

•The order for payment proceedings also exists in the other member states of the European Union. More and more countries of the European Union are digitalizing the order for payment proceedings as part of the larger processes of digitization of court proceedings. Along with digitalization, many jurisdictions are introducing changes to the rules for jurisdiction for these cases, centralizing the submission of applications (usually through a single common portal) and, in some cases, the rulings on applications. A very important reform is underway in Bulgaria, which aims to speed up justice and facilitate access to justice for citizens and businesses by creating effective rules for electronic access to the court, through the use of electronic technologies and alleviating the undue workload in the courts.

With the implementation of this reform, accelerated and effective order for payment proceedings will be achieved, carried out in electronic form, as well as centralized distribution of applications for the issuance of a writ of execution among all courts in the country, regardless of the address of the debtor.

With the Law on Amendments and Supplements to the Civil Procedure Code /LAS of the Civil Procedure Code/, adopted by the 48th National Assembly and promulgated in SG No. 11/02.02.2023, the electronic form was introduced as a rule when conducting order for payment cases and the legal arrangement was optimized in several directions:

In the new provision of Art. 409a "Conduct of Order for Payment Proceeding in Electronic Form" provides that all procedural steps in an order for payment proceeding shall be performed in electronic form, and all instruments of the court in any such proceeding, including an enforcement order, shall be issued in electronic form. The applicant and the execution debtor may alternatively perform procedural acts in writing in paper form, except when expressly provided otherwise.

According to the amendments and additions in Art. 410, para. 4-6, The application and the annexes thereto shall be submitted in writing in paper form or by electronic means using an electronic template accessible on the Single e-Justice Portal /SEJP/. Here it is essential to note that when the application is submitted electronically, all subsequent procedural actions should be carried out only in electronic form, with the exception of actions on appeals against court acts, as well as in the proceedings for contesting the claim. Hypotheses are foreseen in which the electronic form of the order for payment proceedings becomes mandatory - these are the cases when an application for the issuance of a warrant for execution is submitted by: 1. credit and financial institutions, including those carrying out the collection of claims against consumers, insurance and reinsurance companies and traders who supply energy, gas or provide postal, electronic communication or water supply and sewerage services, notaries and private bailiffs; 2. state institutions and municipalities. An exception to this rule is provided for applicants who are not traders or are not represented by a lawyer - they can submit applications in writing.

Applications and acts submitted on paper are processed by the court administration in electronic form.

A significant relief in the initiation of order for payment proceedings is the possibility of submitting applications for the issuance of a writ of execution to any regional court on the territory of the country, and not, as was the case until now, to the regional court at the current address or the debtor's registered office. This amendment aims to evenly distribute these proceedings according to the workload of the courts and to ensure predictability in the work of the judicial system. The submitted applications are distributed centrally on the principle of random selection among all regional judges in the country who are assigned to hear such cases according to the allocation rules in force in individual courts.

An exception is introduced from this principle, in order to ensure legal certainty, in applications for the issuance of an order for immediate execution based on certain categories of acts, such as notarial acts, agreements or other contracts with notarization of signatures, mortgage

deeds, pledge contracts, promissory notes, bills of exchange and equivalent documents.

In the case of this type of act, the application should be submitted to the court at the applicant's permanent or current address and registered office. The purpose is for the court to obtain physical access to the original document on which the application is based. In order to ensure predictability as to which court such applications will be allocated for consideration (respectively where the applicant should present the original in question), as well as to facilitate the applicant in presenting the original, it is regulated that these cases are heard by a judge from the regional court at the applicant's current address or headquarters, and in the absence of a current address - at his permanent address. In cases where the applicant does not have a current or permanent address or seat on the territory of Bulgaria, the application is submitted at the debtor's permanent or current address or registered office. The court performs an ex officio check of the local jurisdiction and if it considers that the case is not under its jurisdiction, it immediately sends it to the competent court. The court will be able to check the original of the document, which is the basis for issuing the execution order, and when submitting an application electronically based on the specified categories of acts, the applicant attaches a copy of the document, after which, within 7 days they should present to the court the original of the document as a condition for the regularity of the application. When submitting an application in writing on paper, the applicant must present, in the relevant cases, the original of the document or a certified copy of the document.

If the application is accepted, the court issues an execution order, a copy of which is delivered to the debtor and the applicant. When the application for issuing an enforcement order is submitted electronically or the applicant has indicated an electronic address, a copy of the issued enforcement order is delivered to the applicant electronically.

As a relief and facilitation of the debtor in exercising his rights, an objection to an issued enforcement order may be submitted in writing to any district court or in electronic form through the Single e-Justice Portal.

In the event of a claim for the establishment of the claim, the execution order shall enter into force after the entry into force of the court's decision to establish the claim, and the court that issued it shall issue a writ of execution for the same.

The Civil Procedure Code has adopted amendments and additions in the enforcement proceedings, as follows:

Currently, enforcement proceedings are not conducted in electronic form. In order to initiate an enforcement case, it is necessary to present a writ of execution. The writ of execution is issued in electronic form and is signed by a judge from the relevant court. When issuing a writ of execution in electronic form is not possible, a writ of execution is issued in one copy on paper. In accordance with this necessity, the law regulates the rule for issuing a writ of execution on paper only in one copy. The requirement aims to create conditions for legal certainty and prevent abuses by issuing more than one copy of the writ of execution.

For the issuance of the writ of execution in cases of immediate execution, the court makes a proper note on the document presented in the original, which is marked on the electronic lot through the Single e-Justice Portal.

After the issuance of the writ of execution in electronic form, the bailiffs and the state institutions to which a request for payment under Art. 519, para. 2, get access to it, as well as to the electronic execution order and to the document on the basis of which the execution order was issued, through the Single e-Justice Portal. A copy of the execution order and a copy of the document on the basis of which the execution order was issued with the note that a writ of execution has been issued is delivered to the debtor by the bailiff. The bailiff shall immediately send to the court by electronic means a copy of the notice together with the served documents, noting the service of each one of them.

The bailiff proceeds to execution at the request of the interested party, in which the number of the case and of the writ issued in electronic form is indicated after ex officio obtaining access to the same through Single e-Justice Portal or another act subject to execution is applied. He immediately notes on the electronic lot of the writ of execution through the Single e-Justice Portal its delivery to the debtor, the formation, forwarding, termination, completion of the execution case, accession, and the result of the execution, including the amounts paid to the claimant. Until the marking is deleted or it is not reflected that the noted execution case has ended or has been terminated, a subsequent execution case based on the same execution document cannot be instituted.

Although order for payment proceedings are generally intended to proceed entirely electronically when so initiated, for some actions – for example actions on appeals of acts within order for payment proceedings; the convalidation claims for the existence of the claim in the event of an objection by the debtor, etc., will be able to be carried out on paper as well.

The law enters into force on 01.07.2024.

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: Act amending and supplementing the Legal Aid Act, promulgated in SG, No 102 of 2022. The Draft Act amending and supplementing the Legal Aid Act, adopted by the 48th National Assembly, made changes that are part of the measures in the National Recovery and Resilience Plan. The main objective of these measures is to improve access to justice by ensuring more favourable conditions for people from vulnerable groups. The implementation of this objective has been achieved through the adoption of new rules ensuring the provision of legal aid also in out-of-court proceedings and out-of-court dispute resolution procedures. This includes representation in administrative criminal proceedings, proceedings for the issuance of an individual administrative act, proceedings for challenging an individual administrative act under the administrative procedure, arbitration proceedings and mediation proceedings.

Another measure envisaged is in the direction of expanding the range of persons with a specific profile who will have access to the legal aid system, namely:

- persons seeking or having been granted international protection or temporary protection under the Asylum and Refugee Act, for whom the provision of legal aid is not due to another legal ground;
- persons whose prohibition is sought, as well as persons placed under prohibition;
- disabled persons receiving monthly support under the Disabled Persons Act whose monthly income is insufficient to authorise a lawyer; and
- persons aged 21 or over for maintenance obligations incurred before the age of 21.

An important focus is the exemption from legal fees and costs in court proceedings and from reimbursement of legal aid costs for persons who do not have the means to pay for a lawyer, wish to have one and the interests of justice so require. Until the adoption of the amendments, many citizens, because of their financial and financial situation, could not afford to have a paid lawyer and to pay the court fees and costs.

The changes adopted ensure that citizens receive quicker, cheaper and more adequate protection and support, and reduce litigation.

208-5. High Judicial Council (competent for judges and/or prosecutors)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Pursuant to the measure 'Strengthening the role of the Inspectorate of the Supreme Judicial Council in preventing and combating corruption in the judicial system (Q4/2022)', Reform: 'Anti-Corruption' in the National Recovery and Resilience Plan of the Republic of Bulgaria (NRRP), a Draft Act amending and supplementing the Judicial System Act (the JS Act) was prepared and consulted with the European Commission for Democracy through Law (Venice Commission), adopted by the 49th National Assembly on 2 June 2023 and returned to the National Assembly for further consideration by the President of the Republic of Bulgaria.

The proposals legislate the power of the respective colleges of the Supreme Judicial Council (SJC) to adopt the Code of Ethical Conduct for Bulgarian Judges and the Code of Ethical Conduct for Bulgarian Prosecutors and Investigators, respectively, and of the Plenum of the SJC to approve them. Additions have been made in relation to the existing powers of the ISJC, which: - make proposals to the relevant collegium of the SJC to amend and supplement the codes;

- organise and conduct anti-corruption trainings, as well as trainings to strengthen the integrity and independence of judges, prosecutors and investigators and conflict of interest, independently of the trainings conducted by the National Institute of Justice;
- adopt a template for reporting on the closure of cases within the statutory deadlines in consultation with the SJC;
- adopt a procedure for regular reporting and publication of the results of the analysis and summary of closed cases;
- summarise annually good and bad practices in terms of compliance with ethical rules in accordance with relevant European and international standards and provide the information to the SJC Collegiums.

It is regulated that within one month from the entry into force of the law the Judicial Collegium of the SJC shall adopt a Code of Ethical Conduct for Bulgarian Judges and the Prosecutorial Collegium of the SJC shall adopt a Code of Ethical Conduct for Bulgarian Prosecutors and Investigators. The respective collegiums shall submit the codes for approval by the Plenum of the Supreme Judicial

Council, which shall adopt decisions on the proposals within 14 days. The bill was adopted in plenary in a second passage on 2 June 2023. On 14 June, the President vetoed the Draft Act amending and supplementing the Judicial System Act which included provisions to separate the National Investigation Service from the Prosecutor's Office.

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: In order to respond to the recommendations of the European Commission's Rule of Law Report 2022, Country Chapters: Situation of the Rule of Law in Bulgaria (Commission Staff Working Document SWD(2022) 502 final, 13 July 2022), 1. Ensure timely regular competitions for promotion to avoid long-term secondment of judges to fill vacant posts, taking into account European standards for secondment of judges, and 2. Making progress on legislative amendments aimed at improving the functioning of the Inspectorate of the Supreme Judicial Council and avoiding the risk of political influence, in particular by involving the judicial system bodies in the selection of its members) A working group has been set up by order of the Minister of Justice to prepare a bill amending and supplementing the Judicial System Act aiming at:

- improving and speeding up the procedures for conducting competitions and attestation in the judicial system and introducing changes in the secondment institute (in view of the provided Analysis on the topic 'Measures to ensure the better functioning of the Bulgarian judicial system in connection with the procedures for the appointment, selection and career development of magistrates' in implementation of Activity 1 'Measures to ensure better functioning of the Bulgarian judicial system in relation with the procedures for the appointment, selection and career development of magistrates' under project No. BGJUSTICE-2.001-0002- C02 'Increasing professionalism in the judicial system' by the Supreme Judicial Council);
- Progress on legislative amendments aimed at improving the functioning of the Inspectorate of the Supreme Judicial Council and avoiding the risk of political influence, in particular by involving the judicial system bodies in the selection of its members.

208-7. Gender equality

- 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: Draft Act amending and supplementing the Judicial System Act as regards 'e-Justice' section. Development of the necessary legislative proposals to enable the smooth operation of the justice system in the process of introducing real and full-fledged e-Justice, the amendments of which will in turn reflect on the regulation of e-Justice in the Civil Procedure Code, the

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: Adopted: Act amending and supplementing the Mediation Act, promulgated in the State Gazette, No 11 of 2023, into force on 01 July 2024.

In 2022, a Draft Act amending and supplementing the Mediation Act was prepared. Approved by Decision No 851 of the Council of Ministers of 28 October 2022. It was submitted for consideration to the 48th National Assembly with signature No 48-202-01-20 of 28 October 2022. It was adopted in a second vote in plenary on 25 January 2023. It was promulgated in the State Gazette, No 11 of 2023. The Act entered into force on 01 July 2024. The proposed amendments to the Draft Act amending and supplementing the Mediation Act provide for the introduction of compulsory judicial mediation for proceedings in certain civil and commercial cases under the jurisdiction of the district, regional and appellate courts as of 01 July 2024. The procedure for mediation in such pending court cases shall be strictly regulated. The Draft Act amending and supplementing the Mediation Act also makes relevant amendments to the Code of Civil Procedure (CCP), the Judicial System Act (JSA) and other legal acts necessary to achieve the set objectives.

Planned: Draft Act amending and supplementing the Mediation Act

Description:

Preparation of normative changes in the field of out-of-court mediation in accordance with the Draft Act amending and supplementing the Mediation Act (Prom. SG, No 11/2023). The main objective of the project is to introduce new standards in relation to out-of-court centres, training organisations, requirements for trainers, introduction of statistics, accountability, control and responsibility.

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: In 2019, an expert working group at the Ministry of Justice /MJ/ composed of representatives of the MJ, the Ministry of Labour and Social Policy, the Ministry of Education and Science, the Ministry of the Interior and UNICEF Bulgaria, the National Network for Children and the Bulgarian Helsinki Committee has drafted a Law on Educational Measures against Persons who have Committed a Criminal Offence or Administrative Violation as Minors and the Reasons for it. The working group reached consensus on the need to establish a system of measures to protect the best interests of the juvenile offender while respecting his or her dignity as well as the dignity of the victim of the offence by:

individualization of measures of educational influence, taking into account the physical, intellectual, moral and social development of the juvenile offender, as well as their right to education;

application of the least restrictive measure capable of achieving the purpose of the law;

special knowledge of those involved in educational activities about the rights of the child and international standards for the treatment of minors and juveniles;

interaction with the parents, guardians and other persons having legal custody of the juvenile offender, unless this would be contrary to his or her best interests or would substantially impede the proceedings;

access to judicial review of restrictions on the rights of the person referred for educational measures;

mandatory counsel for juveniles when provided the opportunity to obtain legal assistance under the terms and conditions of the Legal Aid Act;

expediency of proceedings.

The drafting of the documents has additionally included an analysis of the concluding observations and recommendations of the UN Committee on the Rights of the Child in relation to the second periodic report for Bulgaria (2008), as well as in relation to the consolidated third, fourth and fifth periodic reports for Bulgaria (2016). The drafting of the Bill also took into account the UN and Council of Europe standards in the field of treatment of children in conflict with the law, as formulated in the UN Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), the Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the European Rules for Juvenile Offenders Subject to Sanctions and Measures. The main provisions of the proposed Bill are as follows:

Special knowledge of those involved in educational activities: The bill introduces the requirement that educational cases be heard only by a specialized panel of judges and that the law be applied by judges, prosecutors, specialized child police officers and mediators with specialized knowledge of child rights and international standards for dealing with juveniles in conflict with the law. The standards for specialisation will be approved by the Minister of Justice in consultation with the Minister of Education and Science.

Introduction of restorative justice:

An essential element of the proposed legislative changes is the envisaged possibility of using a mediation procedure. This will allow the introduction of restorative justice so as to achieve the repair of the damage caused by the wrongful conduct and, as far as possible, the restoration of the relationship between the offender, the victim and society. The institution of family counsel:

Where it is appropriate to achieve the objectives of the law, provision is made for the convening of a family council, involving: the offender, his parents or adoptive parents, and other relatives with whom he has developed a close relationship, and if he is a minor and has no parents, the guardian or person having legal custody of him shall be invited. The Educational Support Service may also invite a representative of the Social Assistance Directorate, a specialised police officer for children, a class teacher, a pedagogical adviser or other appropriate persons.

Balancing the rights and legitimate interests of juvenile offenders and the interests of society:

The Bill extends the existing possibilities for the application of educational measures in lieu of more severe punishment, where there is also the possibility of restricting individual freedom by placing them in a significant degree of isolation from the natural environment of family, relatives and society. The scope of the educational influence therefore includes not only juvenile offenders in the cases expressly provided for by the criminal law, but also juvenile offenders committing administrative offences under Decree No 904 of 1963 on combating petty hooliganism and the Law on the protection of public order at sporting events. Another new provision is the applicability of educational measures to juveniles (persons who have reached the age of majority but are under 20 years of age) who have broken the law as minors. Overcoming identified weaknesses in terms of lack of coordination and a unified approach in the fight against juvenile delinquency:

In line with the recommendations of international experts, following an analysis of Bulgarian legislation, it is proposed to establish coordination between the justice system for children in conflict with the law and the protection system to ensure that the best interests of minors are respected. The draft also regulates the prerequisites for the opening of an educational case, the specific conditions for the imposition of the relevant educational measures, the rules for their implementation, the possibility of appeal, modification of the imposed measures, and termination of the implementation.

In conclusion, no consensus was reached on the scope of the Draft Act on educational measures against persons who have committed a criminal offence or an administrative offence as minors, which currently excludes minors, and in this respect and the possible need to further develop appropriate advisory and support services for them, as well as on the educational measure proposed by the bill 'special supervision by a foster family'.

Due to the impossibility of forming a regular government in 2021 and the corresponding early termination of the mandates of the 45th, 46th, 47th and 48th National Assemblies, there have been no changes, or progress, in the juvenile justice system.

Notwithstanding the above, as a commitment of the MJ, a number of strategic documents mandate the drafting and adoption of new legislation in the area of child justice for children in conflict with the law.

208-14. Domestic violence

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Draft Act amending and supplementing the Protection against Domestic Violence Act

In 2022, a Draft Act on the amending and supplementing of the Protection against Domestic Violence Act was prepared in the Ministry of Justice.

It provides for the prompt and effective protection of victims of domestic violence and the exercise of preventive and deterrent action on the perpetrator of violence. It is important to note that the measures under the Act do not exclude the civil, administrative and criminal liability of the perpetrator. The draft provides for:

broadening the scope of the law and formulating the main purpose of the law with a view to assessing the legality of the acts issued; ensuring the State's obligation to pursue a coherent State policy on domestic violence by coordinating, implementing, monitoring and evaluating policies and measures to prevent and combat domestic violence;

extending the range of legal subjects to whom protection is granted under the Protection against Domestic Violence Act, as well as protection measures.

facilitating access to justice;

increasing the protection measures against domestic violence that can be imposed by the competent authorities and regulating their duration;

the establishment of a National Council for the Prevention and Protection from Domestic Violence;

regulating a coordination mechanism between all competent authorities, municipalities and the judicial system bodies, which would establish clear rules of action and coordination to ensure reliable, timely and adequate protection for victims of violence;

the establishment of a national information system for the prevention and protection against domestic violence and a national register of cases of domestic violence;

streamlining court proceedings, including by extending local jurisdiction in domestic violence cases.

The bill has been approved by Decision No 503 of the Council of Ministers of 21 July 2022 and has been submitted to the 47th National Assembly with the registration No 47-202-01-39/22 July 2022. Due to the termination of the mandate of the 47th National Assembly, the

same was not considered. In connection with the Decree No 212 of 02 August 2022 of the President of the Republic of Bulgaria on the appointment of a caretaker government as of 02 August 2022 (Prom. SG, No 61 of 02 August 2022), a new coordination procedure under Article 32, Paragraph 1 of the Rules of Procedure of the Council of Ministers and its Administration, but no approved financial justification has been received.

A bill with identical content to the Draft Act on the amending and supplementing of the Protection against Domestic Violence Act has been submitted to the 48th National Assembly by a group of MPs. The bill was passed in the first vote by the Committee on Legal Affairs, the Committee on Labour, Social and Demographic Policy, the Committee on Human Rights, Religious Affairs and Citizens' Complaints. The bill was rejected in plenary in the first vote on 27 January 2023.

After the formation of the 49th National Assembly, bills to amend and supplement the Law on Protection from Domestic Violence have been submitted by three parliamentary groups with similar content to the Draft Act for amending and supplementing the Protection against Domestic Violence Act drafted in the MJ. On 25 May 2023 2 of the bills were adopted at first reading in the plenary.

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: